

BIE Claim That Investigation Is Still Ongoing

From: Adebonojo, Kenneth (USADC) <Kenneth.Adebonojo@usdoj.gov>
Sent: Tuesday, December 5, 2023 2:42 PM
To: Monica Mercola <mmercola@peer.org>; Colleen Teubner <cteubner@peer.org>
Subject: RE: Activity in Case 1:23-cv-02194-ABJ PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY v. BUREAU OF INDIAN EDUCATION Notice of Appearance

Hi Monica,

We have a status due today. Agency Counsel informs me that the request at issue involves a 'completed' copy of an investigation into alleged improprieties at Haskell in 2022. BIE produced all non-exempt information related to the only responsive investigation to the Plaintiff.

There is another investigation which - if it was completed - would be responsive to the request. However, that investigation is not completed, and therefore is outside of the scope of the request and litigation. We expect that investigation to be completed by January 1, 2024.

Should we just roll the JSR for another month so that we can keep talking? Thanks.

Best,
Kenneth

From: Adebonojo, Kenneth (USADC) <Kenneth.Adebonojo@usdoj.gov>
Sent: Thursday, January 11, 2024 10:05 PM
To: Monica Mercola <mmercola@peer.org>; Colleen Teubner <cteubner@peer.org>
Subject: RE: Activity in Case 1:23-cv-02194-ABJ PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY v. BUREAU OF INDIAN EDUCATION Notice of Appearance
Just sending this again, Monica. Should you dismiss this case and submit another FOIA request?

From: Monica Mercola <mmercola@peer.org>
Sent: Friday, January 12, 2024 3:03 PM
To: Adebonojo, Kenneth (USADC) <KAdebonojo@usa.doj.gov>; Colleen Teubner <cteubner@peer.org>
Subject: [EXTERNAL] Re: Activity in Case 1:23-cv-02194-ABJ PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY v. BUREAU OF INDIAN EDUCATION Notice of Appearance

Hi Kenneth,

Apologies for the delay in responding. But PEER will not be dismissing this case. PEER has provided a written response along with supporting documents for your review.

Monica