

JEFFREY NATHAN LEWIS V. FAA, CASE NO. 3:13-CV-0992-HZ (D. OREGON)

VAUGHN INDEX

This index describes the documents at issue in the above-referenced case and identifies the exemptions claimed. The agency claims that Exemptions 5 and 6, singly or in combination, permit the redaction or withholding of each document described in the table below.

Summary of Exemptions and Documents to Which They Apply

Exemption 5 – Attorney-Client Privilege. This exemption protects confidential communications between attorneys and their clients relating to legal matters for which the clients have sought advice. The agency has redacted such privileged communications from the documents below.

Document Numbers: 56, 58-60, 62-63, 69

Exemption 5 – Attorney Work-Product Privilege. This exemption protects documents and other memoranda prepared by an attorney in contemplation of litigation. The agency has redacted such information from the records below.

Document Numbers: 55, 57, 61

Exemption 6 – Personal Privacy. Exemption 6 protects all information about individuals in personnel and medical files and similar files when the disclosure would constitute a clearly unwarranted invasion of personal privacy. Such protection ordinarily extends to the names of mid- and low-level employees accused of misconduct, as well as details and results of internal investigations. To protect personal privacy interests, the agency has redacted such matters as:

Document Numbers: 1-37, 39-49, 51-54, 64-72

Exemption 7(C) – Personal Information in Law Enforcement Records. Exemption 7(C) protects personal information compiled for law enforcement purposes where disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy. Law enforcement purposes include both civil and criminal statutes, as well as those statutes authorizing administrative proceedings. To protect personal privacy interests, the agency has redacted such matters as:

Document Numbers: 1-37, 39-49, 51-52, 65-72

FOIA 2010-8248

<u>Doc. No.</u>	<u>Page Nos.</u>	<u>Description</u>	<u>Exemption Claimed</u>	<u>Justification</u>
1	FAA-0023 – 0042	Arbitrator’s opinion and award, NATCA v. FAA, Grievance No. NC-05-16974. We redacted the name of the employee against whom the personnel actions were taken. We also redacted one or more of the following: (1) the employee’s initial employment date; (2) names of witnesses; and (3) references by which the facility can be identified. Taken together with the information being released, these pieces of information would identify the employees against whom the personnel actions were taken.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
2	FAA-0043 – 0067	Arbitrator’s opinion and award, NATCA v. FAA, Grievance No. (NC) WP-06-0900-[redacted]-03. We	6	Disclosure would result in a clearly unwarranted intrusion on personal

		redacted the name of the employee against whom the personnel actions were taken. We also redacted one or more of the following: (1) the employee's initial employment date; (2) names of witnesses; and (3) references by which the facility can be identified. Taken together with the information being released, these pieces of information would identify the employees against whom the personnel actions were taken.	7(C)	privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
3	FAA-0068 - 0082	Arbitrator's opinion, NATCA v. FAA, Re: NC-WP0500187-[redacted]. We redacted the name of the employee against whom the personnel actions were taken. We also redacted one or more of the following: (1) the employee's initial employment date; (2) names of witnesses; and (3) references by which facility can be identified. Taken together with the information being released, these pieces of information would identify the employees against whom the personnel actions were taken.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.

4	FAA-0083 - 0449	Letter dated May 29, 2007, from FAA Personnel Management Specialist in Western-Pacific Region to Administrative Judge, MSPB transmitting agency file, designation of agency representative, certificate of service, and medical documents covered by the Privacy Act. We redacted the name of the employee against whom the personnel actions were taken. We also redacted one or more of the following: (1) the employee's initial employment date; (2) names of witnesses; and (3) references by which the facility can be identified. Taken together with the information being released, these pieces of information would identify the employees against whom the personnel actions were taken.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
5	FAA-0450 – 0518	Arbitrator's opinion and award, NATCA v. FAA, Grievance No. (NC) WP-07-57715-[redacted]. We redacted the name of the employee against whom the personnel actions were taken. We also redacted one or more of the	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably

		following: (1) the employee's initial employment date; (2) names of witnesses; and (3) references by which the facility can be identified. Taken together with the information being released, these pieces of information would identify the employees against whom the personnel actions were taken.		be expected to constitute an unwarranted invasion of personal privacy.
6	FAA-0519 - 0521	Agreement between the FAA and NATCA to resolve grievance number NC-WP-05-0416[redacted]03 dated August 20, 2007; and letter dated May 5, 20005, from FAA Air Traffic Control Tower notifying Air Traffic Control Specialist of proposal to suspend latter for 5 consecutive calendar days. We redacted the name of the employee against whom the personnel actions were taken. We also redacted one or more of the following: (1) the employee's initial employment date; (2) names of witnesses; and (3) references by which the facility can be identified. Taken together with the information being released, these pieces of information would identify the	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.

		employees against whom the personnel actions were taken.		
7	FAA-0522 - 0523	Agreement between the FAA and NATCA to resolve grievance #17042, revised December 17, 2008. We redacted the name of the employee against whom the personnel actions were taken. We also redacted one or more of the following: (1) the employee's initial employment date; (2) names of witnesses; and (3) references by which facility can be identified. Taken together with the information being released, these pieces of information would identify the employees against whom the personnel actions were taken.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
8	FAA-0524 - 0602	Arbitrator's opinion and award, NATCA v. FAA, Grievance No. (NC) WP-05-0479-[redacted]-03, regarding suspension of [Redacted]. We redacted the name of the employee against whom the personnel actions were taken. We also redacted one or more of the following: (1) the employee's initial employment date; (2) names of	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.

		witnesses; and (3) references by which the facility can be identified. Taken together with the information being released, these pieces of information would identify the employees against whom the personnel actions were taken.		
9	FAA-0604 - 0611	Arbitrator's opinion and award, NATCA and FAA, dated April 25, 2008, regarding Case Number (NC) WP-07-045-[redacted]. We redacted the name of the employee against whom the personnel actions were taken. We also redacted one or more of the following: (1) the employee's initial employment date; (2) names of witnesses; and (3) references by which the facility can be identified. Taken together with the information being released, these pieces of information would identify the employees against whom the personnel actions were taken.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
10	FAA-0612 - 0619	Arbitration opinion and award, FAA and NATCA, Case No. NC-08-739336[redacted], dated December 13, 2008. We redacted the name of the employee against whom the personnel	6	Disclosure would result in a clearly unwarranted intrusion on personal privacy.

		actions were taken. We also redacted one or more of the following: (1) the employee's initial employment date; (2) names of witnesses; and (3) references by which the facility can be identified. Taken together with the information being released, these pieces of information would identify the employees against whom the personnel actions were taken.	7(C)	Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
11	FAA-0620-0626	Arbitration opinion and award, FAA and NATCA, Case No. NC-08-73044[redacted], dated December 13, 2008. We redacted the name of the employee against whom the personnel actions were taken. We also redacted one or more of the following: (1) the employee's initial employment date; (2) names of witnesses; and (3) references by which the facility can be identified. Taken together with the information being released, these pieces of information would identify the employees against whom the personnel actions were taken.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
12	FAA-	Arbitrator's opinion and award,	6	Disclosure would result in a

	0626A-1 – 0626A-18	NATCA and FAA, dated January 27, 2009. We redacted the name of the employee against whom the personnel actions were taken. We also redacted one or more of the following: (1) the employee’s initial employment date; (2) names of witnesses; and (3) references by which the facility can be identified. Taken together with the information being released, these pieces of information would identify the employees against whom the personnel actions were taken.	7(C)	clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
13	FAA-0713-0714	This is the best copy available. However, through manipulation of the copy machine, we can provide a slightly better copy.		
14	FAA-0719-0720	FAA Administrator’s Hotline Control #200610310002 dated 10/31/2006 and 11/21/2006 Memorandum from Vice President Terminal Services to Manager, Hotline Operations, Subject: Administrator’s Hotline Number 200610310002. We redacted the name	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an

		of the employee who is the subject of the hotline complaint.		unwarranted invasion of personal privacy.
15	FAA-0726 - 0727	FAA Administrator's Hotline Control #20061117003 dated 11/17/2006 and 11/27/2006 Memorandum from Director of Terminal Operations, Western Service Area to FAA Administrator's Hotline Staff, Subject: Administrator's Hotline Number 200611170003. We redacted the name of the employee and job title who is the subject of the hotline complaint.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
16	FAA-0728	No redactions. Best copy available.		
17	FAA-0731 - 0733	FAA Administrator's Hotline Control #200701180007 dated 1/18/2007 and 1/24/2007 Memorandum from Acting Director of Terminal Operations, Western Service Area to Manager, Hotline Program Office, Subject: Response to FAA Administrator's Hotline Call #200701180007. We redacted the name, title, and facility location of the employee who is the subject of the hotline complaint.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
18	FAA-0740 - 0742	FAA Administrator's Hotline Control #2007002070003 dated 2/7/2007 and	6	Disclosure would result in a clearly unwarranted

		2/15/2007 letter to [redacted] from Acting Director of Terminal Operations, Western Service Area. We redacted the Hotline caller's name and address, and the name and title of the employee who is the subject of the hotline complaint.	7(C)	intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
19	FAA-0744-A-1 – A-2	FAA Administrator's Hotline Control #200610230002 dated 10/27/2006 and 11/9/06 Memorandum from Director of Terminal Operations, Western Service Area to Hotline caller. We redacted the name and facility location of the Hotline caller. We redacted the name and facility location of the subject of the hotline complaint.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
20	FAA-0744-A-3 –A-4	FAA Administrator's Hotline Control #200611210001 dated 11/21/06 and 11/27/06 Memorandum from Director of Terminal Operations, Western Service Area to FAA Administrator's Hotline Staff. We redacted the name and facility location of the subject of the hotline complaint.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.

21	FAA-0744-A-5 – A-7	FAA Administrator’s Hotline Control #20061114002 dated 11/14/06 and 11/24/06 Memorandum from Director of Terminal Operations, Western Service Area to FAA Administrator’s Hotline Staff. We redacted the name and facility location of the subject of the hotline complaint.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
22	FAA-0768 – 0866	Accountability Board Case Reports for Case #s 20070091, 20070205, 20070229, 20080006, 20080008, 20080021, 20080022, 20080033, 20080053, 20080115, 20080148, 20080185, 20080190, 20080219, 20080234, 20080246, 20080281, 20080286, 20080291, 20080298, 20080299, 20080306, 20090001, 20090007, 20090025, 20090034, 20090049, 20090050, 20090054, 20090055, 20090074, 20090090, 20090094, 20090112, 20090122, 20090147, 20090148, 20090192, 20090257, 20100011, 20100012,	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.

		<p>20100033, 20100089, 20100091, 20100098, 20100119, 20100147, 20100160, 20100166, 20100171, 20100182, 20100186, 20100210, 20100211, 20100227, 20100231, 20100262, 20100280, 20110014, 20110016, 20110036. We redacted: (1) name of who the incident was reported to; (2) name of who reported the incident to the Accountability Board; (3) name, functional title, and facility of Reporting Party; and (4) name, functional title, and facility of Respondent. In the Allegation Description section, we redacted the respondents' names and functional titles. We also redacted: (1) names of witnesses and functional titles and (2) references by which the facility can be identified. Taken together with the information being released, these pieces of information would identify the employees who were investigated for misconduct. We are also protected the privacy interests of the reporting parties and witnesses.</p>		
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23* Partial duplicate of document 17	FAA-0877-0879	FAA Administrator's Hotline Control #200701180007 dated 1/18/2007 and 1/24/2007 Memorandum from Acting Director of Terminal Operations, Western Service Area to Manager, Hotline Program Office, Subject: Response to FAA Administrator's Hotline Call #200701180007. One page email from the Department of Transportation's Inspector General's Office to FAA Hotline forwarded the Hotline complaint. We redacted the name, title, and facility location of the employee who is the subject of the hotline complaint. Taken together with the information being released, these pieces of information would identify the employee.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
24	FAA-0883	Letter dated 11/10/05 to FAA Administrative hotline. We redacted the name of an employee accused of possible misconduct.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of

				personal privacy.
25	FAA – 0895	FAA Administrator’s Hotline Control #200510240001 dated 10/24/05. Redacted name of employee accused of possible misconduct.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
26	FAA 0897-0898	Letter dated 10/21/05 to FAA Administrative hotline. We redacted the name of an employee accused of possible misconduct.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
27	FAA-0933	Memorandum dated 5/26/05 from Vice President, Terminal Services to Hotline caller regarding Hotline #200504200001. We redacted the	6	Disclosure would result in a clearly unwarranted intrusion on personal privacy.

		name of the Hotline caller, and the names and gender of two FAA candidates for an agency position.	7(C)	Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
28	FAA-0935-0948	Memorandum dated 4/5/05 from Area Director, Western Terminal Operations to Hotline caller (2 pages) for Hotline #200503110001 and 12 pages regarding the selection of the Assistant Air Traffic Manager, San Francisco Air Traffic Control Tower. We redacted names, gender, and previous positions.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
29* Duplicate of document 27. However, on appeal we released gender.	FAA-0957	Memorandum dated 5/26/05 from Vice President, Terminal Services to Hotline caller regarding Hotline #200504200001. We redacted the name of the Hotline caller, and the names of two FAA candidates for an agency position.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.

30* Duplicate of pages from document 28. However, on appeal we released gender.	FAA-0958-0965	Memorandum dated 4/5/05 from Area Director, Western Terminal Operations to Hotline caller (2 pages) for Hotline #200503110001 and 12 pages regarding the selection of the Assistant Air Traffic Manager, San Francisco Air Traffic Control Tower. We redacted names and previous positions.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
31* Duplicate of document 27.	FAA-0969	Memorandum dated 5/26/05 from Vice President, Terminal Services to Hotline caller regarding Hotline #200504200001. We redacted the name of the Hotline caller, and the names and gender of two FAA candidates for an agency position.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
32* Duplicate of pages from document 28.	FAA - 0970-0977	Memorandum dated 4/5/05 from Area Director, Western Terminal Operations to Hotline caller (2 pages) for Hotline #200503110001 and 12 pages regarding the selection of the Assistant Air Traffic Manager, San Francisco Air	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably

		Traffic Control Tower. We redacted names, gender, and previous positions.		be expected to constitute an unwarranted invasion of personal privacy.
33* Duplicate of document 20 – additional page due to printing format	FAA - 0977-A-1 – A-3	FAA Administrator’s Hotline Control #200611210001 dated 11/21/06 and 11/27/06 Memorandum from Director of Terminal Operations, Western Service Area to FAA Administrator’s Hotline Staff. We withheld the name and facility location of the subject of the hotline complaint.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
34* Related to document 19. Different Hotline caller	FAA - 0977-A-4 – A-6	FAA Administrator’s Hotline Control #200610230002 dated 10/23/2006 and 11/9/06 Memorandum from Director of Terminal Operations, Western Service Area to Hotline caller. We withheld the Hotline caller’s name and phone number as well as the name and facility location of the subject of the hotline complaint.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
35* Duplicate to document	FAA - 0977-A-7 –A-9	FAA Administrator’s Hotline Control #200611140002 dated 11/14/2006 and 11/24/06 Memorandum from Director	6	Disclosure would result in a clearly unwarranted intrusion on personal

21		of Terminal Operations, Western Service Area to FAA Administrator's Hotline Staff. We withheld the name and facility location of the subject of the hotline complaint.	7(C)	privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
36	FAA - 0977-A-10 – A-23	FAA Administrator's Hotline Control #200507260001 dated 7/26/05 and 8/5/05 Memorandum from Area Director, Western Terminal Operations to Hotline caller. Eleven pages concern the Hotline caller's issue. We withheld the name, address, telephone numbers, OSHA file number, email address and facility location of the hotline caller. We withheld the names and email addresses of the individuals complained about.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
37	FAA-1294	First page of undated Acknowledgement Copy of proposed removal letter to air traffic controller for inattention to duty. Withheld in full.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an

				unwarranted invasion of personal privacy.
38	FAA-1295	Memorandum dated 8/9/11 from Tamera Easterday to Patricia Facey, Subject: FOIA 2011-007535(ES). Ms. Easterday provides information on how to process this request. Withheld body of the letter.	Not responsive	Outside the scope of the request.
39	FAA-1297	Employee statement concerning the event dated 2/19/11. Redacted employees' names in the statement.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
40	FAA-1299-1307	Chronological Transcript 19FEB2011 (TRACON/Tower). We redacted employee names.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably

				be expected to constitute an unwarranted invasion of personal privacy.
41	FAA-1308-1311	Tower Transcript 19 FEB 2011. We redacted employee names.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
42* Duplicate page for document 37	FAA-1318-1320	Three page Acknowledgement Copy of proposed removal letter to air traffic controller for inattention to duty. Withheld body of the letter.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
43	FAA-1321-1338	Eight employee interviews, Subject – unresponsive TYS TRACON. We	6	Disclosure would result in a clearly unwarranted

		redacted the interviewee's names and initials as well as other employee names in the statement. We also redacted personal derogatory information concerning the controller who was the subject of the investigation.	7(C)	intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
44	FAA -1347-1349	Two page statement from the controller who was the subject of the investigation and a fax cover sheet to Tammy Easterday dated 4/14/11. Withheld in full.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
45	FAA - 1350	Statement "To Whom it May Concern" from the psychotherapist treating the controller who was the subject of the investigation. Withheld in full.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of

				personal privacy.
46	FAA – 1351	Letter of resignation from the controller who was the subject of the investigation. Withheld in full.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
47	FAA 1354-1355	Email from Rick Kettell to John McCartney dated 2/19/11. We redacted the controller's name who was the subject of the investigation. We also redacted a cell phone number.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
		We redacted portions of the email that to not relate to the details of the incident concerning the controller. We also redacted a portion that concerns	Not responsive.	Outside the scope of the request.

		another controller that has nothing to do about the incident.		
48	FAA 1356 - 1358	<p>Email from Rick Kettell to Michael McCormick dated 3/1/11, Subject: TYS Mid-Shift Event of 2/19/11 Status Report. We redacted the controller's name who was the subject of the investigation as well as a cell phone number.</p> <p>We redacted portions of 1357 and withheld all of 1358 because they do not relate to the details of the incident concerning the controller.</p>	<p>6</p> <p>7(C)</p> <p>Not responsive.</p>	<p>Disclosure would result in a clearly unwarranted intrusion on personal privacy.</p> <p>Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.</p> <p>Outside the scope of the request.</p>
49	FAA 1359 - 1361	<p>Email from Rick Kettell to John McCartney dated 3/4/11, Subject: TYS Mid-Shift Event of 2/19/11 Status Report: Updated 3/4/11. We redacted the controller's name who was the subject of the investigation as well as a cell phone number. We Redacted portions of 1359, withheld all of 1360, and withheld most of 1361 because they do not relate to the details of the</p>	<p>6</p> <p>7(C)</p>	<p>Disclosure would result in a clearly unwarranted intrusion on personal privacy.</p> <p>Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.</p>

		incident concerning the controller.	Not responsive.	Outside the scope of the request.
50	FAA 1362 - 1363	Email string from Rick Kettell to John McCartney dated 2/20/11, Subject: TYS Approach Controller non responsive on midshift earlier today 2/19/11. We redacted portions on the pages because they do not relate to the details of the incident concerning the controller.	Not responsive.	Outside the scope of the request.
51* Duplicate to document 47	FAA 1363 – 1365	Email from Rick Kettell to John McCartney dated 2/19/11, Subject: TYS Approach Controller non responsive on midshift earlier today 2/19/11. We redacted the controller's name who was the subject of the investigation. We also redacted a cell phone number.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
		We redacted portions of the email that to not relate to the details of the incident concerning the controller. We also redacted a portion that concerns	Not responsive.	Outside the scope of the request.

		another controller that has nothing to do about the incident.		
52	FAA -1368	Email from Rick Kettell to John Barson dated 2/22/11, Subject: Statement from Weather Observer. We redacted the name of the controller who was the subject of the investigation as well as a cell phone number	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
53	FAA - 1369	Email from Rick Kettell to Richard Belmonte dated 2/22/11, Subject: Transcripts: non responsive CPC at TYS. We redacted a cell phone number	6	Disclosure would result in a clearly unwarranted intrusion on personal privacy.
54	FAA - 1370	Email from Brett Faulkner to Tony Mello dated 3/1/11, Subject: TYS Mid-Shift Event of 2/19/11 Status Report. We redacted cell phone numbers.	6	Disclosure would result in a clearly unwarranted intrusion on personal privacy.
55	FAA – 1465	Email from attorney Don Bobertz to Western-Pacific Regional Counsel Naomi Tsuda dated 12/20/08, Subject: MSPB Case Law re Delay by Agency in Processing Adverse Action (Re	5	Attorney work product

		Jeffrey Lewis Case). The redactions are a discussion between two attorneys concerning trial strategy.		
56	FAA -1479	Email from Naomi Tsuda to Stephen Goodman and Steve Schwendeman dated 1/9/09, Subject: Jeffrey Lewis MSPB hearing. We redacted portions of a paragraph that concerns trial strategy in the personnel action	5	Attorney-Client Privilege
57	FAA – 1481 – 1483	Email from Don Bobertz to Naomi Tsuda dated 2/16/09, Subject: Lewis, Appellant’s Request for 30-day Stay, Copy Attached. We redacted portions of the email string that concerns trial strategy.	5	Attorney work product
58	FAA- 1493 – 1494	Email from Naomi Tsuda to Andy Richards dated 2/24/09, Subject: Lewis hearing. We redacted portions of an email string that concerns trial strategy.	5	Attorney-Client Privilege
59	FAA – 1497	Email from Naomi Tsuda to Aletha Hicks-Moffatt, Tim Kubik dated 3/24/09, Subject: Jeffrey Lewis. We redacted portions of an email string that concerns trial strategy.	5	Attorney-Client Privilege
60	FAA -1498	Email from Naomi Tsuda to Andy Richards and others dated 4/14/09,	5	Attorney-Client Privilege

		Subject: Lewis case. We redacted portions of an email that concerns trial strategy.		
61	FAA – 1501	Email from Don Bobertz to Naomi Tsuda, date unreadable, Subject: Lewis Case No Transcript Exists Draft Declaration and Outline of Response to PFR. We redact most of the page because it sets out Mr Bobertz’ outline of arguments to make in response to the Petition for Review.	5	Attorney work product.
62	FAA - 1503	Email from Naomi Tsuda to Gwen Marshall dated 1/9/09, Subject: Jeffry Lewis MSPB hearing. Portion of a sentence is redacted because it discusses trial strategy.	5	Attorney-Client Privilege
63	FAA – 1506	Email from Jason Ralph to Naomi Tsuda dated 2/5/09, Subject: Disposition dates/availability. We redacted a portion of a sentence concerning trial strategy.	5	Attorney-Client Privilege
64	FAA -1551	Email from Teri Bristol to Debbie Williams, Subject: AB Allegations out of [redacted]. No date/time available for the email due to how document was retrieved from Lotus Notes.	6	Best copy available.

65	FAA 1552 – 1555	<p>Proposed 30-Calendar Day Suspension dated 4/24/07. Redacted names, titles and locations.</p> <p>We also redacted numerous allegations outside the scope of the initial request.</p>	<p>6</p> <p>7(C)</p> <p>Not responsive.</p>	<p>Disclosure would result in a clearly unwarranted intrusion on personal privacy.</p> <p>Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy. Outside the scope of the request.</p>
66	FAA 1556-1560	<p>Letter of Decision dated 6/5/07. Redacted named, titles, and locations.</p> <p>We also redacted numerous allegations outside the scope of the initial request.</p>	<p>6</p> <p>7(C)</p> <p>Not responsive.</p>	<p>Disclosure would result in a clearly unwarranted intrusion on personal privacy. Outside the scope of the request.</p> <p>Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.</p>
67	FAA-1560 –	Record of Investigation dated 3/14/07	6	Disclosure would result in a

	A-1 – A-86	prepared for Western Service Area Terminal. Withheld in full.	7(C)	clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
68	FAA-1648	Email from Monique France to Michael McCormick dated 2/11/11, Subj: Correspondence from CMA Employee. Redacted employees' official titles and personnel issues regarding the employees. We also redacted a cell phone number.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
69	FAA – 1666 – 1672	Email exchange between Courtney Adolph, General Attorney, Western-Pacific Region and Kevin Pruitt latest dated 3/20/12, Sub: Anthony Ferrante email of AOV report regarding CMA	5	Attorney-Client Privilege

		<p>7/25/2010 OE (i.e. Loss of Runway Separation) with ATSAP references. We redacted portions of the email that concern clarification of factual issues in connection with an EEO complaint.</p> <p>We also redacted the name of an EEO complainant.</p>	<p>6</p> <p>7(C)</p>	<p>Disclosure would result in a clearly unwarranted intrusion on personal privacy.</p> <p>Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.</p>
70	FAA – 1673-A - 1674 - A	Aviation Traffic Safety Action Program (ATSAP) Report dated 7/25/10	6	Disclosure would result in a clearly unwarranted intrusion on personal privacy.
71	FAA-1680- 1681; 1683; 1685-1695; 1697-1710;	Accountability Board Case Reports. Case Numbers: 2007-0266; 2007-0005; 2007-0012; 2007-0019; 2007-0037; 2007-0052; 2007-0072; 2007-	6	Disclosure would result in a clearly unwarranted intrusion on personal privacy.

	1713; 1715-1716; 1718-1719; 1721-1724; 1726-1727; 1729-1730; 1732-1735; 1737; 1739-1741; 1743; 1746-1747; 1749; 1750-1752; 1754; 1756-1758; 1760-1763; 1765; 1767; 1769-1774; 1776; 1778; 1780-1781; 1783-1791; 1793; 1795-1796; 1798-1803; 1805-1810; 1812-1813; 1815; 1818; 1820-1829; 1831-1834;	0077; 2007-0078; 2007-0091; 2007-0101; 2007-0108; 2007-0115; 2007-0134; 2007-0147; 2007-0152; 2007-0182; 2007-0184; 2007-0204; 2007-0207; 2007-0237; 2007-0251; 2007-0275; 2007-0001; 2007-0007; 2007-0011; 2007-0033; 2007-0034; 2007-0048; 2007-0062; 2007-0070; 2007-0093; 2007-0114; 2007-0121; 2007-0142; 2007-0149; 2007-0179; 2007-0194; 2007-0201; 2007-0202; 2007-0205; 2007-0218; 2007-0219; 2007-0222; 2007-0229; 2007-0233; 2007-0243; 2007-0248; 2007-0249; 2007-0264; 2007-0267; 2007-0282; 2007-0297; 2008-0006; 2008-0022; 2008-0024; 2008-0034; 2008-0035; 2008-0036; 2008-0037; 2008-0048; 2008-0050; 2008-0053; 2008-0057; 2008-0063; 2008-0068; 2008-0097; 2008-0107; 2008-0141; 2008-0148; 2008-0172; 2008-0185; 2008-0190; 2008-0199; 2008-0217; 2008-0243; 2008-0246; 2008-0252; 2008-0258; 2008-0275; 2008-0276; 2008-0291; 2008-0312; 2008-0008; 2008-0027; 2008-	7(C)	Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.
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1836-1837; 1839; 1841- 1842; 1844- 1851; 1853- 1854; 1856- 1859; 1861- 1862; 1864- 1878; 1880- 1891; 1893- 1898; 1900- 1909; 1911; 1913-1914; 1916-1921; 1923; 1925; 1928; 1930; 1932-1939; 1941-1942; 1944; 1946; 1948; 1950- 1951; 1953- 1954; 1956- 1958; 1960; 1962-1963; 1965-1966; 1968-1969; 1971; 1973;	0069; 2008-0073; 2008-0115; 2008- 0134; 2008-0135; 2008-0154; 2008- 0186; 2008-0187; 2008-0188; 2008- 0191; 2008-0207; 2008; 0219; 2008- 0234; 2008-0236; 2008-0250; 2008; 0256; 2008-0271; 2008-0281; 2008- 0282; 2008-0299; 2008-0302; 2008- 0306; 2009-0001; 2009-0002; 2009- 0004; 2009-0019; 2009-0051; 2009- 0052; 2009-0061; 2009-0074; 2009- 0078; 2009-0090; 2009-0095; 2009- 0129; 2009-0147; 2009-0151; 2009- 0187; 2009-0192; 2009-0202; 2009- 0208; 2009-0209; 2009 -0233; 2009- 0241; 2009-0244; 2009-0259; 2009- 0265; 2009-0279; 2009-0281; 2009- 0007; 2009-0025; 2009-0034; 2009- 0050; 2009-0054; 2009-0055; 2009- 0059; 2009-0070; 2009-0092; 2009- 0094; 2009-0100; 2009-0104; 2009- 0116; 2009-0122; 2009-0132; 2009- 0136; 2009-0141; 2009-0146; 2009- 0148; 2009-0164; 2009-0166; 2009- 0179; 2009-0189; 2009-0190; 2009- 0194; 2009-0213; 2009-0225; 2009- 0238; 2009-0239; 2009-0257; 2009-		
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	1976; 1978; 1980-1981; 1983-1984; 1996-1997; 1999; 2002; 2004-2005; 2007-2008; 2010; 2013- 2014; 2016; 2019-2020; 2022-2023; 2025-2026; 2028-2029; 2031-2033; 2035; 2037; 2039-2040; 2042; 2044- 2045; 2047- 2048; 2050- 2054; 2056; 2058-2059; 2061-2026; 2064-2068; 2070-2073; 2075-2076; 2078-2081;	0276; 2009-0278; 2009-0280; 2009- 0283; 2009-0284.		
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	2083-2089; 2091; 2094- 2097; 2099; 2101-2107; 2109-2111; 2113-2114			
72	FAA – 2117 -2148	Arbitrator’s opinion and award, NATCA v. FAA, Grievance No. NC-08-77405. We redacted the name of the employee against whom the personnel actions were taken. We also redacted one or more of the following: (1) the names of witnesses, union representative, and grievance official and (2) references by which the facility can be identified. Taken together with the information being released, these pieces of information would identify the employees against whom the personnel actions were taken.	6 7(C)	Disclosure would result in a clearly unwarranted intrusion on personal privacy. Disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy.

