To: Cohen, Adam[Adam.Cohen@dgslaw.com]
Cc: Gasaway, Mave[Mave.Gasaway@dgslaw.com]; Sullivan, Julie[sullivan.julie@epa.gov]
From: Wirtschafter, Joshua
Sent: Fri 1/26/2018 11:43:31 PM
Subject: RE: FOIA Request EPA-R9-20 18-002819

Hi Adam,

I should have cc'd you on this request to Mave as well. Please let me know if you can narrow the scope of the request as described below.

Thanks,

Josh

From: Wirtschafter, Joshua
Sent: Friday, January 26, 2018 3:28 PM
To: 'Gasaway, Mave' <Mave.Gasaway@dgslaw.com>
Subject: FOIA Request EPA-R9-20 18-002819

Hello Mave,

Just today, regional staff received the results from EPA's Discovery Service Team of their search for messages responsive to your request. There are 45 messages in this collection. A high percentage of them are messages that you or your clients received copies when they were sent. For example, there are many messages related to the annual Leviathan TAC meeting: invitations, draft agendas, final agendas, attachments, etc. Such messages were sent to dozens of recipients, including Diamond X Ranch's owners, attorneys, and contractors, as well as Atlantic Richfield personnel and their attorneys and contractors. Based on my understanding of the purpose of your FOIA request, I suspect you do not need EPA to provide additional copies of such messages.

Could you please confirm that you can narrow the scope of your FOIA request to exclude emails and attachments that were also sent to people at BP, Amec, or DGSlaw, such as Anthony Brown,

Marc Lombardi, Britt Jones or Adam Cohen?

Thanks,

Josh

From: Wirtschafter, Joshua
Sent: Wednesday, January 17, 2018 4:36 PM
To: 'Gasaway, Mave' <Mave.Gasaway@dgslaw.com>
Subject: FOIA: Partial Response

Hello Mave,

A full response to your FOIA Request of Dec. 20, 2017 will take at least another week. However, as I understand you are facing litigation deadlines, I am providing a partial response today. Please see the attached emails. I will try to send all of this in a single message, except at least one message with many attachments, which I will send separately.

You requested communications between EPA Region 9 and the Diamond X Ranch and its attorneys and consultants from January 1, 2016 to the present. I am now sending emails sent between Noah Perch-Ahern and myself in that timeframe. I have tried to be complete, without including copies.

I suspect this will be the majority of responsive messages, but I won't know until I see the collection EPA's Discovery Service Team will provide next week.

Regards,

Josh

Joshua Wirtschafter

Assistant Regional Counsel

U.S. EPA Region IX

ORC-3

75 Hawthorne Street

San Francisco, CA 94105

(415) 972-3912