

From: [Whaley, Cynthia \(MIL\)](#)
To: ["Fairchild, Katie \(USAWAW\)"; "Lacour, Christopher A MAJ USARMY HQDA OTJAG \(USA\)"; "Cortez, Dawn \(ATG\)"](#)
Subject: RE: [Non-DoD Source] Our conference call follow up
Date: Friday, December 21, 2018 6:48:00 AM

Yes, I received the same message from Dawn. I would suggest a meeting on Jan. 2nd, otherwise I can be available next week if sooner is better.

From: Fairchild, Katie (USAWAW) <Katie.Fairchild@usdoj.gov>
Sent: Friday, December 21, 2018 6:45 AM
To: Whaley, Cynthia (MIL) <Cynthia.Whaley@mil.wa.gov>; 'Lacour, Christopher A MAJ USARMY HQDA OTJAG (USA)' <christopher.a.lacour.mil@mail.mil>; 'Cortez, Dawn (ATG)' <DawnC@ATG.WA.GOV>
Subject: RE: [Non-DoD Source] Our conference call follow up

Thank you Cynthia. I am generally available today and am also available on January 2, unless there is a shutdown that precludes me from working. I received an out of office message from Dawn indicating that she may be out today, so perhaps we should plan on January 2?

Katie D. Fairchild

Assistant United States Attorney

UNITED STATES ATTORNEY'S OFFICE

WESTERN DISTRICT OF WASHINGTON

700 Stewart Street | Suite 5220 | Seattle, Washington 98101-1271

☎ 206-553-4358 | 📠 206-553-4067 | ✉ Katie.Fairchild@usdoj.gov

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From: Whaley, Cynthia (MIL) <Cynthia.Whaley@mil.wa.gov>
Sent: Friday, December 21, 2018 6:39 AM
To: Fairchild, Katie (USAWAW) <KFairchild@usa.doj.gov>; 'Lacour, Christopher A MAJ USARMY HQDA OTJAG (USA)' <christopher.a.lacour.mil@mail.mil>; 'Cortez, Dawn (ATG)' <DawnC@ATG.WA.GOV>
Subject: RE: [Non-DoD Source] Our conference call follow up

Good morning Katie,

Thank you for touching base on the status of your redactions. I am available until 3:00 PT today, however, I wish for Dawn to be on the call as well.

If we cannot coordinate today, perhaps we can set up a phone call on January 2nd? The deadline for a response to the requester will be adjusted accordingly dependent on our phone meeting.

I am planning to be out of the office next week.

Happy Holidays,

Cynthia Whaley

Public Records Officer

Intergovernmental Affairs & Policy Office

Washington State Military Department

(253) 512-8110 Phone
Cynthia.Whaley@mil.wa.gov
Hours: Tues -Fri 0600 to 1630

From: Fairchild, Katie (USAWAW) <Katie.Fairchild@usdoj.gov>

Sent: Thursday, December 20, 2018 8:25 PM

To: Whaley, Cynthia (MIL) <Cynthia.Whaley@mil.wa.gov>; 'Lacour, Christopher A MAJ USARMY HQDA OTJAG (USA)' <christopher.a.lacour.mil@mail.mil>; 'Cortez, Dawn (ATG)' <DawnC@ATG.WA.GOV>

Subject: RE: [Non-DoD Source] Our conference call follow up

Hello Cynthia,

We wanted to follow up on this matter and see if you had time for a short call tomorrow. If so, please let us know what works for you. Consistent with our previous conversation, we have been internally discussing what redactions would be appropriate for a declaration, but have not yet finalized our decision. We anticipate that we should be able to finalize the decision and draft the declaration shortly, however, the upcoming holidays and potential shutdown create some scheduling challenges next week. If you are not available tomorrow for a telephone call, we ask for an additional two weeks to finalize the redaction proposals and accompanying declaration.

Thank you,

Katie

Katie D. Fairchild

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From: Whaley, Cynthia (MIL) <Cynthia.Whaley@mil.wa.gov>

Sent: Friday, December 7, 2018 1:03 PM

To: Fairchild, Katie (USAWAW) <KFairchild@usa.doj.gov>; 'Lacour, Christopher A MAJ USARMY HQDA OTJAG (USA)' <christopher.a.lacour.mil@mail.mil>; 'Cortez, Dawn (ATG)' <DawnC@ATG.WA.GOV>

Subject: RE: [Non-DoD Source] Our conference call follow up

Thanks Katie,

I agree we should continue communication after the proposed redactions are received. We can plan a call perhaps the week of the 17th?

I also want to confirm that no records are being released during this process until agreement is reached.

I have kept the requester informed of our status and he remains patient.

Have a great weekend,

Cynthia Whaley
Public Records Officer

Intergovernmental Affairs & Policy Office
(253) 512-8110 Phone
Cynthia.Whaley@mil.wa.gov
Hours: Tues -Fri 0600 to 1630

From: Fairchild, Katie (USAWAW) <Katie.Fairchild@usdoj.gov>

Sent: Friday, December 7, 2018 11:54 AM

To: Whaley, Cynthia (MIL) <Cynthia.Whaley@mil.wa.gov>; 'Lacour, Christopher A MAJ USARMY HQDA OTJAG (USA)' <christopher.a.lacour.mil@mail.mil>; 'Cortez, Dawn (ATG)' <DawnC@ATG.WA.GOV>

Subject: RE: [Non-DoD Source] Our conference call follow up

Thank you Cynthia. We appreciate your and Dawn's time and work on this matter. If possible, we would like to have a call after we provide you with the proposed redactions. Additionally, I understand that the records are not being released during this process. Please let me know if I have misunderstood.

Thank you,

Katie

Katie D. Fairchild

Assistant United States Attorney

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From: Whaley, Cynthia (MIL) <Cynthia.Whaley@mil.wa.gov>

Sent: Friday, December 7, 2018 11:14 AM

To: 'Lacour, Christopher A MAJ USARMY HQDA OTJAG (USA)' <christopher.a.lacour.mil@mail.mil>; Fairchild, Katie (USAWAW) <KFairchild@usa.doj.gov>; 'Cortez, Dawn (ATG)' <DawnC@ATG.WA.GOV>

Subject: RE: [Non-DoD Source] Our conference call follow up

All,

Thank you again for helping process this request for records; I enjoy new challenges and the recent coordination with Federal agencies has been a fantastic learning experience.

Just as a follow up to our conversation this morning, I understand that Chris and Katie will be re-examining their redactions under the authority of RCW 42.56.420(1)(a) and (b), as well as any applicable Federal statutes (PII?).

- We agreed that the Dept of Homeland Security redactions are irrelevant for your review at this time as your initial redactions do not grossly overlap.
- Within the next 10 business days (Dec. 21) Chris will send the updated redactions to all of us for review.
- Cynthia will review the records and release accordingly (in consultation with Dawn for RCW 42.56 **RCW 42.56.290 & RCW 5.60.060**).

In the case that a Declaration is needed, questions on the exemptions, or any other concerns arise we will be in touch accordingly.

If I have misunderstood any portion of the above summary, please offer correction or addition. I want to be sure I understand our action plan and stay in accordance with the Public Records Act guidelines.

Thank you all,

Cynthia Whaley

Public Records Officer

Intergovernmental Affairs & Policy Office

(253) 512-8110 Phone

Cynthia.Whaley@mil.wa.gov

Hours: Tues -Fri 0600 to 1630

From: Lacour, Christopher A MAJ USARMY HQDA OTJAG (USA)

Sent: Tuesday, December 4, 2018 4:49 PM

To: Fairchild, Katie (USAWAW) ; Cortez, Dawn (ATG) ; Whaley, Cynthia (MIL)

Subject: Re: [Non-DoD Source] RE: Rescheduling our conference call due to National Day of Mourning for President George H.W. Bush

All,

Friday works for me too. Still at 0900 Pacific (12pm Eastern)?

Chris

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

----- Original message -----

From: "Fairchild, Katie (USAWAW)" <Katie.Fairchild@usdoj.gov>

Date: 12/4/18 5:32 PM (GMT-05:00)

To: "Cortez, Dawn (ATG)" <DawnC@ATG.WA.GOV>, "Lacour, Christopher A MAJ USARMY HQDA OTJAG (USA)" <christopher.a.lacour.mil@mail.mil>, "Whaley, Cynthia (MIL)" <Cynthia.Whaley@mil.wa.gov>

Subject: [Non-DoD Source] RE: Rescheduling our conference call due to National Day of Mourning for President George H.W. Bush

Friday is also open for me.

Katie D. Fairchild

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-----Original Message-----

From: Cortez, Dawn (ATG) <DawnC@ATG.WA.GOV>

Sent: Tuesday, December 4, 2018 2:24 PM

To: Lacour, Christopher A MAJ USARMY HQDA OTJAG (USA) <christopher.a.lacour.mil@mail.mil>; Fairchild, Katie (USAWAW) <KFairchild@usa.doj.gov>; Whaley, Cynthia (MIL) <Cynthia.Whaley@mil.wa.gov>

Subject: RE: Rescheduling our conference call due to National Day of Mourning for President George H.W. Bush

Friday is open for me.

-----Original Message-----

From: Lacour, Christopher A MAJ USARMY HQDA OTJAG (USA) <christopher.a.lacour.mil@mail.mil>

Sent: Tuesday, December 4, 2018 1:34 PM

To: Fairchild, Katie (USAWAW) <Katie.Fairchild@usdoj.gov>; Whaley, Cynthia (MIL) <Cynthia.Whaley@mil.wa.gov>;
Cortez, Dawn (ATG) <DawnC@ATG.WA.GOV>

Subject: Rescheduling our conference call due to National Day of Mourning for President George H.W. Bush

Katie, Dawn, and Cynthia,

I just found out tomorrow is a national day of mourning for President George H.W. Bush. As such, U.S. Army Litigation Division will be closed. I will not be able to host the conference call.

Would December 6, 2018 at the same time work for everyone? I'm available anytime Thursday or Friday of this week.

I apologize for the short notice and any inconvenience.

- Chris

v/r

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