



United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Legislative and
Public Affairs

Freedom of
Information

4700 River Road
Unit 50
Riverdale, MD
20737-1232

Nicole G. Paquette, Esq.
Senior Vice President & General Counsel
Born Free USA
1122 S Street
Sacramento, CA 95811

JAN 23 2010

Dear Ms. Paquette:

This is a response to your October 28, 2009, Freedom of Information Act (FOIA) request for the following documents:

1. Any information relating to a letter addressed to Dr. Chester Gipson dated June 24, 2009, co-signed by Robert Hilsenroth, DVM, Executive Director, American Zoo and Aquarium Association of Zoo veterinarians and Kristin L. Vehrs, Executive Director, Association of Zoos and Aquarium. This may include an action taken by the United States Department of Agriculture (USDA), written reports, emails, correspondence, etc.
2. Any and all records/information regarding any pending investigations against The Elephant Sanctuary in Tennessee by the USDA.
3. Any and all records/information regarding any official notices of warnings, any stipulations, consent decrees, or settlements The Elephant Sanctuary received or entered into with the USDA.
4. Any and all information relating to The Elephant Sanctuary.

Your request was received in this office on October 28, 2009, and assigned case number FOIA 10-056. We apologize for the delay of this response.

Agency employees conducted a thorough search of their files and located 26 pages of responsive records which are contained on the enclosed CD-ROM. However, information has been withheld under Exemption (b)(6) permit withholding of information which if released would cause a clearly unwarranted invasion of personal privacy. The same information has been withheld pursuant to FOIA Exemption 7(C), 5 U.S.C. § 552 (b)(7)(C). This exemption protects from disclosure records or information collected for law enforcement purposes when its release could reasonably be expected to constitute an unwarranted invasion of personal privacy. Identities of various federal employees have been withheld along with personally identifiable information, such as third party names, signatures, phone number, addresses, social security numbers, and date of births.

You may appeal our partial denial of this information. If you choose to appeal, your appeal must be in writing and must be received within 45 days of the date of this letter. Send to:

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



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Nicole G. Paquette, Esq.
10-056

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Please refer to FOIA 10-056 in your appeal letter and add the words "FOIA Appeal" to the front of the envelope. To assist the Administrator in reviewing your appeal, please provide specific reasons why you believe modification of this initial determination is warranted.

Because the cost to process your request is less than \$25.00, the fees have been waived. If you have any questions, please contact Ms. Kacie Edwards of my staff at (301) 734-5385.

Sincerely,



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

Enclosure