

1 BENJAMIN C. MIZER
Principal Deputy Assistant Attorney General
2 EILEEN DECKER
United States Attorney
3 JOHN R. TYLER
Assistant Director, Federal Programs Branch
4 KATHRYN L. WYER (Utah Bar #9846)
U.S. Department of Justice, Civil Division
5 20 Massachusetts Avenue, N.W.
6 Washington, DC 20530
7 Tel. (202) 616-8475/Fax (202) 616-8470
8 kathryn.wyer@usdoj.gov
9 *Attorneys for the United States*

10
11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 HUMAN RIGHTS WATCH,
14

15 Plaintiff,

16 v.

17 DRUG ENFORCEMENT
18 ADMINISTRATION et al.,

19 Defendants.
20
21
22
23
24
25
26
27
28

NO. CV 2:15-2573 PSG (JPR)

**DEFENDANTS' RESPONSES
TO PLAINTIFF'S
INTERROGATORIES 1-5**

Hon. Philip S. Gutierrez

1 Pursuant to Fed. R. Civ. P. 33 and this Court's Order of August 14, 2015,
2 Defendants hereby submit their objections and responses to Plaintiff's
3 Interrogatories 1-5.

4 **OBJECTIONS APPLICABLE TO ALL INTERROGATORIES**

5 1. Defendants object to Plaintiff's Interrogatories to the extent they
6 purport to require responses from or concerning Federal Government entities other
7 than Defendants the Drug Enforcement Administration ("DEA"), the Federal
8 Bureau of Investigation ("FBI"), and the Department of Homeland Security
9 ("DHS"), on grounds of relevance, overbreadth, and undue burden. Among other
10 things, Defendants object to Plaintiff's definitions of "You," "Your," "Defendant,"
11 and "Government" as overbroad and beyond the scope of any issue relevant to
12 jurisdiction. DEA, the FBI, and DHS are the only named Defendants that
13 Plaintiff's Complaint has alleged retain telephony metadata relating to Plaintiff.
14 See Compl. ¶¶ 11, 13, 17. Responses of other Defendants, or regarding other
15 Government entities, would therefore not be relevant to the jurisdictional issues
16 identified by the Court, regarding "the challenged issue of retention of [Plaintiff]
17 HRW's call records." Order of Aug. 14, 2015, at 14. To the extent Plaintiff's
18 Interrogatories seek such responses, they exceed the scope of permissible
19 discovery under the Court's Order and the Federal Rules of Civil Procedure.
20 Moreover, responses on behalf of unidentified defendants DOES 1-100, who have
21 not been served in this action, would also exceed the limited discovery authorized
22 by the Court's Order as well as any discovery authorized by the Federal Rules of
23 Civil Procedure. Defendants will therefore respond to Plaintiff's Interrogatories
24 only on behalf of Defendants DEA, the FBI, and DHS, and each of these
25 Defendants will respond only on its own behalf.

26 2. Defendants object to Plaintiff's Interrogatories to the extent they seek
27 information regarding telephony metadata that does not relate to Plaintiff. Any
28 such information is not relevant to Plaintiff's standing or to the jurisdictional issues

1 identified by the Court, regarding “the challenged issue of retention of [Plaintiff]
2 HRW’s call records.” Order of Aug. 14, 2015, at 14. Because Plaintiff has not
3 identified the telephone numbers it alleges are related to it, Defendants are unable
4 to provide responses regarding collected telephony metadata that are limited to
5 telephony metadata related to Plaintiff. However, Plaintiff’s Complaint does not
6 allege that any Defendant ever initiated a query of collected telephony metadata
7 using a telephone number related to Plaintiff. Nor does Plaintiff’s Complaint allege
8 that any telephony metadata related to Plaintiff ever appeared in the results of any
9 query initiated by a Defendant based on reasonable articulable suspicion.
10 Defendants therefore object to providing information that solely concerns such
11 query results on the ground that such information is not relevant and falls outside
12 the scope of permissible discovery under the Court’s Order and the Federal Rules
13 of Civil Procedure. Any information that Defendants provide regarding such query
14 results is provided subject to this Objection.

15 3. Defendants object to Plaintiff’s Interrogatories to the extent they seek
16 information that exceeds the scope of discovery permitted by the Federal Rules of
17 Civil Procedure and the Rules of Civil Procedure of the United States District
18 Court for the Central District of California, and the Court’s Order of August 14,
19 2015. Defendants further object to the Instructions set forth in Plaintiff’s
20 Interrogatories to the extent that they expand, alter or modify the scope of
21 permissible discovery under the Federal Rules of Civil Procedure and the Rules of
22 Civil Procedure of the United States District Court for the Central District of
23 California, and the Court’s Order of August 14, 2015.

24 4. Defendants object to Plaintiff’s Interrogatories to the extent that they
25 could be construed as seeking information protected from disclosure by the
26 attorney-client privilege, the work product doctrine, the deliberative process
27 privilege, the law enforcement privilege, or any other applicable privilege or
28 immunity recognized under statute, regulation or applicable case law. Defendants

1 do not waive any applicable privilege through the inadvertent or partial disclosure
2 of any otherwise privileged information in response to these Interrogatories.

3 5. Defendants object to Plaintiff's Interrogatories to the extent they seek
4 information that is publicly available and/or that is obtainable from other sources
5 that are more convenient, more efficient, more practical, less burdensome and/or
6 less expensive, on the grounds that such production would be unduly burdensome
7 and unreasonably cumulative.

8 6. The foregoing objections are incorporated in each of the responses set
9 forth below as if the same had been repeated in full and are neither limited nor
10 waived by the recital of similar or different objections in each of the responses, nor
11 by the provision of information – in addition to the objections – in any of the
12 responses.

13 **SPECIFIC OBJECTIONS AND RESPONSES**

14
15 **PLAINTIFF'S INTERROGATORY NO. 1:** State whether the DELETED
16 DATABASE was, at all times, the sole REPOSITORY for ALL PROGRAM
17 CALL RECORDS POSSESSED by the GOVERNMENT, including ALL
18 DEFENDANTS. The DELETED DATABASE was not the sole REPOSITORY if
19 ANY PROGRAM CALL RECORDS were stored in ANY REPOSITORY with
20 OTHER CALL RECORDS or other data, even if such other REPOSITORY was
21 not dedicated specifically to PROGRAM CALL RECORDS.

22 **OBJECTIONS:** Defendants incorporate the General Objections set forth
23 above. Defendants further object that this Interrogatory, including Plaintiff's
24 definition of "Repository," is overbroad and calls for the provision of irrelevant
25 information. Only information regarding Defendants' current possession of
26 telephone metadata, collected by DEA as described in Agent Patterson's
27 declarations of December 15, 2014, and June 11, 2015 (ECF No. 1-1, 24-2)
28 [hereinafter, the "Collected Metadata"], relating to Plaintiff is arguably relevant to
Plaintiff's standing or to the jurisdictional issues identified by the Court, regarding
"the challenged issue of retention of [Plaintiff] HRW's call records," Order of

1 Aug. 14, 2015, at 14. Defendants' current possession of Collected Metadata
2 relating to others, and Defendants' past possession of Collected Metadata, is not
3 relevant because it would have no bearing on Plaintiff's standing.

4 Moreover, Defendants' past or current possession of the results of queries of
5 Collected Metadata using a specific telephone number based on a reasonable
6 articulable suspicion that that telephone number was related to an ongoing federal
7 criminal investigation [hereinafter, "Query Based on Reasonable Articulate
8 Suspicion"] is not relevant and exceeds the scope of permissible jurisdictional
9 discovery under the Court's Order of August 14, 2015, because Plaintiff's
10 Complaint does not allege that any Defendant ever initiated a query of collected
11 telephony metadata using a telephone number related to Plaintiff, nor does
12 Plaintiff's Complaint allege that any telephony metadata related to Plaintiff ever
13 appeared in the results of any Query Based on Reasonable Articulate Suspicion.

14 Defendants further object that this Interrogatory is unduly burdensome to the
15 extent it seeks to require Defendants to determine whether any agency file, system,
16 or backup storage medium contains one or more reports of the results of a Query
17 Based on Reasonable Articulate Suspicion (hereinafter, "Report" or "Reports").
18 As described above, Defendants' potential possession of such Reports is irrelevant
19 to Plaintiff's standing. However, to the extent such Reports may in some instances
20 have been transmitted as attachments to electronic mail, such attachments, or the
21 information contained therein, could conceivably have been printed, stored in
22 individual electronic mail files, or saved through automatic backup processes. In
23 order to identify or describe the location of any such isolated Reports, it would be
24 necessary to engage in an extensive manual review of files, systems, and backup
25 storage media in each of these agencies. It would be unduly burdensome to
26 undertake this effort given the lack of relevance of Defendants' possession of
27 Reports to Plaintiff's standing.

28 **DEA'S RESPONSE:** Subject to and without waiving any objections, DEA

1 responds as follows: The database identified in Agent Patterson's declarations of
2 December 15, 2014, and June 11, 2015 (ECF No. 1-1, 24-2) [hereinafter, the "DEA
3 Database"] was the only database ever used to store raw Collected Metadata
4 unconnected to the results of a particular Query Based on Reasonable Articulate
5 Suspicion. Prior to September 2013, Collected Metadata received from
6 telecommunications service providers went through a standardization process
7 before being added to the DEA Database. This standardization process entailed the
8 creation of temporary files that might have contained Collected Metadata. These
9 temporary files were the only files that might have contained Collected Metadata
10 before it was added to the DEA Database.

11 The DEA Database is the only database that was used to conduct Queries
12 Based on Reasonable Articulate Suspicion. Prior to September 2013, the DEA
13 Database housed Collected Metadata that had been collected during the
14 immediately preceding two years. Collected Metadata older than two years was
15 automatically deleted on a continuing basis. Thus, a Query Based on Reasonable
16 Articulate Suspicion was able to obtain results for at most the two most recent
17 years prior to the Query.

18 No Collected Metadata was extracted from the DEA Database unless it was
19 in a Report of the results of a DEA Database Query Based on Reasonable
20 Articulate Suspicion. When a Query Based on Reasonable Articulate Suspicion
21 was initiated in the DEA Database, a Report of results would be generated. The
22 only Collected Metadata contained in the Report was Collected Metadata that was
23 in the DEA Database at the time of the Query (thus, was at most two years old) and
24 was identified as linked to the telephone number used for such a Query. If the
25 telephone number used for the Query yielded no results in the DEA Database, the
26 Report would not contain any Collected Metadata. DEA has retained copies of all
27 such Reports in a separate QuickCheck database. See DEA's Response to
28 Interrogatory No. 2.

1 **FBI'S RESPONSE:** Subject to and without waiving any objections, FBI
2 responds as follows: The FBI has some Collected Metadata from Reports in its
3 possession. See FBI's response to Interrogatory Nos. 2, 5.

4 **DHS'S RESPONSE:** Subject to and without waiving any objections, DHS
5 responds as follows: DHS received no Collected Metadata other than Collected
6 Metadata that appeared in Reports that included the results of Queries based on
7 Reasonable Articulate Suspicion that DHS personnel requested to be run in the
8 DEA Database. DHS has no Repository specifically designated as a place where
9 Reports containing results of Queries Based on Reasonable Articulate Suspicion
10 should be stored.

11
12 **PLAINTIFF'S INTERROGATORY NO. 2:** DESCRIBE each REPOSITORY
13 where PROGRAM CALL RECORDS are STORED.

14 **OBJECTIONS:** Defendants incorporate the General Objections set forth
15 above. Defendants further object that this Interrogatory, including Plaintiff's
16 definition of "Repository," is overbroad and calls for the provision of irrelevant
17 information. Descriptions of "repositories" that do not contain Collected Metadata
18 relating to Plaintiff are not relevant to Plaintiff's standing or to the jurisdictional
19 issues identified by the Court, regarding "the challenged issue of retention of
20 [Plaintiff] HRW's call records," Order of Aug. 14, 2015, at 14. In particular,
21 descriptions of "repositories" that contain only Reports of the results of Queries
22 Based on Reasonable Articulate Suspicion are not relevant and exceed the scope
23 of permissible jurisdictional discovery under the Court's Order of August 14, 2015,
24 because Plaintiff's Complaint does not allege that any Defendant ever initiated a
25 query of collected telephony metadata using a telephone number related to
26 Plaintiff, nor does Plaintiff's Complaint allege that any telephony metadata related
27 to Plaintiff ever appeared in the results of any Query Based on Reasonable
28 Articulate Suspicion.

1 Defendants further object that this Interrogatory is unduly burdensome to the
2 extent it seeks to require Defendants to determine whether any agency file, system,
3 or backup storage medium contains one or more Reports of the results of a Query
4 Based on Reasonable Articulate Suspicion, and to describe any such file, system,
5 or backup storage medium. As described above, Defendants' potential possession
6 of such Reports is irrelevant to Plaintiff's standing. However, to the extent such
7 Reports may in some instances have been transmitted as attachments to electronic
8 mail, such attachments, or the information contained therein, could conceivably
9 have been printed, stored in individual electronic mail files, or saved through
10 automatic backup processes. In order to identify or describe the location of any
11 such isolated Reports, it would be necessary to engage in an extensive manual
12 review of files, systems, and backup storage media in each of these agencies. It
13 would be unduly burdensome to undertake this effort given the lack of relevance of
14 Defendants' possession of Reports to Plaintiff's standing.

15 Defendants further object that Plaintiff's definition of "Describe" is vague,
16 ambiguous, overbroad, unduly burdensome, seeks information beyond the scope of
17 the Court's Order of August 14, 2015, and calls for information that is protected by
18 the law enforcement privilege.

19 **DEA'S RESPONSE:** Subject to and without waiving any objections, DEA
20 responds as follows: DEA's QuickCheck database, mentioned in DEA's response
21 to Plaintiff's Interrogatory No. 1, only contains Reports. Thus, no Collected
22 Metadata relating to a telephone number is in the QuickCheck database unless that
23 telephone number was used prior to September 2013 to conduct a Query Based on
24 Reasonable Articulate Suspicion or was identified in the Report generated from
25 such a Query. The QuickCheck database is in the sole possession of DEA and is
26 housed in DEA's Office of Special Intelligence. This database was created and is
27 retained solely in order to respond to discovery requests that may be submitted by
28 a criminal defendant, regarding whether telephone numbers associated with that

1 defendant were subject to a Query Based on Reasonable Articulate Suspicion.
2 Searches of the database can be conducted using either a specific telephone
3 number or the investigation file number of the investigation for which the original
4 DEA Database Query Based on Reasonable Articulate Suspicion was conducted.
5 DEA is required to maintain the QuickCheck database in order to respond to
6 discovery requests submitted by criminal defendants and does not use or access the
7 QuickCheck database for any other purpose.

8 Because DEA transmitted Reports to requesting offices using its classified
9 electronic mail system, DEA's automatic backup storage system for its classified
10 electronic mail, known as Merlin, likely contains copies of Reports. The Merlin
11 backup system is housed on secure servers and is not generally accessible.

12 **FBI'S RESPONSE:** Subject to and without waiving any objections, FBI
13 responds as follows: For some period of time, Reports generated by DEA in
14 response to Queries Based on Reasonable Suspicion that had been requested by
15 FBI were transmitted via an attachment to an email sent by FBI personnel through
16 the FBI's classified email system (FBI Net) to the FBI field office submitting the
17 request.

18 Since 2011, and in some cases since 2009, FBINET emails have been
19 automatically stored on secure servers in a system known as Enterprise Vault.
20 Those servers are not generally accessible; they can be searched only by certain
21 FBI personnel for limited purposes. Searches cannot be directed across-the-board
22 at all FBI emails or at groups of email accounts at once, but rather have to be
23 targeted to specific, individual users.

24 Some Collected Metadata from Reports has been located in documents
25 uploaded to the FBI's Sentinel case management database, and its predecessor
26 database known as Automated Case Support System (ACS). Paper copies of those
27 documents would likely be found in the corresponding FBI field office files.

28 In addition, there is a paper file stored at FBI Headquarters that contains

1 Collected Metadata from Reports.

2 **DHS'S RESPONSE:** Subject to and without waiving any objections, DHS
3 responds as follows: DHS received no Collected Metadata other than Collected
4 Metadata that appeared in Reports that included the results of Queries based on
5 Reasonable Articulate Suspicion that DHS personnel requested to be run in the
6 DEA Database. DHS has no Repository specifically designated as a place where
7 Reports containing results of Queries Based on Reasonable Articulate Suspicion
8 should be stored.

9
10 **PLAINTIFF'S INTERROGATORY NO. 3:** State the specific steps the
11 GOVERNMENT took to "quarantine" and "purge" the DELETED DATABASE,
12 as discussed in the Declaration of Robert W. Patterson, ¶ 3 (ECF No. 24-2) filed in
THIS ACTION.

13 **OBJECTIONS:** Defendants incorporate the General Objections set forth
14 above.

15 **DEA'S RESPONSE:** Subject to and without waiving any objections, DEA
16 responds as follows: On August 5-6, 2013, DEA physically transferred the DEA
17 Database onto a server that was not connected to DEA's network, which made the
18 DEA Database inaccessible to Queries Based on Reasonable Articulate Suspicion
19 and prevented any additions to the Database. By January 19, 2015, DEA had
20 deleted all data in the DEA Database. The servers that had housed the DEA
21 Database both before and after August 6, 2013, have been replaced since January
22 19, 2015.

23
24 **PLAINTIFF'S INTERROGATORY NO. 4:** State the specific steps the
25 GOVERNMENT took to IDENTIFY and DESTROY PROGRAM CALL
RECORDS that existed outside of the DELETED DATABASE.

26 **OBJECTIONS:** Defendants incorporate the General Objections set forth
27 above. Defendants further object that this Interrogatory seeks irrelevant
28 information. Only information regarding Defendants' current possession of

1 Collected Metadata relating to Plaintiff is arguably relevant to Plaintiff's standing
2 or to the jurisdictional issues identified by the Court, regarding "the challenged
3 issue of retention of [Plaintiff] HRW's call records," Order of Aug. 14, 2015, at 14.
4 Information about Defendants' current possession of Collected Metadata relating
5 to others, and any efforts undertaken by Defendants to identify or destroy
6 Collected Metadata relating to others, is not relevant because it would have no
7 bearing on Plaintiff's standing.

8 Moreover, information about Defendants' current possession or efforts to
9 identify and destroy Reports of the results of Queries Based on Reasonable
10 Suspicion is not relevant and exceeds the scope of permissible jurisdictional
11 discovery under the Court's Order of August 14, 2015, because Plaintiff's
12 Complaint does not allege that any Defendant ever initiated a query of collected
13 telephony metadata using a telephone number related to Plaintiff, nor does
14 Plaintiff's Complaint allege that any telephony metadata related to Plaintiff ever
15 appeared in the results of any Query Based on Reasonable Articulate Suspicion.

16 **DEA'S RESPONSE:** Subject to and without waiving any objections, DEA
17 responds as follows: In April 2014, DEA searched all locations where any
18 temporary files created during the standardization process described in response to
19 Interrogatory No. 1 had existed and insured that no such temporary files containing
20 Collected Metadata still existed. The servers that had housed any such temporary
21 standardization files have been replaced within the past year. DEA has also
22 verified that any backup tapes that had been used to backup Collected Metadata in
23 the DEA Database have been overwritten and no longer contain any Collected
24 Metadata.

25 Once Collected Metadata was added to the DEA Database, it did not leave
26 the DEA Database unless it was deleted or unless it was included in a Report
27 generated, before the DEA Database was quarantined, in response to a Query
28 Based on Reasonable Articulate Suspicion. Only Collected Metadata that was in

1 the DEA Database at the time of the Query (thus, was at most two years old) and
2 was identified as linked to the telephone number used for such a Query would be
3 found in such Reports. Reports were provided to the requestor subject to stringent
4 caveats. These included instructions limiting use and dissemination of the Report,
5 requiring the return of the Report to a field division point of contact for final
6 disposition as soon as the Report had served its purpose, and authorizing the field
7 division point of contact to destroy the Report upon determination that retention
8 was no longer necessary to support an investigation or related activity. Reports
9 were therefore not supposed to be kept in the investigation files of requesting
10 agencies or offices, and requesters were supposed to destroy their copies as soon as
11 possible. Special Operations Division personnel routinely conducted training for
12 points of contact in DEA and other agencies regarding how to handle and dispose
13 of Reports. While copies of these Reports continue to exist in the QuickCheck
14 database, those copies cannot be destroyed because they must be maintained for
15 the purpose of responding to discovery requests by criminal defendants. The
16 QuickCheck database is not used for any purpose other than responding to such
17 discovery requests.

18 By September 2013, Reports ceased being generated. No Collected Metadata
19 was extracted, transferred, or copied from the DEA Database since that time.

20 **FBI'S RESPONSE:** Subject to and without waiving any objections, FBI
21 responds as follows: FBI field office employees who received Reports were
22 authorized to destroy the Reports upon determination that retention was no longer
23 necessary to support an investigation or related activity. In addition, searches have
24 been done in the past to identify any Reports that had been uploaded into Sentinel
25 or ACS. In the event a Report was found, the field office that uploaded the Report
26 was directed to delete the Report from the system.

27 **DHS'S RESPONSE:** Subject to and without waiving any objections, DHS
28 responds as follows: DHS employees were authorized to destroy Reports received

1 by DHS upon determination that retention was no longer necessary to support an
2 investigation or related activity. DHS has no Repository specifically designated as
3 a place where Reports containing results of Queries Based on Reasonable
4 Articulate Suspicion should be stored.

5
6 **PLAINTIFF's INTERROGATORY NO. 5:** State the NUMBER of PROGRAM
7 CALL RECORDS the GOVERNMENT currently POSSESSES.

8 **OBJECTIONS:** Defendants incorporate the General Objections set forth
9 above. Defendants further object that this Interrogatory seeks information that is
10 not relevant and exceeds the scope of permissible discovery under the Federal
11 Rules of Civil Procedure and this Court's Order of August 14, 2015. Only
12 information regarding Defendants' current possession of Collected Metadata
13 relating to Plaintiff is arguably relevant to Plaintiff's standing or to the
14 jurisdictional issues identified by the Court, regarding "the challenged issue of
15 retention of [Plaintiff] HRW's call records," Order of Aug. 14, 2015, at 14.
16 Defendants' current possession of Collected Metadata relating to others, and the
17 number of records containing Collected Metadata relating to others, is not relevant
18 because it would have no bearing on Plaintiff's standing.

19 The only Collected Metadata that has been identified as remaining in
20 Defendants' possession is Collected Metadata that appeared in Reports of the
21 results of Queries Based on Reasonable Articulate Suspicion. Only Collected
22 Metadata that was in the DEA Database at the time of the Query (thus, was at most
23 two years old) and was identified as linked to the telephone number used for such a
24 Query would be found in such Reports. The number of such Reports, or other
25 records containing information from such Reports, is not relevant and exceeds the
26 scope of permissible jurisdictional discovery under the Court's Order of August
27 14, 2015, because Plaintiff's Complaint does not allege that any Defendant ever
28 initiated a query of collected telephony metadata using a telephone number related

1 to Plaintiff, nor does Plaintiff's Complaint allege that any telephony metadata
2 related to Plaintiff ever appeared in the results of any Query Based on Reasonable
3 Articulate Suspicion.

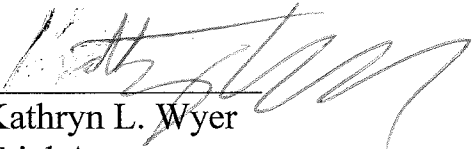
4 Defendants further object that it would be unduly burdensome to ascertain
5 the specific number of records in Defendants' possession that contain Collected
6 Metadata that appeared in the results of Queries Based on Reasonable Articulate
7 Suspicion. As explained above in objections to Interrogatory No. 1, it would be
8 unduly burdensome for Defendants to determine with absolute certainty whether
9 Query results containing Collected Metadata have been retained in an individual's
10 files, in an electronic mail account, or in a backup storage device. It would be
11 necessary to manually search agency files, including electronic files of thousands
12 of agency personnel and individual electronic mail accounts, paper files in
13 individual offices as well as central records storage repositories, as well as backup
14 storage media, in order to make such a determination, or to ascertain the precise
15 number of documents containing such Query results. It would also be unduly
16 burdensome to determine a precise number of Reports of Query results that contain
17 Collected Metadata in DEA's QuickCheck database. Queries that yielded negative
18 results may still be documented in a Report that would contain no Collected
19 Metadata. The documents in the QuickCheck database consist of nonsearchable
20 pdfs. It would therefore be necessary to manually review each document in the
21 QuickCheck database individually in order to ascertain how many documents
22 consist of Reports that contain Collected Metadata. It would also be unduly
23 burdensome to determine a precise number of documents containing Collected
24 Metadata from Reports in the paper file at FBI Headquarters. Not all documents in
25 this file contain Collected Metadata from Reports. It would be necessary to
26 manually review each document in order to determine if it contains Collected
27 Metadata from Reports. Because of the large number of documents in this file, this
28 process would be time-consuming and unduly burdensome, given their lack of

1 relevance.

2 **FBI'S RESPONSE:** Subject to and without waiving any objections, FBI
3 responds as follows: FBI identified approximately thirty-two documents in
4 Sentinel and approximately twenty-three documents in ACS containing Collected
5 Metadata from Reports, some of which are duplicates. Five additional documents
6 in Sentinel and six additional documents in ACS have been identified as possibly
7 containing Collected Metadata from Reports, but the text of these documents could
8 not be viewed electronically.

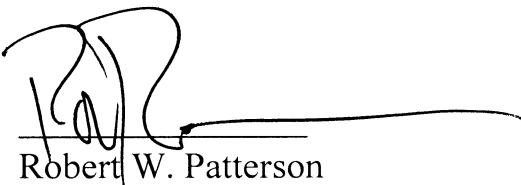
9 Dated: October 20, 2015

10
11 As to objections:


12 Kathryn L. Wyer
13 Trial Attorney
14 Department of Justice
15
16
17
18
19
20
21
22
23
24
25
26
27
28

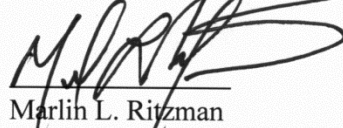
1
2 I declare under penalty of perjury that the Responses set forth above on behalf of
3 the Drug Enforcement Administration are true and correct to the best of my
4 knowledge.

5
6 10-19-15
7 Date


Robert W. Patterson
Assistant Special Agent in Charge
U.S. Drug Enforcement Administration

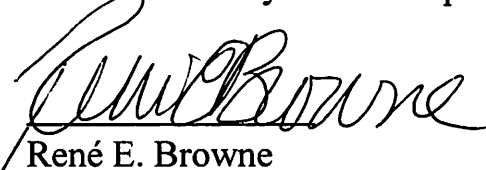
1 I declare under penalty of perjury that the Responses set forth above on behalf of
2 the Federal Bureau of Investigation are true and correct to the best of my
3 knowledge, based upon information provided to me by employees of the FBI.

4
5 19 OCT 2015
6 Date


Marlin L. Ritzman
Section Chief
Federal Bureau of Investigation

1 I declare under penalty of perjury that the Responses set forth above on behalf of
2 the Department of Homeland Security are true and correct to the best of my
3 knowledge, based on information provided to me in my official capacity.

4
5 10/19/2015
6 Date



René E. Browne
Assistant General Counsel for Litigation
Department of Homeland Security