

Exhibit 25:

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

Description of Exhibit Contents:

This is a series of emails in which Plaintiff was able to obtain confirmation from Duke Taylor that the Appeal Response for FOIA #2011-7535 was in process.

The following four pages provide a series of emails between Jeff Lewis and Duke Taylor, in which Lewis submitted a new FOIA request. Mr. Taylor rejected that new request as 'duplicative', and declared in his email that the Appeal for FOIA #2011-7535 was in process. (marked with an arrow, with emphasis added):

From: Jeff Lewis <reformfaanow@gmail.com>
To: Duke Taylor <duke.taylor@faa.gov>
Cc: Clay Foushee <Clay.Foushee@faa.gov>

Mon, Jul 16, 2012 at 4:33 PM

Subject: newFOIA related to the Knoxville and ReaganNational Doze-off incidents

Hello Duke,

Please see the attached FOIA request, in the larger PDF. Please also see the other PDF attachment, which contains two FOIA requests made last week which were rejected at the FAA HQ FOIA office.

In my experience filing FOIA requests in the past few years, I have found Joann Noonan to be professional and effective, so I am not sure why she chose last week to deny these two FOIA requests. My best guess is she had been told to do so, by someone with more authority. However, I trust you can recognize that regardless of who made the decision to reject these two FOIA requests, there is a strong appearance of inappropriate retaliation. So, I am sending this to you. Would you please take a close look at it, judge it by the FOIA standards Congress intended, and then forward it as needed, and help ensure proper and timely FOIA handling by our Agency?

I am also cc'ing a copy of this to Clay Foushee, for his information. In this way, he can be aware of a whistleblower retaliation AS IT IS HAPPENING, and not have to wait for it to come to his attention months or years later. Plus, there is a distinct possibility that Clay can assist Joann and other FOIA personnel in collecting agency records responsive to this new FOIA request.

Lastly, can you please confirm that Melanie Yohe still functions as the FOIA Liaison for FAA? If so, would she be an appropriate recipient of this email?

Thanks for your help. Call if you have questions. (tel. [971-295-7669](tel:971-295-7669))

2 attachments —

-  20120716.. newFOIA, via Taylor, seeking records-comms re Knoxville, ReaganNational.pdf 191K
-  20120716.. two rejected FOIA requests re Knoxville & ReaganNational.pdf 104K

On Tue, Jul 17, 2012 at 6:46 AM, <duke.taylor@faa.gov> wrote:

Hello, Mr. Lewis,

I have received your email with the attached request for records.

Unfortunately, we cannot accept the request under FOIA for the reason stipulated in recent emails from the FAA FOIA Management staff.

You were advised to:

Resubmit your request for "Reagan National" only because we will not be processing any request for "Knoxville, TN sleeping controller incidents" as **this was answered under 2011-7535 and is now under appeal.** *[emphasis added]*

Reduce your search scope because the fees for the search as stated would be enormous.

My reading of your request shows that you have only heeded the second piece of advice by limiting your search to four named officials.

We will not be processing your July 16, 2012 request because its scope includes the records have been previously requested under FOIA 2011-7535.

Thanks,
Duke Taylor

FAA Freedom of Information Program

On Tue, Jul 17, 2012 at 6:58 AM, Jeff Lewis <reformfaanow@gmail.com> wrote:

Hi Duke,

Thanks for the prompt reply.

What is the status of that appeal you cited, for F11-7535?

What date was that Appeal received, and when was the appeal response due (in accordance with the FOIA Order you manage). Most importantly, when may I expect to see the full appeal response?

Also, who is the actual FAA official accountable for the decision to deny my three recent FOIA requests related to the two Doze-off incidents (Knoxville and ReaganNational)?

Thanks, Jeff

On Fri, Jul 27, 2012 at 4:52 AM, Jeff Lewis <reformfaanow@gmail.com> wrote:

Good morning, Duke.

Can you please reply to the email below? I presented two reasonable questions.

Thanks. Jeff

----- Forwarded message -----

From: **Jeff Lewis** <reformfaanow@gmail.com>

Date: Tue, Jul 17, 2012 at 6:58 AM

Subject: Re: newFOIA related to the Knoxville and ReaganNational Doze-off incidents

To: duke.taylor@faa.gov ...