

March 15, 2023

Chief Angela D. Hertel
c/o Jenrette L. Nowaczynski
U.S. Drug Enforcement Administration
Freedom of Information & Privacy Act Unit
Legal and External Affairs Sub-Unit
8701 Morrisette Drive
Springfield, VA 22151

Via electronic communication to Jenrette.L.Nowaczynski@dea.gov and dea.foia@usdoj.gov

Subject: Freedom of Information Act Appeal, Case No. 20-00008-AP

Dear Chief Hertel:

On October 7, 2022, Administrative Appeals Chief Matthew Hurd remanded our Freedom of Information Act (FOIA) request for access to records on suspended, revoked, or surrendered dispenser registrations and related registration re-applications. On December 16, 2022, we sent you a letter requesting immediate disclosure of the responsive records. Freedom of Information Law requires an agency to respond to a FOIA request within 20 working days of receipt. This letter serves as notice that your response to the remand is overdue.

Our request includes the following documents and data:

- For dispensers who have voluntarily surrendered a registration, any application for a new registration, as well as any document indicating approval or denial by DEA of such application, including dates;
- For dispensers who have had their registration revoked, any application for a new registration, as well as any document indicating approval or denial by DEA of such application, including dates; and
- Any document that shows aggregate data on (1) re-applications after losses of registrations and (3) the status or outcome of such reapplications.

You informed us on April 26, 2022, that the DEA was able to identify a spreadsheet containing information responsive to our request.

Chief Hurd instructed you to process the responsive records and send them to us, subject to any applicable fees. We ask for immediate disclosure of the spreadsheet containing the aggregate

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data we have requested and any additional responsive records that do not require a national Form 104 search.

Sincerely,

A handwritten signature in blue ink that reads "Michael Barnes".

Michael Barnes
Managing Attorney

mbarnes@sequelhl.com