To: Wood, Robert[Wood.Robert@epa.gov]; Forsgren, Lee[Forsgren.Lee@epa.gov]; Lape, Jeff[lape.jeff@epa.gov]; Campbell, Ann[Campbell.Ann@epa.gov]; Wehling, Carrie[Wehling.Carrie@epa.gov]; Scozzafava, MichaelE[Scozzafava.MichaelE@epa.gov]; Zipf, Lynn[Zipf.Lynn@epa.gov]
Cc: Walker, Denise[Walker.Denise@epa.gov]; Rementer, Nicole[rementer.nicole@epa.gov]; Zomer, Jessica[Zomer.Jessica@epa.gov]; Levine, MaryEllen[levine.maryellen@epa.gov]; Neugeboren, Steven[Neugeboren.Steven@epa.gov]; Fotouhi, David[Fotouhi.David@epa.gov]; White, Elizabeth[white.elizabeth@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]
From: Marks, Matthew
Sent: Wed 1/17/2018 2:48:35 PM
Subject: RE: Final awareness review for Waterkeeper I FOIA litigation

Ex. 5 - Deliberative Process

From: Wood, Robert
Sent: Wednesday, January 17, 2018 9:46 AM
To: Forsgren, Lee <Forsgren.Lee@epa.gov>; Lape, Jeff <lape.jeff@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Scozzafava, MichaelE <Scozzafava.MichaelE@epa.gov>; Zipf, Lynn <Zipf.Lynn@epa.gov>
Cc: Walker, Denise <Walker.Denise@epa.gov>; Rementer, Nicole <rementer.nicole@epa.gov>; Zomer, Jessica <Zomer.Jessica@epa.gov>; Levine, MaryEllen <levine.maryellen@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>; White, Elizabeth <white.elizabeth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>
Subject: RE: Final awareness review for Waterkeeper I FOIA litigation

Hi Everybody,

I just heard from Matt Marks that after some additional review yesterday in OA and OGC, David Fotouhi cleared the release of the final batch of documents in the Waterkeeper FOIA (EPA-HQ-2017-005671). I plan to sign the letter this morning so Matt can transmit the documents to the AUSA to meet today's court deadline. Thanks.

Rob

Robert Wood, Director

Engineering and Analysis Division

U.S. EPA Office of Water

202-566-1822

From: Marks, Matthew
Sent: Tuesday, January 16, 2018 8:19 AM
To: White, Elizabeth <white.elizabeth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Scozzafava, MichaelE <Scozzafava.MichaelE@epa.gov>; Wood, Robert <Wood.Robert@epa.gov>; Zipf, Lynn <Zipf.Lynn@epa.gov>; Walker, Denise <Walker.Denise@epa.gov>; Rementer, Nicole <rementer.nicole@epa.gov>; Zomer, Jessica <Zomer.Jessica@epa.gov>; Levine, MaryEllen <levine.maryellen@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>
Subject: RE: Final awareness review for Waterkeeper I FOIA litigation

Hi folks,

Having not heard from any of you last Friday or over the weekend, I am proceeding under the assumption that there are no issues with the documents we must produce tomorrow to meet our court-ordered deadline.

I went through the documents one last time myself last week and found several cell phone numbers and conference lines that need to be redacted, and I will do that this morning. I plan to have OEI compile the production PDF this afternoon. Finally, I provided a list of the most sensitive documents in the production to Beth last Friday, and she will share those with Liz Bowman so that we are prepared in the event of any media inquiries.

Please let me know if you have any questions or concerns as we work to cross the finish line with this production. I sincerely appreciate the efforts of everyone on the team over the past 4 months.

Matt

From: Marks, Matthew
Sent: Wednesday, January 10, 2018 2:00 PM
To: White, Elizabeth <white.elizabeth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>
Cc: Scozzafava, MichaelE <Scozzafava.MichaelE@epa.gov>; Wood, Robert <Wood.Robert@epa.gov>; Zipf, Lynn <Zipf.Lynn@epa.gov>; Walker, Denise <Walker.Denise@epa.gov>; Rementer, Nicole <rementer.nicole@epa.gov>; Zomer, Jessica <Zomer.Jessica@epa.gov>; Levine, MaryEllen <levine.maryellen@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>
Subject: RE: Final awareness review for Waterkeeper I FOIA litigation

Hi folks,

Just sending a gentle reminder that the deadline for your review of the documents tagged for production in this case is cob this Friday.

Matt

From: Marks, Matthew
Sent: Thursday, January 04, 2018 10:35 AM
To: White, Elizabeth <white.elizabeth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>
Cc: Scozzafava, MichaelE <Scozzafava.MichaelE@epa.gov>; Wood, Robert <Wood.Robert@epa.gov>; Zipf, Lynn <Zipf.Lynn@epa.gov>; Walker, Denise <Walker.Denise@epa.gov>; Rementer, Nicole <rementer.nicole@epa.gov>; Zomer, Jessica <Zomer.Jessica@epa.gov>; Levine, MaryEllen <levine.maryellen@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>
Subject: Final awareness review for Waterkeeper I FOIA litigation

Hi folks,

I hope everyone had a great holiday. We are now ready for the home stretch in our awareness review for the *Waterkeeper I* FOIA litigation. Our deadline to produce all remaining non-exempt responsive records is January 17, 2018. Therefore, I am requesting that you complete your review **by no later than January 12, 2018**, to provide the team with sufficient time to make any necessary changes to the redactions, prepare the final production, and coordinate logistics with our AUSA.

The documents are contained in two PDFs. The first PDF consists of 1760 pages of emails and their attachments, and can be found by clicking the following link:

\\134.67.224.224\OrgShare\Relativity Productions\ED_001245\20180103 Awareness Draft Production

The second PDF is attached to this email, and consists of scanned hard-copy documents. Please review both PDFs. If you have concerns or suggestions regarding our recommended releases and redactions, please provide me with sufficient information to make a change (i.e., which PDF the document is in, the Bates number or page number, and the text of concern).

Ex. 5 - Deliberative Process Attorney Client

Finally, please be aware that once we make our final production in this case, we have upcoming court-ordered deadlines in the *Waterkepper II* FOIA litigation (Feb. 28, Mar. 31, Apr. 30, and May 31). For the three interim deadlines, we must make productions, but there is no requirement as to how many documents we must produce. For the May 31, 2018 deadline, we must produce all remaining non-exempt, responsive documents. Starting in February, I will send a PDF for your awareness review each month.

Let me know if anyone has questions. Thanks!

Matt

Matthew C. Marks

U.S. Environmental Protection Agency

Office of General Counsel

Air and Radiation Law Office

1200 Pennsylvania Avenue, NW

Washington, DC 20460

T: 202-564-3276

E: marks.matthew@epa.gov