



November 18, 2025

VIA Electronic Delivery

Andrew Fiorillo
Acting Chief, Initial Request Staff
Office of Information Policy
441 G St NW, 6th Floor
Washington, DC 20530
Via Online Portal

Brian Flannigan
Chief, FOIA and Privacy Office
Civil Division
1100 L Street, NW, Room 8400
Washington, DC 20530-0001
Civil.routing.FOIA@usdoj.gov

Arla Witte-Simpson
FOIA Public Liaison
Executive Office for United States Attorneys
175 N Street, N.E., Suite 5.400
Washington, DC 20530-0001
Via Online Portal

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552, Democracy Forward Foundation submits this request for records.

Following reporting that President Trump is attempting to obtain \$230 million in compensation for federal investigations into him from the Department of Justice ("DOJ") while he serves as President,¹ new reporting has revealed that the administration is in talks to resolve cases brought by former national security adviser, Michael Flynn, and by former senior White House lawyer

¹ Devlin Barrett & Tyler Pager, *Trump Said to Demand Justice Dept. Pay Him \$230 Million for Past Cases*, N.Y. Times (Oct. 21, 2025), <https://www.nytimes.com/2025/10/21/us/politics/trump-justice-department-compensation.html>.

Stefan Passantino.² The original matter raised grave ethical concerns both for President Trump personally and for Deputy Attorney General Todd Blanche, who previously served as Trump's personal defense attorney and may now be involved in reviewing or approving the claim. These new revelations continue to raise concerns about political interference and the granting of relief to individuals with personal ties to the President. Public transparency is essential to shed light on this stunning and unprecedented potential breach of ethical safeguards.

Records Requested

Democracy Forward Foundation ("DFF") requests that the Department of Justice ("DOJ") produce the following within twenty (20) business days:

All records reflecting communications (including emails, texts or messages on messaging platforms such as Signal, direct messages on social media platforms such as Truth Social or X, calendar entries, and summaries of oral communications) between (a) the DOJ officials listed below, and (b) the external individuals or entities listed below:

DOJ Officials

- I. Attorney General Pam Bondi, or anyone communicating on behalf of Ms. Bondi such as a Chief of Staff, assistant, or scheduler
- II. Deputy Attorney General Todd Blanche, or anyone communicating on behalf of Mr. Blanche such as a Chief of Staff, assistant, or scheduler
- III. Associate Attorney General Stanley Woodward Jr., or anyone communicating on behalf of Mr. Woodward such as a Chief of Staff, assistant, or scheduler
- IV. Associate Deputy Attorney General Ketan Bhurud
- V. Associate Deputy Attorney General Aakash Singh
- VI. Associate Deputy Attorney General Jordan Fox
- VII. Assistant Attorney General Brett Shumate, or anyone communicating on behalf of Mr. Shumate such as a Chief of Staff, assistant, or scheduler
- VIII. Anyone serving as Torts Branch Director, including James G. Touhey and Former Director Kirsten Wilkerson
- IX. Northern District of Georgia Acting U.S. Attorney Richard S. Moultrie, Jr.
- X. Northern District of Georgia Assistant U.S. Attorney Gabriel Mendel
- XI. Northern District of Georgia Civil Division Chief Neeli Ben David

External Entities

- I. Any counsel communicating on behalf of Michael Flynn in connection with the Federal Tort Claims Act ("FTCA") claims submitted by or on behalf of Michael

² Zoe Tillman, *Michael Flynn, DOJ in Settlement Talks Over \$50 Million Claim*, Bloomberg (Nov. 14, 2025), <https://www.bloomberg.com/news/articles/2025-11-14/michael-flynn-doj-in-settlement-talks-over-50-million-claim>.

Flynn, including, but not limited to Jason Greaves (jason@binnall.com) and Jared Roberts (jared@binnall.com).³

- II. Any counsel communicating on behalf of Stefan Passantino in connection with the Federal Tort Claims Act (“FTCA”) claims submitted by or on behalf of Stefan Passantino, including, but not limited to: Brian Tyson (bytyson@clarkhill.com), Jesse Binnall (jesse@binnall.com), and Jared Roberts (jared@binnall.com).⁴

This request seeks records from August 1, 2025, until the date of the search.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep’t of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

³ For further identifying information *see id.*

⁴ For further identifying information *see id.*

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agency's regulations, Democracy Forward Foundation requests a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or reduced fees when "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a "demonstrated . . . ability to disseminate the requested information," *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to "a reasonably broad audience of persons interested in the subject" of its work. *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require "pointless specificity"; all that is necessary is for a requester to adequately demonstrate its "ability to publicize disclosed information." *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, see *id.*, or whether the requester has a history of "contacts with any major news[] companies" that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

DFF has a demonstrated ability to disseminate information of public interest requested through FOIA, and intends to publicize records DFF receives that contribute significantly to the public's understanding of settlement talks between the administration and two former Trump allies. When DFF obtains materials through FOIA requests that are of significant public interest, DFF's communications staff regularly works to ensure that these materials and their contents are featured in press articles educating the public about the operation of government; many articles feature additional commentary and analysis from DFF staff about those materials and their relevance to policy issues of public interest. Indeed, records received by DFF have previously formed the basis of news reports.⁵

⁵ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *"Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>;

Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero>

Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$100. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

[tolerance-policy-guidance-dhs-family-separation](#); Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron,'* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043