Mark Graff - NOAA Federal

From: Mark Graff - NOAA Federal

Sent: Thursday, August 9, 2018 9:55 AM

To: John Luce - NOAA Federal; Stephen Lipps - NOAA Federal; Scott Smullen - NOAA Federal; Jeff Dillen - NOAA Federal; Kristen Gustafson - NOAA Federal; Robert Hogan; _DUS Staff; Tanya Dobrzynski - NOAA Federal; Stuart Levenbach - NOAA Federal; Kevin Wheeler - NOAA Federal; Brandon Elsner - NOAA Federal; Taylor Jordan - NOAA Federal; Erik Noble - NOAA Federal; Wendy Lewis - NOAA Federal; Michelle Reed; Heather Book - NOAA Federal; Shepherd Grimes - NOAA Federal; Samuel Rauch - NOAA Federal; Emma Htun - NOAA Affiliate

Cc: Tom Taylor; Kimberly Katzenbarger - NOAA FEDERAL; Charles; Dennis Morgan - NOAA Federal; Stacey Nathanson - NOAA Federal; Robert Swisher - NOAA Federal; Steven Goodman - NOAA Federal; Samuel Dixon - NOAA Affiliate; Lola Stith - NOAA Affiliate; Zachary Goldstein - NOAA Federal; Douglas Perry - NOAA Federal; Jeri Dockett - NOAA Affiliate; Lawrence Charters - NOAA Federal; Allison Soussi-Tanani - NOAA Federal; Bogomolny, Michael (Federal); Roxie Allison-Holman - NOAA Federal; John Almeida - NOAA Federal; Michael Weiss - NOAA Federal; Maria Williams - NOAA Federal; Shawn Martin - NOAA Federal; Kathryn Kempton - NOAA Federal; Ed Kearns - NOAA Federal; Cheryl Scannell - NOAA Federal; Devin Brakob - NOAA Federal; _OCIO GPD; Darone Jones - NOAA Federal; Christina Storz - NOAA Federal; Monique Bortey - NOAA Affiliate; Jackie Rolleri - NOAA Federal; _HDQ CDO; Kevin Oconnell - NOAA Federal; Brittany Pugh - NOAA Federal; Lisa Love - NOAA Federal; Denise Hamilton - NOAA Federal

Subject: Weekly FOIA and High Visibility Requests

Attachments: ERF Stipulation of Settlement and Dismissal with Prejudice 13 JUL 18.pdf; ERF, Complaint.pdf; Weekly Report FOIAonline Advanced Search 8.1.18-8.7.18.xlsx; SGM v. DOC DOC-NOAA-2017-000790 IR_7.pdf; SGM Complaint.pdf

Good Morning,

Attached is the weekly report.

Incoming:

One request was submitted by Earthjustice on behalf of the Center for Biological Diversity (CBD). The request is seeking records related to whitetip shark bycatch. (DOC-NOAA-2018-001884). Earthjustice also represents Oceana who has a pending FOIA lawsuit against NOAA regarding records on dusky shark bycatch. CBD has filed two FOIA lawsuits against NOAA within the last two years.

Litigation:

In the *ERF v. NMFS* litigation, NOAA is reviewing a final set of potentially responsive records and preparing to file another declaration on Monday. The additional search and declaration are pursuant to the terms of the settlement agreement reached between the parties following the Settlement Conference attended by DOC/GC in that case. The original request sought records related to the Stockdale Memo. As to attorneys fees, NMFS has already paid the settlement amount of $55,000, and is finishing the last remaining items under that negotiated dismissal. A copy of the original Complaint, along with the Stipulation of Settlement and Dismissal filed with the Court outlining the present search and production, is attached.

In the *SGM v. DOC* litigation, NOAA issued another interim release on August 3, pursuant to the monthly production agreement between the parties. The original request sought records on weather modification and the reason for the confidentiality provision within the Operations and Workforce Analysis (OWA) project. A copy of the original Complaint, and the cover-letter from the most recent release, is attached.

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