

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DEMOCRACY FORWARD FOUNDATION,
P.O. Box 34553
Washington, D.C. 20043,

Plaintiff,

vs.

Case No. 26-cv-

U.S. DEPARTMENT OF JUSTICE
950 Pennsylvania Avenue, NW
Washington, DC 20530

Defendant.

COMPLAINT FOR INJUNCTIVE RELIEF

Plaintiff Democracy Forward Foundation (“DFF”) brings this action against Defendant U.S. Department of Justice (“DOJ”) to compel compliance with the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). Plaintiff alleges as follows:

Jurisdiction and Venue

1. This Court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331.

2. Venue is proper under 28 U.S.C. § 1391(e), as Defendant’s headquarters are located in Washington, D.C., within this district, and a substantial part of the events or omissions giving rise to Plaintiff’s claims occurred here.

Parties

3. Plaintiff Democracy Forward Foundation (“DFF”) is a not-for-profit organization incorporated under the laws of the District of Columbia and based in Washington, D.C. Plaintiff

works to promote transparency and accountability in government, in part, by educating the public on government actions and policies.

4. Defendant U.S. Department of Justice (“DOJ”) is a federal agency within the meaning of FOIA, 5 U.S.C. § 552(f)(1), and is headquartered in Washington, D.C. The Civil Rights Division (“CRT”) is a component of DOJ. DOJ has possession, custody, and control of records to which Plaintiff seeks access.

Facts

5. Recent reporting indicates that CRT, the component of DOJ entrusted with enforcing federal voting laws to ensure that eligible voters can cast ballots freely and have them counted, has shifted aspects of its enforcement priorities to undermine the right to vote.¹

6. Most prominently, CRT has reportedly undertaken an unprecedented effort to demand that states provide all voter registration data to CRT for sharing with the Department of Homeland Security (“DHS”), sparking concerns about the Administration’s influence over state election administration.²

7. On information and belief, CRT’s voter data efforts with both states and DHS involves the execution of memoranda of agreement or understanding.

8. Reporting further indicates that senior CRT officials have had communications with certain external individuals and groups who have been associated with election integrity concerns.³ This includes reported special government employee Kurt Olsen, who the *New York*

¹ See e.g., Sam Levine, *Over 200 ex-staffers decry destruction of DoJ civil rights arm: ‘America deserves better’*, The Guardian (Dec. 9, 2025), <https://perma.cc/KNA8-YMSE>.

² See Sarah N. Lynch, *Justice Dept. close to finalizing deal to hand over states’ voter roll data to Homeland Security, sources say*, CBS News, Mar. 26, 2026, <https://perma.cc/YKZ3-TMUB>.

³ See e.g., Doug Bock Clark, *Trump Officials Attended a Summit of Election Deniers Who Want the President to Take Over the Midterms*, ProPublica (Feb. 28, 2026), <https://perma.cc/73CQ-CRPY>.

Times has described as a prominent election denier,⁴ and Election Integrity Network leader Cleta Mitchell, who the New York Times reported was “among a cadre of Republican lawyers who frantically compiled unsubstantiated accusations” to mount challenges to the 2020 election.⁵

9. DFF submitted FOIA requests to obtain records of CRT communications with such individuals and organizations, as well as agreements with other agencies or entities to better understand CRT’s activities, priorities, and interactions with outside actors concerning election administration ahead of the 2026 elections.

10. There is an urgent need for the information requested in advance of the coming federal midterm elections, as contemporaneous reporting and documented activities indicate that CRT is engaged in the collection, sharing, and analysis of state voter data, including interactions with external actors who have publicly questioned election integrity, raising time-sensitive concerns about transparency, public confidence, and the potential impact of these efforts on election administration and voter participation.

Kurt Olsen Communications Request

11. On November 12, 2025, DFF sent a FOIA request to CRT seeking the following:

All electronic communications (including email messages, complete email chains, email attachments, calendar invitations, text messages, messages on messaging platforms such as Signal and WhatsApp, and direct messages on social media platforms such as X and Truth Social) between (1) the CRT officials listed below and (2) Kurt Olsen, a “special government employee” who has recently joined the Trump Administration.

CRT Officials:

⁴ See Shawn McCreesh et al, *Trump’s Director of Election Security Is an Election Denier*, N.Y. Times (Feb. 12, 2026), <https://perma.cc/JKX7-CNUA>.

⁵ See Alexandra Berzon, *Lawyer Who Plotted to Overturn Trump Loss Recruits Election Deniers to Watch Over the Vote*, N.Y. Times (May 30, 2022), <https://perma.cc/D2XW-QE5G>.

1. Harmeet Dhillon, Assistant Attorney General
2. Jesus A. Osete, Principal Deputy Assistant Attorney General
3. Michael Gates, Deputy Assistant Attorney General
4. Maureen Riordan, Acting Chief of the Voting Section
5. Andrew “Mac” Warner, Attorney

12. This request sought records from October 1, 2025, through the date of the search.

13. This request received confirmation ID 2517786 through the FOIA.gov portal, but

CRT has not acknowledged the request.

MOU Request (26-00256-F)

14. On February 6, 2026, DFF sent a FOIA request to CRT seeking the following:

All Memoranda of Understanding (MOU), Memoranda of Agreement (MOA) or other final inter- or intra-agency agreements between CRT and any other entity regarding elections and voting, including Voter Registration Lists.

15. This request sought records from January 20, 2025, through the date of the search.

16. On March 19, 2026, CRT acknowledged this request, stated it received the request February 9, 2026, and assigned it tracking number 26-00256-F.

17. DFF has not received any further communication from CRT regarding this request.

Eric Neff Request (26-00257-F)

18. On February 6, 2026, DFF sent a FOIA request to CRT seeking the following:

(1) All electronic communications (including emails, email attachments, complete email chains, calendar invitations, calendar invitation attachments, text messages, or messages on messaging platforms, including Signal, WhatsApp, Slack and Microsoft Teams) between (a) Eric Neff, Acting Voting Chief and former Trial Attorney and (b) anyone communicating from the White House, including anyone communicating from an email address ending in who.eop.gov.

(2) All email communications (including email messages, complete email chains, email attachments, calendar

invitations) sent by Acting Voting Chief Neff containing any of the following key terms:

Key Terms

1. Fulton
2. Venezuela
3. Maduro
4. Tulsi
5. Gabbard
6. "Puerto Rico"
7. "Nationalize elections"
8. "Nationalizing elections"
9. "Voter Registration Lists"
10. "Voter Registration List"
11. VRL
12. VRLs
13. "Voter roll"
14. "Citizenship data"
15. "Voting machine"
16. "Voting machines"
17. "Election interference"

In an effort to accommodate the DOJ and reduce the number of potentially responsive records to be processed and produced, we have limited part 2 of this request to communications sent by Acting Voting Chief Neff. To be clear, however, DFF still requests that complete email chains and texts be produced, displaying both sent and received messages. This means, for example, that both Neff's response to an email and the initial received message are responsive to this request and should be produced.

- (3) All text messages (including messages sent on applications such as WhatsApp or Signal) sent and received by Acting Voting Chief Neff that concern official business.
- (4) All calendars or calendar entries (including calendar invitations, calendar invitation attachments) for Acting Voting Chief Neff, including any calendars maintained by Acting Voting Chief Neff himself or on his behalf by any administrative assistant or scheduler.

DFF requests that calendars be produced in a format that

includes all invitees, notes, and attachments. Please do not limit your search to Outlook calendars or the calendars attached to Acting Voting Chief Neff's official DOJ email address; we request the production of any calendar—paper or electronic, on government or personal devices—used to track how he allocates time on agency business.

19. This request sought records from October 1, 2025, through the date of the search.

20. On February 24, 2026, CRT acknowledged this request, stated it received the request February 9, 2026, and assigned it tracking number 26-00257-F.

21. DFF has not received any further communication from CRT regarding this request.

External Communications Request (26-00258-F)

22. On February 6, 2026, DFF sent a FOIA request to CRT seeking the following:

All electronic communications (including emails, email attachments, complete email chains, calendar invitations, calendar invitation attachments, text messages, or messages on messaging platforms, including Signal, WhatsApp, Slack and Microsoft Teams) between (a) the DOJ CRT officials listed below and (b) any of the external entities listed below.

DOJ CRT Officials

1. Acting Voting Chief Maureen Riordan
2. Acting Voting Chief Eric Neff
3. All political appointees or special government appointees assigned to the CRT's Voting Section

External Entities

1. Election Integrity Network ("EIN") (including, but not limited to [@whoscounting.us](https://whoscounting.us); [@electionintegritynetwork.org](https://electionintegritynetwork.org), [@electionintegrity.network](https://electionintegrity.network))
2. Cleta Mitchell, Chair of EIN (including, but not limited to [@cletamitchell.com](https://cletamitchell.com), [@conservativepartnership.org](https://conservativepartnership.org))
3. Citizen Election Research Center ("CERC") (including, but not limited to [@citizenselectionresearchcenter.org](https://citizenselectionresearchcenter.org))
4. EagleAI Network (eagleai.pro)
5. Virginia Institute for Public Policy (including, but not limited to virginiainstitute.org)
6. Public Interest Legal Foundation (including, but not limited to publicinterestlegal.org)

7. True the Vote (including, but not limited to truethevote.org)

23.

24. This request sought records from May 1, 2025, through the date of the search.

25. On February 24, 2026, CRT acknowledged this request, stated it received the request February 9, 2026, and assigned it tracking number 26-00258-F.

26. DFF has not received any further communication from CRT regarding this request.

27. On April 8, 2026, DFF sent a follow-up letter regarding all of the above requests, and requested expedited processing given the urgent need for the information requested in advance of the coming federal midterm elections.

Exhaustion of Administrative Remedies

28. As of the date of the Complaint, Defendant has failed to notify DFF of determinations regarding DFF's requests. Through Defendant's failure to respond within the time limits required by law, DFF has constructively exhausted administrative remedies.

CLAIM FOR RELIEF

Count 1 (Violation of FOIA, 5 U.S.C. § 552)

29. Plaintiff incorporates by reference the foregoing paragraphs as though fully set forth herein.

30. By failing to respond to Plaintiff's requests with determinations and prompt productions of responsive records within the statutorily mandated time period, Defendant has violated its duties under 5 U.S.C. § 552, including but not limited to, its duties to conduct a reasonable search for responsive records, to take reasonable steps to release all nonexempt information, and to not withhold responsive records.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff requests that this Court:

1. Order Defendant to conduct searches for any and all responsive records to Plaintiff's FOIA requests using search methods reasonably calculated to lead to discovery of all responsive records;
2. Order Defendant to produce, by a date certain, any and all non-exempt responsive records and a *Vaughn* index of any responsive records withheld under a claim of exemption;
3. Enjoin Defendant from continuing to withhold any and all non-exempt responsive records;
4. Award Plaintiff its costs, attorneys' fees, and other disbursements for this action;
and
5. Grant any other relief this Court deems appropriate.

Dated: April 10, 2026

Respectfully submitted,

/s/ Anisha Hindocha

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