

Exhibit 11:

The following 4 pages are submitted as an Exhibit for 'Plaintiff's Memo, Presenting Details of his Complaint'.

Description of Exhibit Contents:

*This is Plaintiff's Appeal (dated November 28, 2011) to the Response by Defendant FAA for FOIA #2011-2330. It includes a 2-page cover letter, and a 2-page attachment. The attachment is the **Accountability Board Case Report** for AB Case 2009-0147, and illustrates how unusable the record becomes when excessively redacted by Defendant FAA.*

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tel. (971) 295-7669

Monday, November 28, 2011

Federal Aviation Administration
AFN-1, Asst. Administrator for Finance and Management
800 Independence Avenue SW
Washington, DC 20591

Dear Sir or Madam,

Please accept this letter as an **appeal requesting reconsideration** of the partial denial response to the remand of FOIA request 2011-2330, as signed by Tina Amereihn, who is responsible for the many partial redactions. I received Agency's FOIA response letter, with the partially-redacted 97-pages attached, on 11/22/2011.

Please consider the following factual chronology for the submission and processing of this FOIA request:

I submitted this FOIA request on 12/29/2010 seeking "*...entire printouts for all Accountability Board cases encoded with the Accountable Official as Teri Bristol, Kathryn Vernon, Mark Reeves, or any other WSA official, for cases reported to the Board between 1/1/06 and 12/31/10.*"

An acknowledgement was promptly received, with a 1/7/11 letter signed by Joann Noonan, assigning this request to Shana Harvey under the number F11-2330.

Eight months later, printouts were produced by the Accountability Board office. Most were printed on 8/9/11; one was printed later, on 8/19/11. Please note, this delay far exceeds the processing time limits as declared in the FAA FOIA Order.

Three months after these 97-pages were printed, they were finally mailed to the requestor. A two-month process was completed in eleven months.

The documents produced were excessively redacted, citing FOIA Exemption #6. Routinely, all names, titles, facilities, and gender pronouns, control positions, and many key details were blacked out. Arguably, every detail should have been produced, with no redactions, as every one of these people was functioning in an official, duty capacity; as such, none of the redacted details would invade any "personal" privacy.¹

As you stated in your letter, the "core purpose" of FOIA is to shed light on an Agency's mission and the performance of its statutory duties." The many key details improperly redacted within the initial Agency response to F11-2330 do indeed shed light on FAA's

¹ To aid in illustrating this point, I have attached one sample, the excessively redacted copy of the 2-page printout for AB Case #20090147. Consider how much more effective this record would be, at informing the Public, if all details were properly disclosed.

mission. These disclosable details also shed light on the effectiveness of both the Accountability Board, and the managers whose actions are subject to review by the Accountability Board. I am collecting this information toward the production of an article, to better inform the larger Public about Accountability Board and FAA's management, to shed light on FAA's performance of its statutory duties. This Public interest far outweighs the essentially non-existent "potential" for personal privacy invasion.

For this Appeal, I ask that you promptly provide all copies, without redactions. This should include not only the 97-pages already provided (though excessively redacted), but also the two pages apparently inadvertently left out.²

I look forward to your full response in accordance FOIA Appeal timelines.

Sincerely,



Jeff Lewis

² please note, I was not provided with "page 2 of 2" for both AB Case #20070091, and AB Case #20080022.

ACCOUNTABILITY BOARD CASE REPORT

Case Number: 20090147

New Case on Agenda: 4/15/2009

Completed Case on Agenda: 5/6/2009

Date of Incident: 3/30/2009

Date Initially Reported: 4/6/2009

Reported to: [REDACTED]

Date Reported to Board: 4/8/2009

Reported to Board by: [REDACTED]

Reporting Party

Last Name: [REDACTED]

First Name: [REDACTED]

Region: ANM

Position: [REDACTED]

Functional Title: [REDACTED]

Grade: [REDACTED]

Gender: [REDACTED]

LOB: ATO-T

Facility: [REDACTED]

Respondent

Last Name: [REDACTED]

First Name: [REDACTED]

Region: ANM

Position: Employee

Functional Title: [REDACTED]

Grade: [REDACTED]

Gender: [REDACTED]

LOB: ATO-T

Facility: [REDACTED]

Initial Allegations Gender

Reporting Party

Last Name: [REDACTED]

First Name: [REDACTED]

Region: ANM

Position: Employee

Functional Title: [REDACTED]

Grade: [REDACTED]

Gender: [REDACTED]

LOB: ATO-T

Facility: [REDACTED]

Accountable Official

First Name: Kathryn

Last Name: Vernon

Functional Title: Director, Western Terminal Operations, AJT-W

Position: Executive

Telephone Number: (425) 203-4041

Date AO Notified: 4/8/2009

Notified by: Tom Novak

HR Contact

Name: Pat Simmons, L&ER Specialist, ANM-16

Telephone Number: (425) 227-2080

Date HR Notified: 4/8/2009

Notified by: Tom Novak

Method of Inquiry: Internal

Date ROI due:

Date ROI recvd:

Resolution Due: 4/27/2009

Date Completed: 4/27/2009

Tuesday, August 09, 2011

Page 1 of 2

57

Case Number: 20090147

New Case on Agenda: 4/15/2009

Completed Case on Agenda: 5/6/2009

Allegation Description [REDACTED] reported to management that [REDACTED], alleged that [REDACTED], engaged [REDACTED] in a frank exchange of views that ended with [REDACTED] calling [REDACTED], "a f*cking b*tch," and "a f*cking c*nt."

Tuesday, August 09, 2011

Page 2 of 2

60