

2. Property of the People, Inc. is a 501(c)(3) charitable organization dedicated to governmental transparency in the service of democracy. Property of the People's Operation 45 is dedicated to ensuring transparency and accountability for the Administration of Donald J. Trump, the 45th President of the United States. Plaintiff Ryan Noah Shapiro is a founder of Property of the People.

3. Defendant Office of Management and Budget (OMB) is an agency of the United States.

4. Defendant Council on Environmental Quality (CEQ) is an agency of the United States

5. OMB and CEQ have possession, custody and control of the records Plaintiffs seeks.

JURISDICTION AND VENUE

6. This action arises under the Freedom of Information Act ("FOIA"), 5 USC § 552.

7. This Court has jurisdiction over the parties and subject matter pursuant to 5 USC § 552(a)(4)(B).

8. Venue is proper in this district pursuant to 5 USC § 552(a)(4)(B).

STATEMENT OF FACTS

Request to OMB

9. On May 8, 2017, Plaintiffs submitted to OMB via email a FOIA request for OMB visitor logs, the OMB Director's phone call logs, and the OMB Director's calendar.

10. In a May 9, 2017 email, OMB acknowledged receipt of the FOIA request on May 9, 2017 and assigned it tracking number 2017-209.

11. More than 20 business days have elapsed since Plaintiffs submitted the FOIA request to OMB on May 9, 2017, but as of the filing of this Complaint, Plaintiffs have not received a response from OMB with a final determination as to whether OMB will release the requested records.

Request to CEQ

12. On May 18, 2017, Plaintiffs submitted to CEQ via email a FOIA request for CEQ visitor logs, the CEQ Director's phone call logs, and the CEQ Director's calendar. In a May 30, 2017 automated email, EOUSA indicated that it had received the request on May 22, 2017 and assigned it tracking number EOUSA-2017-001683.

13. In an August 4, 2017 email, CEQ indicated that it had assigned the request tracking number FY2017-100. The email further indicated that the agency was still in the review process.

14. More than 20 business days have elapsed since CEQ received the request on May 18, 2017, but as of the filing of this Complaint, Plaintiffs have not received a response from CEQ with a final determination as to whether CEQ will release the requested records.

COUNT I:
VIOLATION OF FOIA

15. This Count realleges and incorporates by reference all of the preceding paragraphs. All documents referenced in this Complaint are incorporated by reference as if set forth fully herein.

16. OMB and CEQ have improperly withheld responsive records.

17. Plaintiffs are deemed to have exhausted their administrative remedies because OMB and CEQ have not responded within the time period required by law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court:

- (1) Declare Defendants' failure to comply with FOIA to be unlawful;
- (2) Order Defendants to immediately process Plaintiffs' FOIA request;
- (3) Grant Plaintiffs an award of attorney fees and other litigation costs reasonably incurred in this action pursuant to 5 USC § 552(a)(4)(E)(i);
- (4) Grant Plaintiffs such other and further relief which the Court deems proper.

Respectfully Submitted,

/s/ Jeffrey Light

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