

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

WHITE COAT WASTE PROJECT
7288 Hanover Green Dr.
Mechanicsville, VA 23111

Plaintiff,

v.

THE UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES,
200 Independence Way, S.W.
Washington DC 20201,

Defendant.

Civ. No. 25-cv-2650

**Complaint for Declaratory and
Injunctive Relief**

1. This is an action under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, seeking the release of records related to animal experiments funded with taxpayer dollars by the National Institute of Health's National Heart, Lung, and Blood Institute, (NHLBI), an agency component of the Department of Health and Human Services.

Jurisdiction and Venue

2. This Court has jurisdiction over the parties and subject matter pursuant to 5 U.S.C. § 552(a)(4)(B).

3. Venue is proper in this district pursuant to 5 U.S.C. § 552(a)(4)(B).

Parties

4. Plaintiff White Coat Waste Project, Inc. (White Coat Waste) is a bipartisan taxpayer watchdog organization pursuant to Section 501(c)(3) of the Internal Revenue Code, with its registered office located at 7288 Hanover Green Drive, Mechanicsville, VA, 23111. White Coat Waste's mission is to find, expose, and defund wasteful taxpayer-funded animal experiments. White Coat Waste is the requester of the information at issue here.

5. Defendant Department of Health and Human Services (DHHS) is an agency of the United States.

6. The National Institutes of Health (NIH) is a component of DHHS.

7. NHLBI is a component of NIH.

8. DHHS, NIH, and NHLBI have possession, custody, and control of the records White Coat Waste seeks.

Statement of Facts

FOIA Case No. 61973

9. On June 10, 2024, White Coat Waste submitted a FOIA request to NHLBI seeking “the following documents related to NIH grants R01HL163008, ‘Central and Peripheral Regulation of Laryngeal Adduction’; and R01HL155721, ‘Influence of Opioids on the Brainstem Respiratory Network’ to the University of Florida:

1. Funding applications - including their renewals, reviews, and amendments
2. Disbursement records
3. The 3 most recent progress reports[.]”

10. The agency acknowledged the request on June 12, 2024, and assigned the request FOIA Case Number 61973.

11. On June 17, 2024, an NHLBI Government Information Specialist contacted White Coat Waste “to see if you agree to exclude” from the scope of the request certain researcher, facility, and vendor information. The following day, White Coat Waste responded, agreeing to all but one of the proposed exclusions.

12. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

13. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case Number 61973.

14. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case Number 61973 because the agency has failed to meet the statutory time limit.

FOIA Case No. 62654

15. On October 16, 2024, White Coat Waste submitted a FOIA request to NHLBI seeking “the following records relating to grants R61HL161818, R01HL09154, R01HL167672, and R01HL171686:

- Funding applications - including their renewals, reviews, and amendments;
- Disbursement records; and
- The 3 most recent progress reports.”

16. On October 17, 2024, the agency wrote White Coat Waste inquiring about its request related to grant “R01HL09154” and noting it seemed to be missing a number. White Coat Waste followed up the following day clarifying it sought records for grant R01HL091541.

17. The agency acknowledged the request on October 22, 2024, and assigned the request FOIA Case Number 62654.

18. On October 23, 2024, the agency wrote White Coat Waste noting that grant R01HL091541 “had been going for several years” and asking if White Coat Waste would “be amenable to accepting the most recent full grant application and three progress reports, along with the disbursement records.” White Coat Waste responded the same day that it would agree to that.

19. On October 25, 2024, the agency wrote White Coat Waste to inquire if it would “be willing to exclude secondary researchers, specific

animal information (location of where they are housed, procedure rooms, etc.), facility security (referring to access to the building; square footage; technology used to secure the building) from the requested materials.” White Coat Waste responded the same day that it would agree to those exclusions.

20. On November 21, 2024, the agency wrote White Coat Waste to notify it that the funded phase of grant R61HL161818 involved studies on mice and primates only, not dogs. White Coat Waste responded the same day that it was still interested in records under this grant.

21. On March 7, 2025, the agency wrote White Coat Waste to inquire if it “would be amenable to excluding the following information from the documents associated with this request: information related to secondary researchers, letters of support, biosketches other than the PI, vendor information (e.g. transportation services/invoices), and personal information/PII – any information of a personal nature for the university including administrative staff names and contact information.” White Coat Waste responded the same day that it agreed to those exclusions.

22. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

23. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case No. 62654.

24. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case No. 62654 because the agency has failed to meet the statutory time limit.

FOIA Case No. 63787

25. On March 28, 2025, White Coat Waste submitted a FOIA request to NHLBI seeking “the funding application and disbursement records relating to grant R01HL178117, ‘Assessing myocardial fibrosis with spin locked MRI.’”

26. The agency confirmed receipt of the request and assigned it FOIA Case Number 63787 that same day. The agency issued a letter further acknowledging the request on March 31, 2025.

27. Also on March 31, an NHLBI Government Information Specialist contacted White Coat Waste “to see if you would be willing to exclude” from the scope of the request certain researcher, facility, and vendor information. White Coat Waste promptly agreed to all the proposed exclusions.

28. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

29. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case Number 63787.

30. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case Number 63787 because the agency has failed to meet the statutory time limit.

Request for Relief

WHEREFORE, White Coat Waste respectfully requests that this Court:

- (1) Declare DHHS's failure to comply with FOIA to be unlawful;
- (2) Enjoin DHHS from continuing to withhold the public records responsive to White Coat Waste's FOIA requests and otherwise order DHHS to produce the requested public records without further delay;
- (3) Grant White Coat Waste an award of attorneys' fees and other litigation costs reasonably incurred in this action, to the extent permitted by law; and
- (4) Grant White Coat Waste such other and further relief which the Court deems proper.

Date: August 13, 2025

Respectfully submitted,

/s/ Matthew Strugar

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

WHITE COAT WASTE PROJECT
7288 Hanover Green Dr.
Mechanicsville, VA 23111

Plaintiff,

v.

THE UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES,
200 Independence Way, S.W.
Washington DC 20201,

Defendant.

Civ. No. 25-cv-2653

**Complaint for Declaratory and
Injunctive Relief**

1. This is an action under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, seeking the release of records related to animal experiments funded with taxpayer dollars by Department of Health and Human Services' National Institutes of Health (NIH).

Jurisdiction and Venue

2. This Court has jurisdiction over the parties and subject matter pursuant to 5 U.S.C. § 552(a)(4)(B).

3. Venue is proper in this district pursuant to 5 U.S.C. § 552(a)(4)(B).

Parties

4. Plaintiff White Coat Waste Project, Inc. (White Coat Waste) is a bipartisan taxpayer watchdog organization pursuant to Section 501(c)(3) of the Internal Revenue Code, with its registered office located at 7288 Hanover Green Drive, Mechanicsville, VA, 23111. White Coat Waste's mission is to find, expose, and defund wasteful taxpayer-funded animal experiments. White Coat Waste is the requester of the information at issue here.

5. Defendant Department of Health and Human Services (DHHS) is an agency of the United States.

6. NIH is a component of DHHS.

7. The Office of Research Services (ORS) is a component of NIH.

8. National Institute of Biomedical Imaging and Bioengineering (NIBIB) is a component of NIH.

9. National Institute of Child Health and Human Development (NICHD) is a component of NIH.

10. National Cancer Institute (NCI) is a component of NIH.

11. National Institute of Arthritis and Musculoskeletal and Skin Diseases (NIAMS) is a component of NIH.

12. National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK) is a component of NIH.

13. DHHS, NIH, ORS, NIBIB, NICHD, NCI, NIAMS, and NIDDK have possession, custody, and control of the records White Coat Waste seeks.

Statement of Facts

FOIA Case No. 62907

14. On November 20, 2024, White Coat Waste submitted a FOIA request to the ORS FOIA Office seeking “copies of the complete veterinary records of the 52 animals referenced in the attached article.” The request attached an article from “NIH Record” titled “NIH Supports Adoption of Lab Animals After Research” by David Kosub.

15. The agency acknowledged the request that same day and assigned the request FOIA Case Number 62907.

16. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

17. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case Number 62907.

18. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case Number 62907 because the agency has failed to meet the statutory time limit.

FOIA Case No. 63426

19. On February 6, 2025, White Coat Waste submitted a FOIA request to NIBIB seeking “the funding application, including any reviews and amendments, and most recent disbursement records relating to grant R01EB034660, ‘Fluorescence image guided surgery, adjuvant PDT, and the immune response’.”

20. The agency confirmed receipt of the request and assigned it FOIA Case Number 63426 that same day. The agency issued a letter further acknowledging the request on February 12, 2025.

21. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

22. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case No. 63426.

23. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case No. 63426 because the agency has failed to meet the statutory time limit.

FOIA Case No. 63440

24. On February 7, 2025, White Coat Waste submitted a FOIA request to NCI seeking “the following documents:

- Contract and Statement of Work;

- IACUC-approved protocols; including reviews and amendments;
- Physical or electronic submissions to the COR, including but not limited to Complete “Pre-Meeting Packets”, Laboratory notebooks, and progress reports
- Procurement and shipping records for all animals obtained under the contract (including, but not limited to invoices, certificates of veterinary inspection, other health certificates, shipping manifests, routing and contact sheets, and CDC notifications);
- Complete raw and unedited videos, edited videos, and photographs; and Animal welfare noncompliance incident reports with associated documents,” as they relate to “contracts:
- With IIT Research Institute:
 - 75N91024F00003
 - 75N91024F00002
 - 75N91022C00010
 - 75N91023F00001
 - 75N91024D00001
- With University of Illinois
 - 75N91024D00002[.]”

25. The agency confirmed receipt of the request and assigned it FOIA

Case Number 63440 that same day.

26. On February 11, 2025, the agency asked White Coat Waste if it had “a contract number for the following three task orders: 75N91023F00001, 75N91024F00002, and 75N91024F00003.” White Coat Waste responded the same day with “the corresponding contract numbers for the task orders in question below: 75N91023F00001 --> IDV 75N91019D00013[;]
75N91024F00002 & 75N91024F00003 --> IDV 75N91022D00016[.]”

27. The agency issued a letter further acknowledging the request on March 4, 2025.

28. On March 21, 2025, the agency wrote White Coat Waste to inquire about the request related to “Physical or electronic submissions to the COR, including but not limited to Complete ‘Pre-Meeting Packets’, Laboratory notebooks, and progress reports,” and asking White Coat Waste whether it wanted all those reports or only the reports that mention canines or dogs.

29. White Coat Waste responded the same day that it “would be happy to limit it to the reports that specifically mention dogs or canines, but can you please add one more search term of ‘beagle(s)’?” The agency responded the same day that it would “make sure to include anything that has beagle(s) in it as well.”

30. On March 24, the agency replied to the emails from February 11, 2025 and asked, “For these three task orders, were you also asking for the

parent contracts for 75N91019D00013 and 75N91022D00016? Our Office of Acquisitions sent me records for the specified task orders but not the two Indefinite Delivery/Indefinite Quantity (IDIQ) contracts that they fall under.” White Coat Waste responded the same day that it is “just looking for the documents related to the specified task orders and not the IDIQ contracts.”

31. To date, White Coat Waste has not received any further response or production, or any denial letter, related to this request.

32. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case No. 63440.

33. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case No. 63440 because the agency has failed to meet the statutory time limit.

FOIA Case No. 63444

34. On February 7, 2025, White Coat Waste submitted a FOIA request to NICHD seeking “the following documents related to NIH contract 75N94024F00003 with SRI International:

- Contract and Statement of Work;
- IACUC-approved protocols; including reviews and amendments;

- Physical or electronic submissions to the COR, including but not limited to Complete “Pre-Meeting Packets”, Laboratory notebooks, and progress reports
- Procurement and shipping records for all animals obtained under the contract (including, but not limited to invoices, certificates of veterinary inspection, other health certificates, shipping manifests, routing and contact sheets, and CDC notifications);
- Complete raw and unedited videos, edited videos, and photographs; and
- Animal welfare noncompliance incident reports with associated documents.”

35. The agency confirmed receipt of the request and assigned it FOIA Case Number 63444 that same day. The agency issued a letter further acknowledging the request on February 19, 2025.

36. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

37. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case No. 63444.

38. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case No. 63444 because the agency has failed to meet the statutory time limit.

FOIA Case No. 63911

39. On April 18, 2025, White Coat Waste submitted a FOIA request to NIAMS seeking “the following records relating to grant R01AR076339, ‘Flexor tendon intrinsic healing and intervention strategy development’:

- Funding application - including renewals, reviews, and amendments;
- Disbursement records; and
- The 3 most recent progress report[s].”

40. The agency confirmed receipt of the request and assigned it FOIA Case Number 63911 that same day. The agency issued a letter further acknowledging the request on May 9, 2025.

41. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

42. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case No. 63911.

43. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case No. 63911 because the agency has failed to meet the statutory time limit.

FOIA Case No. 63424

44. On February 6, 2025, White Coat Waste submitted a FOIA request to NIDDK seeking “the following records relating to grants R01DK131082, F31DK142297, R01DK106364, and R01DK040949:

- Funding applications - including their renewals, reviews, and amendments;
- Disbursement records; and
- The 3 most recent progress report[s].”

45. The agency confirmed receipt of the request and assigned it FOIA Case Number 63424 that same day. The agency issued a letter further acknowledging the request on February 12, 2025.

46. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

47. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case No. 63424.

48. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case No. 63424 because the agency has failed to meet the statutory time limit.

Request for Relief

WHEREFORE, White Coat Waste respectfully requests that this Court:

- (1) Declare DHHS's failure to comply with FOIA to be unlawful;
- (2) Enjoin DHHS from continuing to withhold the public records responsive to White Coat Waste's FOIA requests and otherwise order DHHS to produce the requested public records without further delay;
- (3) Grant White Coat Waste an award of attorneys' fees and other litigation costs reasonably incurred in this action, to the extent permitted by law; and
- (4) Grant White Coat Waste such other and further relief which the Court deems proper.

Date: August 13, 2025

Respectfully submitted,

/s/ Matthew Strugar

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

WHITE COAT WASTE PROJECT
7288 Hanover Green Dr.
Mechanicsville, VA 23111

Plaintiff,

v.

THE UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES,
200 Independence Way, S.W.
Washington DC 20201,

Defendant.

Civ. No. 25-cv-2652

**Complaint for Declaratory and
Injunctive Relief**

1. This is an action under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, seeking the release of records related to animal experiments funded with taxpayer dollars by the National Institutes of Health's National Institute of Neurological Disorders and Stroke (NINDS), an agency component of the Department of Health and Human Services.

Jurisdiction and Venue

2. This Court has jurisdiction over the parties and subject matter pursuant to 5 U.S.C. § 552(a)(4)(B).

3. Venue is proper in this district pursuant to 5 U.S.C. § 552(a)(4)(B).

Parties

4. Plaintiff White Coat Waste Project, Inc. (White Coat Waste) is a bipartisan taxpayer watchdog organization pursuant to Section 501(c)(3) of the Internal Revenue Code, with its registered office located at 7288 Hanover Green Drive, Mechanicsville, VA, 23111. White Coat Waste's mission is to find, expose, and defund wasteful taxpayer-funded animal experiments. White Coat Waste is the requester of the information at issue here.

5. Defendant Department of Health and Human Services (DHHS) is an agency of the United States.

6. The National Institutes of Health (NIH) is a component of DHHS.

7. NINDS is a component of NIH.

8. DHHS, NIH, and NINDS have possession, custody, and control of the records White Coat Waste seeks.

Statement of Facts

FOIA Case No. 62501

9. On September 17, 2024, White Coat Waste submitted a FOIA request to the NINDS FOIA Office seeking "the following records relating to grants R01NS110605, R01NS110349, R01NS115869, and R01NS121028:

- Funding applications - including their renewals, reviews, and amendments;
- Disbursement records; and

- The 3 most recent progress reports.

10. The agency acknowledged the request that same day and assigned the request FOIA Case Number 62501.

11. On September 26, 2024, the agency requested clarification from White Coat Waste. It wrote: “One of the file types you requested was applications including renewals, reviews, and amendments. We can readily provide the applications, renewals, and amendments. However, we wanted to clarify what you meant by ‘reviews.’ Peer reviews of grants, scoring, and percentile are summarized in a file called the Summary Statement, which is very heavily redacted. Released versions of Summary Statements contain little if anything different from released grant applications. Are the Summary Statements what you were referring to with ‘reviews’ and, if so, would you still like to receive them knowing that most of the information will be withheld?”

12. That same day, White Coat Waste responded by describing the reviews it was seeking. The agency responded that same day that “it does sound like the Summary Statement is the document that [White Coat Waste is] looking for, as it is the file that contains the peer review information,” and agreed to include the Summary Statement in the request.

13. The agency issued a letter further acknowledging the request on September 27, 2024.

14. On October 11, 2024, the agency wrote White Coat Waste to inquire whether it would “be willing to exclude secondary researcher names, contact information, biosketches, letters of support, and facility security information from your request?” White Coat Waste responded that same day agreeing to those exclusions.

15. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

16. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case Number 62501.

17. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case Number 62501 because the agency has failed to meet the statutory time limit.

FOIA Case No. 63148

18. On December 20, 2024, White Coat Waste submitted a FOIA request to the NINDS seeking “the following records relating to NIH’s contract 75N95022D00021:

- Contract and Statement of Work
- IACUC-approved protocols; including reviews and amendments

- Physical or electronic submissions to the COR (including but not limited to: complete “Pre-Meeting Packets”, and laboratory notebooks)
- Procurement and shipping records for all animals obtained under the contract (including but not limited to: invoices, certificates of veterinary inspection, other health certificates, shipping manifests, routing and contact sheets, and CDC notifications)
- Complete raw and unedited videos, edited videos, and photographs
- Animal welfare noncompliance incident reports with associated documents.
- Acquisition and disposition records for the animals obtained under the contract[.]”

19. The agency acknowledged the request that same day and assigned the request FOIA Case Number 63148.

20. On July 28, 2025, a contract Policy Analyst for NHLBI requested clarification about the request. White Coat Waste responded promptly, and NHLBI issued an acknowledgment letter the following day.

21. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

22. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case No. 63148.

23. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case No. 63148 because the agency has failed to meet the statutory time limit.

FOIA Case No. 63441

24. On February 7, 2025, White Coat Waste submitted a FOIA request to NINDS seeking “the following documents:

- Contract and Statement of Work;
- IACUC-approved protocols; including reviews and amendments;
- Physical or electronic submissions to the COR, including but not limited to Complete “Pre-Meeting Packets”, Laboratory notebooks, and progress reports
- Procurement and shipping records for all animals obtained under the contract (including, but not limited to invoices, certificates of veterinary inspection, other health certificates, shipping manifests, routing and contact sheets, and CDC notifications);
- Complete raw and unedited videos, edited videos, and photographs; and
- Animal welfare noncompliance incident reports with associated documents,” as they relate to “contracts:
- With IIT Research Institute:
 - 75N95024F00004

- With Southern Research Institute:

- 75N95018F00003”

25. The agency confirmed receipt of the request and assigned it FOIA Case Number 63441 the same day. The agency issued a letter further acknowledging the request on February 13, 2025.

26. Also on February 13, NHLBI FOIA staff contacted White Coat Waste to request “the parent contract numbers” for the “task order numbers” provided in the request because “task order numbers … aren’t unique.” White Coat Waste provided the requested numbers that afternoon.

27. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

28. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case Number 63441.

29. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case Number 63441 because the agency has failed to meet the statutory time limit.

FOIA Case No. 63910

30. On April 18, 2025, White Coat Waste submitted a FOIA request to NINDS seeking “the following records relating to grants R01NS092882,

‘Reliable Seizure Prediction Using Physiological Signals and Machine Learning’ and U01NS128612, ‘An Ecosystem of Technology and Protocols for Adaptive Neuromodulation Research in Humans’:

- Funding applications - including their renewals, reviews, and amendments;
- Disbursement records; and
- The 3 most recent progress reports.”

31. The agency confirmed receipt of the request and assigned it FOIA Case Number 63910 the same day.

32. On April 22, 2025, an NHLBI Government Information Specialist contacted White Coat Waste “to see if you would be willing to exclude” from the scope of the request certain researcher, facility, and vendor information. White Coat Waste promptly agreed to all the proposed exclusions. Later that day, the agency issued a letter further acknowledging the request and its narrowed scope.

33. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

34. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case Number 63910.

35. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case Number 63910 because the agency has failed to meet the statutory time limit.

Request for Relief

WHEREFORE, White Coat Waste respectfully requests that this Court:

- (1) Declare DHHS's failure to comply with FOIA to be unlawful;
- (2) Enjoin DHHS from continuing to withhold the public records responsive to White Coat Waste's FOIA requests and otherwise order DHHS to produce the requested public records without further delay;
- (3) Grant White Coat Waste an award of attorneys' fees and other litigation costs reasonably incurred in this action, to the extent permitted by law; and
- (4) Grant White Coat Waste such other and further relief which the Court deems proper.

Date: August 13, 2025

Respectfully submitted,

/s/ Matthew Strugar

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

WHITE COAT WASTE PROJECT
7288 Hanover Green Dr.
Mechanicsville, VA 23111

Plaintiff,

v.

THE UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES,
200 Independence Way, S.W.
Washington, DC 20201,

Defendant.

Civ. No. 25-cv-2651

**Complaint for Declaratory and
Injunctive Relief**

1. This is an action under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, seeking the release of records related to animal experiments funded with taxpayer dollars by the National Institutes of Health's National Institute of Allergy and Infectious Diseases' (NIAID), an agency component of the Department of Health and Human Services.

Jurisdiction and Venue

2. This Court has jurisdiction over the parties and subject matter pursuant to 5 U.S.C. § 552(a)(4)(B).

3. Venue is proper in this district pursuant to 5 U.S.C. § 552(a)(4)(B).

Parties

4. Plaintiff White Coat Waste Project, Inc. (White Coat Waste) is a bipartisan taxpayer watchdog organization pursuant to Section 501(c)(3) of the Internal Revenue Code, with its registered office located at 7288 Hanover Green Drive, Mechanicsville, VA, 23111. White Coat Waste's mission is to find, expose, and defund wasteful taxpayer-funded animal experiments. White Coat Waste is the requester of the information at issue here.

5. Defendant Department of Health and Human Services (DHHS) is an agency of the United States.

6. The National Institutes of Health (NIH) is a component of DHHS.

7. NIAID is a component of NIH.

8. DHHS, NIH, and NIAID have possession, custody, and control of the records White Coat Waste seeks.

Statement of Facts

FOIA Case No. 63389

9. On January 31, 2025, White Coat Waste submitted a FOIA request to NIAID seeking "the following records related to NIH contract 75N93024D00035 with the University of Georgia:

- The entire contract and Statement(s) of Work, including all task orders, purchase orders, delivery orders, and child awards;

- Physical or electronic submissions to the COR or to NIAID (including but not limited to progress and final reports, complete “Pre-Meeting Packets”, and laboratory notebooks);
- Complete raw and unedited videos, edited videos, and photographs; and
- Animal welfare noncompliance incident reports with associated documents.”

10. The agency confirmed receipt of the request and assigned it FOIA Case Number 63389 that same day. The agency issued a letter further acknowledging the request on February 10, 2025.

11. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

12. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case No. 63389.

13. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case No. 63389 because the agency has failed to meet the statutory time limit.

FOIA Case No. 63439

14. On February 7, 2025, White Coat Waste submitted a FOIA request to NIAID seeking “the following documents:

- Contract and Statement of Work;

- IACUC-approved protocols; including reviews and amendments;
- Physical or electronic submissions to the COR, including but not limited to Complete “Pre-Meeting Packets”, Laboratory notebooks, and progress reports
- Procurement and shipping records for all animals obtained under the contract (including, but not limited to invoices, certificates of veterinary inspection, other health certificates, shipping manifests, routing and contact sheets, and CDC notifications);
- Complete raw and unedited videos, edited videos, and photographs; and
- Animal welfare noncompliance incident reports with associated documents,” as they relate to “contracts:
- With SRI International:
 - 75N93024F00001[; and]
- With Leland Stanford Junior University:
 - 75N93020C00054.”

15. The agency confirmed receipt of the request and assigned it FOIA Case Number 63439 that same day. The agency issued a letter further acknowledging the request on February 11, 2025.

16. Also on February 11, the agency wrote White Coat Waste to inform it that “item 6 of [its] request, animal welfare noncompliance incident

reports with associated documents, will need to be submitted as a separate FOIA request for OLAW records.”

17. White Coat Waste responded that same day that it was willing to exclude this item from its request.

18. On July 18, 2025, the agency wrote White Coat Waste to confirm whether it was interested in contract “75N93020D00011,” to which White Coat Waste promptly responded that it is “interested in the delivery order 75N93024F00001,” which is under 75N93020D00011 and initially requested.

19. To date, White Coat Waste has not received any further response or production, or any denial letter, for this request.

20. As of the filing of this Complaint, White Coat Waste has not received a final determination and response regarding FOIA Case Number 63439.

21. Pursuant to 5 U.S.C. § 552(a)(6)(C)(i), White Coat Waste is deemed to have exhausted its administrative remedies with regard to FOIA Case Number 63439 because the agency has failed to meet the statutory time limit.

Request for Relief

WHEREFORE, White Coat Waste respectfully requests that this Court:

(1) Declare DHHS’s failure to comply with FOIA to be unlawful;

(2) Enjoin DHHS from continuing to withhold the public records responsive to White Coat Waste's FOIA requests and otherwise order DHHS to produce the requested public records without further delay;

(3) Grant White Coat Waste an award of attorneys' fees and other litigation costs reasonably incurred in this action, to the extent permitted by law; and

(4) Grant White Coat Waste such other and further relief which the Court deems proper.

Date: August 13, 2025

Respectfully submitted,

/s/ Matthew Strugar

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