



January 21, 2010

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Legislative and  
Public Affairs

Freedom of  
Information

4700 River Road  
Unit 50  
Riverdale, MD  
20737-1232

Gregory M. Dennis, Esq.  
Kent T. Perry & Company, L.C.  
7300 W. 110<sup>th</sup> Street, Suite 260  
Overland Park, Kansas 66210

Dear Mr. Dennis:

This is a partial response to your December 7, 2009, Freedom of Information Act (FOIA) request for any and all records both electronic and paper documents generated since January 1, 2009, involving inspections at the City of Topeka, Kansas a/ka Zoological Park. Specifically, you seek: all correspondence, meetings, calendars, emails, notes, diaries involving City of Topeka employees, USDA employees, Shirley Lilzo, Kansas State University, College of Veterinary Medicine, including any all records provided to The Topeka Capital-Journal, The Associate Press (AP), and all other media organizations and/or affiliates listed in your request. Your request was received in this office on December 10, 2009, and assigned case number 10-133.

Agency employees have conducted a search of their files and located the enclosed eight pages responsive to your request. However, information has been withheld under FOIA Exemption 6, 5 U.S.C. § 552(b)(6). This exemption protects information from disclosure when its release would cause a clearly unwarranted invasion of personal privacy. This same information has also been withheld under FOIA Exemption 7(C), 5 U.S.C. § 552(b)(7)(C). This exemption protects from disclosure records or information compiled for law enforcement purposes when its release could reasonably be expected to constitute an unwarranted invasion of personal privacy.

Please note that the enclosed pages were the only records found both in the FOIA Office and primary offices that would have maintained records regarding the subject(s) of your request. In addition, we have extended our search to the Agency's Investigative and Enforcement Services Branch. We are currently awaiting the results of their search. A response and/or records will be provided to you in full or in part, as soon as possible.

You may appeal our partial denial and the adequacy of our search. If you choose to appeal, and you may hold your appeal in abeyance until your final installment is received, your appeal must be in writing and must be received within 45 days of the date of the final letter. Send to:

Administrator  
Animal and Plant Health Inspection Service  
Ag Box 3401  
Washington, D.C. 20250-3401

Please refer to FOIA 10-133 in your appeal letter and add the words "FOIA Appeal" to the front of the envelope. To assist the Administrator in reviewing your appeal, provide specific reasons why you believe modification of the determination is warranted.

Gregory M. Dennis, Esq.  
FOIA 10-133

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However, to avoid further delays in completing your request, we request that you allow us time to process the remainder of your request.

Because the cost to process your request is less than \$25.00, the fee has been waived. Should you have questions, please contact Reginald Sheppard of this staff at (301) 734-3257.

Sincerely,



*pn:*  
Celeste Camp  
Acting Director  
Freedom of Information & Privacy Act  
Legislative and Public Affairs

Enclosures