

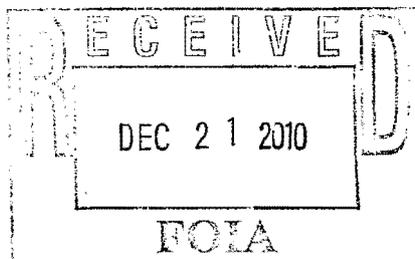


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**THE HUMANE SOCIETY
OF THE UNITED STATES**

December 21, 2010



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Sent Via Email: foia.officer@aphis.usda.gov

RE: Freedom of Information Act Request

Dear Ms. Woods:

This is a request for records under the Federal Freedom of Information Act (FOIA), 5 U.S.C. § 552. The Humane Society of the United States (HSUS) is requesting:

Copies of all records in the custody or control of the USDA that were received or generated in the past ten years related to the following USDA licensed dealer:

Jeff Fortin, 48-B-0225

For this request, the term "records" includes, but is not limited to, correspondence of any kind, memoranda, letters, notes, schedules, electronic mail, telephone logs, minutes of meetings, work papers, reports, studies, videos, DVDs, CDs, or data. If any information is withheld, please identify all such information with specificity and state the FOIA exemption under which the information is being withheld.

The FOIA provides that if portions of a document are exempt from release, the remainder must nevertheless be segregated and disclosed, so please provide us with all non-exempt portions of any otherwise exempt records. 5 U.S.C. § 552(b). Please explain any redactions by reference to specific FOIA exemptions.

Celebrating Animals | Confronting Cruelty

As required by 5 U.S.C. § 552(a)(6)(A)(i), we will expect a response to this request within twenty days of the date of receipt. If it is not possible to promptly comply with all portions or aspects of this request, please provide a partial response with materials readily available. Do not hesitate to call me should you have any questions concerning this request.

Fee Waiver Justification

The FOIA provides for a fee waiver when disclosure of the documents is in the public's interest. Specifically, the FOIA states that:

Documents shall be furnished without any charge or at a charge reduced below the fees established under clause (ii) if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.

5 U.S.C. § 552(a)(4)(A)(iii). The HSUS believes that this request satisfies the criterion for a fee waiver or reduction. The HSUS is a 501(c)(3) non-profit organization dedicated for over five decades to the protection of animals. The information sought in this request will enable The HSUS to further educate the public about the sale of dogs from wholesale dealers. This is a matter of legitimate public interest and concern. The disclosure of the requested records will primarily benefit the general public by helping the public better understand the operations and activities of the government's oversight of these dealers.

The information obtained will be disseminated to the general public. The HSUS has devoted substantial time and resources to monitoring activities of the federal government and keeping the public informed of these activities, as well as educating the public about the sale of dogs and cats and the role of the USDA in regulating and inspecting dog and cat dealers. The HSUS disseminates information to the general public through various sources including its websites, media outlets, litigation, legislation and public education.

The use of this information will help The HSUS further its function as a disseminator of information on recent issues involving the pet trade. Finally, in no way will this information be used in any commercial practices. The request for this information does not relate to use for business, trade, or profit.

Accordingly, The HSUS requests that charges for searching and duplicating be waived. Should there be any difficulty with the fee waiver, please contact the HSUS by phone at _____ or email at aspector@hsus.org so that The HSUS may decide whether to pay the fees or to appeal the denial of the request for waiver or reduction

Thank you for your prompt attention to this matter. We look forward to receiving your response within twenty business days as required by law.

Sincerely,

Andrew Spector
Animal Protection Litigation
The Humane Society of the United States.



"Andrew Spector"
<aspector@humanesociety.org>

12/21/2010 04:21 PM

To <foia.officer@aphis.usda.gov>

cc

bcc

Subject FOIA Request

Dear Ms. Woods,

Attached is a copy of a FOIA request on behalf of the Humane Society of the United States ("HSUS"). A copy of this request has been mailed to you as well.

Thanks,

Andrew Spector