

## **CDC FREEDOM OF INFORMATION ACT REQUEST**

VIA ONLINE PORTAL

November 2, 2023

Roger Andoh  
Freedom of Information Officer  
Centers for Disease Control and Prevention  
1600 Clifton Road, N.E., Building 57, Room MS D-54  
Atlanta, Georgia 30333

Re: *Emails from Jason Hirsch (IR#2008)*

Dear Sir or Madam:

This firm represents Informed Consent Action Network (“ICAN”). On behalf of ICAN, please provide the following records to [foia@sirillp.com](mailto:foia@sirillp.com) in electronic form:

**All communications sent or received between July 20, 2019 and July 29, 2019, by any of the personnel listed below, to or from Jason Hirsch at Facebook.**

- **Erin Connelly**
- **Jessica Schindelar**
- **Kristen Nordlund**
- **William Vaughn**
- **Lyn Nguyen**
- **Rosemary Bretthauer-Mueller**

**Information helpful to fulfilling the request: In an email dated July 23, 2019,<sup>1</sup> Jason Hirsch told the personnel listed above that “given FOIA and other sensitivities, [he] also sent a separate note without context including our current finalist options for the inform treatment.” ICAN is seeking that “separate note.”**

We ask that you waive any and all fees or charges pursuant to 5 U.S.C. § 552(a)(4)(A)(iii). ICAN is a not-for-profit news media organization whose mission is to raise public awareness about vaccine safety and other medical treatments, and to provide the public with information to give informed consent. (**Attachment B.**) As part of its mission, ICAN actively investigates and

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<sup>1</sup> See Attachment A.

disseminates scientifically based health information regarding the safety of vaccines and other medical treatments, for free through its website,<sup>2</sup> a weekly health news and talk show,<sup>3</sup> and through press events and releases. ICAN is seeking the information in this FOIA request to allow it to contribute to the public understanding of the government's vaccine safety programs, including the government's efforts to promote vaccine safety. The information ICAN is requesting will not contribute to any commercial activities. Therefore, ICAN should be properly categorized as a media requester, and it is entitled to the search and processing privileges associated with such a category designation. Accordingly, ICAN will be forced to challenge any agency decision that categorizes it as any other category of requester.

Please note that the FOIA provides that if only portions of a requested file are exempted from release, the remainder must still be released. We therefore request that we be provided with all non-exempt portions which are reasonably segregable. We further request that you describe any deleted or withheld material in detail and specify the statutory basis for the denial as well as your reasons for believing that the alleged statutory justification applies. Please also separately state your reasons for not invoking your discretionary powers to release the requested documents in the public interest. Such statements may help to avoid unnecessary appeal and litigation. ICAN reserves all rights to appeal the withholding or deletion of any information.

Access to the requested records should be granted within twenty (20) business days from the date of your receipt of this letter. Failure to respond in a timely manner shall be viewed as a denial of this request and ICAN may immediately take further administrative or legal action.

Furthermore, we specifically request that the agency provide us with an estimated date of completion for this request.

If you would like to discuss our request or any issues raised in this letter, please feel free to contact us at (212) 532-1091 or [foia@sirillp.com](mailto:foia@sirillp.com) during normal business hours. Thank you for your time and attention to this matter.

Very truly yours,

*/s/ Aaron Siri*

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Aaron Siri, Esq.

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<sup>2</sup> <https://www.icandecide.org/>.

<sup>3</sup> <https://thehighwire.com/>.