Message

From: Fritz, Frank [Fritz.Frank@epa.gov]
Sent: 7/3/2017 6:21:34 PM
To: Tate, Rita [Tate.Rita@epa.gov]; Baldwin, Edward [baldwin.edward@epa.gov]
CC: Gardner, Allison [Gardner.Allison@epa.gov]; Thompson, Virginia [thompson.virginia@epa.gov]
Subject: FW: Freedom of Information Act Request #007549 - John Butler Email
Attachments: 007549.pdf; ATT00001.htm

Dear Ed and Rita,

To be absolutely sure that John Butler (LCD branch chief) has no email responsive to this request (i.e., mentions "AWPA" and is dated after June 24, 2017), I believe we have to ask OEI to search John's email.

I would, however, suggest that you help John search his entire mailbox using Outlook and tell the requester about the results, while we're waiting for OEI.

The search should look EXACTLY like this (upper case is very important for AND) and use the date you search instead of 7/3/17:

Click "Find more on server" if you can.

If the Outlook search finds nothing, call the requester and explain that we did a quick search and found no documents responsive to his request. Explain that to be absolutely sure of the results, we need to use a different search tool, and that the wait time for learning about the results of the search will be about [whatever the normal wait time is these days]. Ask for an appropriate extension of time.

Virginia, what is the usual wait time for OEI to run an Exchange Admin Console search and tell us about the results?

Allison, please correct me as you see fit.

Thanks,

Frank A. Fritz, III | Senior Assistant Regional Counsel | U.S. EPA Region III (3RC42) | 1650 Arch St, Philadelphia, PA 19103 | 215-814-2664 | 215-814-2603 fax

This message is CONFIDENTIAL, and may contain legally privileged information. If you are not the intended recipient, or believe you received this communication in error, please delete it immediately, notify the sender, and do not copy, print, retransmit or otherwise use the information in it. Thank you.

From: Gardner, Allison
Sent: Thursday, June 29, 2017 5:33 PM

To: Fritz, Frank <Fritz.Frank@epa.gov>
Subject: Fwd: Freedom of Information Act Request #007549 - John Butler Email

Frank,

Would you kindly take this one? Thanks.

Sent from my iPhone

Begin forwarded message:

> **From:** "Tate, Rita" <Tate.Rita@epa.gov>
> **Date:** June 29, 2017 at 4:54:16 PM EDT
> **To:** "Baldwin, Edward" <baldwin.edward@epa.gov>
> **Cc:** "Gardner, Allison" <Gardner.Allison@epa.gov>
> **Subject: FW: Freedom of Information Act Request #007549 - John Butler Email**
>
> Ed…I would LOVE to agree with you and really would prefer not to go through OEI but I'm passing this by Allison for a 3rd opinion.
>
> Allison…I too think that we could get away with not doing an email search for this one. Thoughts?
>
> *Rita Tate*
>
> Freedom of Information Officer
> U.S. EPA Region III (3CG00)
> 1650 Arch Street
> Philadelphia, PA 19103
> 215-814-2050 (FOIA Main)
> 215-814-3424 (Direct)
>
> ---
>
> **From:** Baldwin, Edward
> **Sent:** Thursday, June 29, 2017 1:24 PM
> **To:** Tate, Rita <Tate.Rita@epa.gov>
> **Subject:** Freedom of Information Act Request #007549 - John Butler Email
>
> Hi Rita,
>
> This request asks for a very specific email on a very specific date. John says he has no emails concerning "AWAP." Can we close this out with him sending me an email saying he doesn't have it?
>
> Because the request is so specific, I feel like it would be sort of overkill to go the Relativity route but I don't want get the rules wrong.
>
> Thanks,
>
> Ed