



DIVISION OF LAW ENFORCEMENT
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December 9, 2009

Dr. Jonathan H. Levy
Attorney at Law
37 Royal Pointe Drive
Hilton Head Island, SC 29926

Re: California Public Records Act Request

Dear Dr. Levy:

This is the Department of Justice's (DOJ) response to your correspondence dated November 23, 2009, in which you expressed dissatisfaction with our response to the Public Records Act request that you submitted on November 9, 2009.

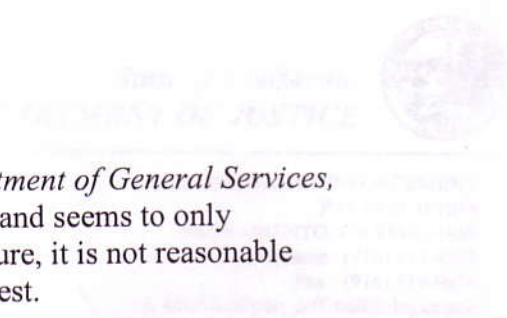
In your November 9 letter that you addressed to the California Attorney General's Office and the Bureau of Investigation and Intelligence (BII), you sought "any and all information in any format regarding Dr. [Orly] Taitz including electronic and other correspondence with federal, state or local agencies."

In the latest correspondence, you clarified that you are only seeking documents in the possession of the BII rather than the Attorney General's Office in its entirety. However, you did not provide us with any additional information to assist us in our search.

As such, the BII conducted a search of its electronic indexes but was unable to locate records under the general heading of "Orly Taitz". A search was not conducted of physical files because we did not have any additional information to assist us in narrowing our search, such as a possible geographic location where the files may be housed.

As we stated in our prior response, we are not aware of any responsive documents which are subject to public disclosure. To our knowledge, if any documents exist that are responsive, all are privileged and exempt from public disclosure in response to a PRA request. While it is possible that responsive documents may exist which are subject to public disclosure, we have been unable to identify them. Even if such documents exist but are inadvertently not provided, "perfection in responding to a public records request is not the standard, especially where the request does not seek specific, identified documents, but rather a class or category of

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documents.” (*Motorola Communication & Electronics, Inc. v. Department of General Services, supra*, 55 Cal.App.4th at p.1350.) Because your request is so general and seems to only encompass identifiable documents which are all exempt from disclosure, it is not reasonable under the circumstances for DOJ to suggest a way to modify the request.

Sincerely,

A handwritten signature in blue ink that reads "Jeff Wall". The signature is fluid and cursive, with the first name "Jeff" being more prominent than the last name "Wall".

JEFF WALL, Special Agent in Charge
Division of Law Enforcement

For EDMUND G. BROWN JR.
Attorney General