

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

PETER PAUL
591 Glenfield Way
West Palm Beach, FL, 33411

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE
950 Pennsylvania Ave N.W.
Washington, DC, 20530

Defendants.

COMPLAINT

Plaintiff Peter Paul (“Plaintiff”), by and through the undersigned counsel, brings this action against Defendant United States Department of Justice (“DOJ”) to compel compliance with the Privacy Act of 1974, 5 U.S.C. § 552 (a) (“Privacy Act”). As grounds therefore, Plaintiff alleges as follows:

JURISDICTION AND VENUE

1. The 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 in this district pursuant to 28. U.S.C. § 1391(e).

PARTIES

3. Plaintiff Peter Paul is an individual and citizen of the state of Florida.
4. Defendant DOJ is an agency of the U.S. Government. DOJ has possession, custody, and control of records to which Plaintiff seeks access.

STATEMENT OF FACTS

5. On January 24, 2018, Plaintiff sent a Privacy Act request to DOJ by facsimile and Federal Express requesting:

Request #1: Any and all documents that refer or relate in any way to Peter F. Paul.

Request #2: Any and all documents that refer or relate in any way to Peter F. Paul with regard to any and all USDOJ Inspector General reports on investigations of Federal Bureau of Investigation (“FBI”) alleged misconduct involving agents Ron Moretti, Angela Jett, Bruch Ohr, Noel Hillman, and Robert Levinson from 2001 to 2003.

A true and correct copy of Plaintiff’s Privacy Act request was and Proof of Service are attached hereto as **Exhibit 1**.

6. DOJ was required to determine whether to comply with Plaintiff’s Privacy Act Request within 20 days, excepting Saturdays, Sundays, and legal public holidays.

7. As of the date of this Complaint, even after nearly 8 months since the Privacy Act Request was made, DOJ has failed to make bona fide, good faith determinations much less respond at all concerning whether it will comply with Plaintiff’s request. Nor has DOJ produced any records responsive to Plaintiff’s request, indicated when any responsive records will be produced, or demonstrated that specific responsive records are exempt from production.

FIRST CAUSE OF ACTION
(Violation of Privacy Act of 1974, 5 U.S.C. § 552)

8. Plaintiff realleges paragraphs 1 through 7 as if fully stated herein.

9. DOJ is unlawfully withholding records requested by Plaintiff’s Privacy Act Request pursuant to 5 U.S.C. § 552(a) as set forth in Exhibit 1, which is incorporated herein by reference.

10. Plaintiff is being irreparably harmed by reason of DOJ’s unlawful withholding of requested records, and Plaintiff will continue to be irreparably harmed unless DOJ is compelled to conform its conduct to the requirements of the law.

WHEREFORE, Plaintiff respectfully requests that the Court (1) order DOJ to conduct a and expedited search for any and all responsive records to Plaintiff's Privacy Act request and demonstrate that it employed search methods reasonably likely to lead to the discovery of records responsive to Plaintiff's Privacy Act Request; (2) order DOJ to produce, by a certain date in the near future, any and all non-exempt records responsive to Peter Paul's Privacy Act Request request and a *Vaughn* index of any responsive records withheld under claim of exception; and (3) grant Plaintiff such other relief as the Court deems just and proper. This Privacy Act request is of extreme importance not just to Plaintiff but also is in the public interest.

Dated: August 13, 2018

Respectfully submitted,

/s/ Larry Klayman

Larry Klayman, Esq.
Klayman Law Group, P.A.
D.C. Bar No. 334581
2020 Pennsylvania Ave, NW
Suite 800
Washington, DC, 20006
Tel: (310) 595-0800
Email: leklayman@gmail.com

Counsel for Plaintiff

FAX COVER SHEET

TO	FOIA/PA Mail Referral Unit
COMPANY	
FAXNUMBER	12026166695
FROM	Larry Klayman
DATE	2018-01-24 19:35:46 GMT
RE	Privacy Act Request

COVER MESSAGE

Attached is a Privacy Act Request from Peter F. Paul totaling three (3) pages

Klayman Law Group, P.A.

2020 Pennsylvania Avenue, N.W., Suite 800, Washington, DC 20006-1811 ♦ Telephone: (310) 595-0800 ♦ leklayman@gmail.com

January 24, 2018

VIA FAX AND FEDERAL EXPRESS

FOIA/PA Mail Referral Unit
Department of Justice
Room 115
LOC Building
Washington, DC, 20530
Fax: (202) 616-6695

Re: PRIVACY ACT REQUEST

To Whom It May Concern:

Pursuant to the Privacy Act of 1974 (5 U.S.C. § 552(a), and its regulations, Larry Klayman, legal counsel of record on behalf of Peter F. Paul (“Paul”) before the U.S. Department of Justice (“USDOJ”), requests that the USDOJ produce:

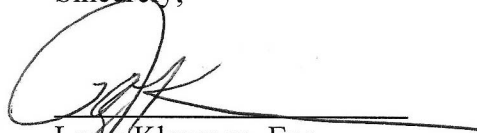
- 1. Any and all documents that refer or relate in any way to Peter F. Paul.**
- 2. Any and all documents that refer or relate in any way to Peter F. Paul with regard to any and all USDOJ Inspector General reports on investigations of Federal Bureau of Investigation (“FBI”) alleged misconduct involving agents Ron Moretti, Angela Jett, Bruch Ohr, Noel Hillman, and Robert Levinson from 2001 to 2003.**

If you deny any part of this request, please cite each specific exemption that you rely on to justify your refusal to release the information and notify me of appeal procedures available under law. Included in this request is a completed DOJ-361 form signed by Paul authorizing records to be released to attorney Mr. Larry Klayman.

If you have any questions concerning this request, you may contact me at (561)-558-5536 or (310)-770-9712.

Under penalty of perjury, I hereby declare that I am the person named above and I understand that any falsification of this statement is punishable under the provisions of Title 18, United States Code (U.S.C.), Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years, or both; and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of Title 5, U.S.C., Section 552a(i)(3) as a misdemeanor and by a fine of not more than \$5,000.

Sincerely,

A handwritten signature in black ink, appearing to be 'L. Klayman', with a long horizontal line extending to the right.

Larry Klayman, Esq.
Klayman Law Group, P.A.
2020 Pennsylvania Ave. Ste. 800
Washington, DC 20006
leklayman@gmail.com

Please send the documents responsive to this Public Information Act request to:

Daj142182@gmail.com

Or

Klayman Law Group, P.A.
2020 Pennsylvania Ave. Ste. 800
Washington, DC 20006

U.S. Department of Justice

Certification of Identity


 FORM APPROVED CASE NO.
 1103-0016 EXPIRES 06/31/2020

Privacy Act Statement. In accordance with 28 CFR Section 16.41(d) personal data sufficient to identify the individuals submitting requests by mail under the Privacy Act of 1974, 5 U.S.C. Section 552a, is required. The purpose of this solicitation is to ensure that the records of individuals who are the subject of U.S. Department of Justice systems of records are not wrongfully disclosed by the Department. Requests will not be processed if this information is not furnished. False information on this form may subject the requester to criminal penalties under 18 U.S.C. Section 1001 and/or 5 U.S.C. Section 552a(i)(3).

Public reporting burden for this collection of information is estimated to average 0.50 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Suggestions for reducing this burden may be submitted to the Office of Information and Regulatory Affairs, Office of Management and Budget, Public Use Reports Project (1103-0016), Washington, DC 20503.

Full Name of Requester¹ Peter F. Paul

Citizenship Status² USA Social Security Number³ Redacted

Current Address 591 Glenfield Way West Palm Beach, FL 33411

Date of Birth 9-2-48 Place of Birth Coral Gables, FL

OPTIONAL: Authorization to Release Information to Another Person

This form is also to be completed by a requester who is authorizing information relating to himself or herself to be released to another person.

Further, pursuant to 5 U.S.C. Section 552a(b), I authorize the U.S. Department of Justice to release any and all information relating to me to:

Larry Klayman Esq.

Print or Type Name

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I am the person named above, and I understand that any falsification of this statement is punishable under the provisions of 18 U.S.C. Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 U.S.C. 552a(i)(3) by a fine of not more than \$5,000.

Signature⁴ [Signature] Date 1/5/18

¹ Name of individual who is the subject of the record(s) sought.

² Individual submitting a request under the Privacy Act of 1974 must be either "a citizen of the United States or an alien lawfully admitted for permanent residence," pursuant to 5 U.S.C. Section 552a(a)(2). Requests will be processed as Freedom of Information Act requests pursuant to 5 U.S.C. Section 552, rather than Privacy Act requests, for individuals who are not United States citizens or aliens lawfully admitted for permanent residence.

³ Providing your social security number is voluntary. You are asked to provide your social security number only to facilitate the identification of records relating to you. Without your social security number, the Department may be unable to locate any or all records pertaining to you.

⁴ Signature of individual who is the subject of the record sought.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

_____ District of _____

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Plaintiff(s)

v.

Civil Action No. _____

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes sub-sections like PERSONAL INJURY, PERSONAL PROPERTY, LABOR, IMMIGRATION, SOCIAL SECURITY, FEDERAL TAX SUITS.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.