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PO Box 47331  
 Plymouth, MN 55447  
 foia@secprobes.com  
 ph: 763-595-0900

## FOIA Request

US Securities & Exchange Commission  
 Office of FOIA and Privacy Act Operations  
 100 F Street, NE Mail Stop 5100  
 Washington, DC 20549-5100



References: **FOIA Request # 18-00021-T**  
**In the Matter of CBL & Associates Properties, Inc., NY-9404**

In response to the above-cited FOIA request and closed investigation, the SEC previously released the following records –

- A Formal Order of Investigation, dated January 29, 2015;
- A termination letter sent on August 15, 2016, informing the registrant the SEC did, “not intend to recommend an enforcement action by the Commission against CBL.”; and,
- A Case Closing Report dated May 10, 2017, but not signed until July 24, 2017.

Under the Freedom of Information Act (FOIA), 5 U.S.C. § 552 et. seq, please provide me with copies of the following additional records from this closed SEC investigation –

- Correspondence, subpoenas, Wells Notices, Formal Orders, or other communications sent to and/or received from the registrant **CBL & Associates Properties, Inc.**, from the date this matter was first opened by the SEC, up to and including the day the Case Closing Report was signed on 24-Jul-2017. I am particularly interested in records from the earliest contacts the SEC had with the registrant regarding this matter.
- Records that span the gap of time between when the registrant was sent a termination letter in Aug-2016, and when the Case Closing Report was signed nearly a year later, in July-2017.
- Records that explain what is meant by the Commission’s use of the term ‘[Restricted]’ on one of its Case Closing Reports, as was the case with this investigation.

If any exemptions are asserted, I prefer the Commission grant a partial fulfillment of my request by providing our office with any documents which are not in dispute at this time.

If possible, for those records where confidential treatment is asserted, we request that the FOIA office provide us with the estimated number of pages & date range of the pages at issue. This will help us assess whether we want the FOIA office to proceed with confidential treatment processing.

As I qualify as a media requestor there should be no fees related to this request. In the event of unusual circumstances, this letter authorizes up to \$1,000 in search and related fees. Please invoice me where appropriate and we will pay the invoices promptly. Please feel free to call me at (763) 595-0900 with any questions or information regarding this request.

Thank you for your continued assistance.

J. Gavin



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
STATION PLACE  
100 F STREET, NE  
WASHINGTON, DC 20549-2465

Office of FOIA Services

February 26, 2018

Mr. J. Patrick Gavin  
Probes Reporter, LLC  
P.O. Box 47331  
Plymouth, MN 55447

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552  
Request No. 18-00343-FOIA

Dear Mr. Gavin:

This letter is in response to your request, dated and received in this office on November 8, 2017, for certain information concerning "*In the Matter of CBL & Associates Properties, Inc.*, NY-09404", as it relates to FOIA Request No. 18-00021-T.

Since this request contains multiple subjects, it has been divided into two separate requests. This request responds to your request for "records that explain what is meant by the Commission's use of the term '[Restricted]' on one of its Case Closing Reports, as was the case with this investigation." The other portion of your request will be addressed under Request No. 18-00342-FOIA.

Based on the information you provided in your letter, we conducted a thorough search of the SEC's various systems of records, but did not locate or identify any information responsive to your request.

If you still have reason to believe that the SEC maintains the type of information you seek, please provide us with additional information, which could prompt another search. Otherwise, we conclude that no responsive information exists and we consider this request to be closed.

You have the right to appeal the adequacy of our search or finding of no responsive information to the SEC's General Counsel under 5 U.S.C. § 552(a)(6), 17 CFR § 200.80(d)(5)(iv). The appeal must be received within ninety (90) calendar days of the date of this adverse decision. Your appeal must be in writing, clearly marked "Freedom of Information Act Appeal," and should identify

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the requested records. The appeal may include facts and authorities you consider appropriate.

You may file your appeal by completing the online Appeal form located at [https://www.sec.gov/forms/request\\_appeal](https://www.sec.gov/forms/request_appeal), or mail your appeal to the Office of FOIA Services of the Securities and Exchange Commission located at Station Place, 100 F Street NE, Mail Stop 2465, Washington, D.C. 20549, or deliver it to Room 1120 at that address. Also, send a copy to the SEC Office of the General Counsel, Mail Stop 9612, or deliver it to Room 1120 at the Station Place address.

If you have any questions, please contact me at [morrowa@sec.gov](mailto:morrowa@sec.gov) or (202) 551-8376. You may also contact me at [foiapa@sec.gov](mailto:foiapa@sec.gov) or (202) 551-7900. You also have the right to seek assistance from Jeffery Ovall at (202) 551-7900 as a FOIA Public Liaison for this office, or contact the Office of Government Information Services (OGIS) for dispute resolution services. OGIS can be reached at 1-877-684-6448 or [Archives.gov](http://Archives.gov) or via e-mail at [ogis@nara.gov](mailto:ogis@nara.gov).

Sincerely,



Alysia Morrow  
FOIA Research Specialist