

- VIA ONLINE APPEAL FORM -

November 23, 2021

FREEDOM OF INFORMATION ACT APPEAL  
Securities and Exchange Commission  
Office of FOIA Services  
ATTN: FOIA Appeals  
100 F Street NE  
Washington, DC 20549  
(202) 772-9337  
foiapa@sec.gov

**RE: FREEDOM OF INFORMATION ACT APPEAL – REQUEST NO. 21-02640-FOIA**

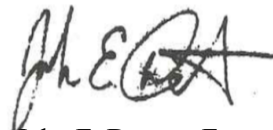
To Whom It May Concern,

This letter serves as an appeal pursuant to 17 C.F.R. § 200.80(f)(1) and 5 U.S.C. § 552(a)(6) under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. The above-captioned FOIA Request (“Request”) (Attachment 1), submitted via the Security and Exchange Commission’s (“SEC”) online FOIA Request Form on September 2, 2021, was assigned the following identification number by the Office of FOIA Services on September 3, 2021: **21-02640-FOIA**. (Attachment 2). On September 14, 2021, I received a response to my Request in a letter signed by Felecia Taylor, FOIA Lead Research Specialist, wherein the records responsive to my Request were not provided. (Attachment 3). I hereby appeal the response to my Request.

In response to my Request, the SEC erroneously directed me to a link on the SEC’s website that contains the public calendar of Chairman Walter J. Clayton (“Chairman Clayton”). I am requesting a copy of the *actual* calendar utilized by Chairman Clayton during his tenure at the SEC, as I believe the calendar found on the SEC’s website is a separate calendar created specifically for publication to the general public. I do not believe the calendar found on the website is the actual calendar utilized by Chairman Clayton and SEC staff on a day-to-day, weekly, or monthly basis, nor was it utilized contemporaneously with Mr. Clayton’s tenure. I believe that the calendar published on the website is a calendar created after the fact for the sole purpose of public dissemination. My Request specifically asks for the personal calendar utilized by Chairman Clayton and SEC staff contemporaneous with his tenure and official duties, which does not constitute privileged information under the FOIA.

If you wish to discuss this appeal, I can be reached at my office at (401) 351-6400. Thank you in advance for your consideration of this appeal.

Sincerely,



John E. Deaton, Esq.  
Deaton Law Firm LLC  
450 North Broadway  
East Providence, RI 02914  
O: (401) 351-6400  
F: (401) 351-6401  
[all-deaton@deatonlawfirm.com](mailto:all-deaton@deatonlawfirm.com)

# **ATTACHMENT 1**

*-VIA ONLINE FORM-*

September 2, 2021

Freedom of Information Act Officer  
Office of FOIA Services  
U.S. Securities and Exchange Commission  
100 F Street, NE  
Washington, DC 20549-2465  
(202) 551-7900

***Re: Freedom of Information Act (FOIA) Request***

To Whom It May Concern,

This letter constitutes a request (“Request”) pursuant to the Freedom of Information Act, 5 U.S.C. § 552(a) et seq. (“FOIA”) and regulations implemented within 17 C.F.R. § 200.80 et seq., submitted by Mr. John E. Deaton, Esq. of the Deaton Law Firm.

I hereby request that a copy of the following documents from the U.S. Securities and Exchange Commission (“SEC”) be provided to me electronically at [all-deaton@deatonlawfirm.com](mailto:all-deaton@deatonlawfirm.com) or forwarded to my office: The Deaton Law Firm, attn: John Deaton, 450 North Broadway, East Providence, RI 02914.

- Mr. William H. Hinman’s personal calendar detailing any meetings and/or appointments attended while acting in his official capacity as the SEC’s Director of the Division of Corporation Finance from May 2017 to December 2020, including the meeting/appointment dates, times, locations, and participating individuals.
- Mr. Walter J. Clayton’s personal calendar detailing any meetings and/or appointments attended while acting in his official capacity as SEC Chairman from May 2017 to December 2020, including the meeting/appointment dates, times, locations, and participating individuals.

John E. Deaton <sup>Δ</sup>

# DEATONLAWFIRM, LLC

450 North Broadway, East Providence, Rhode Island 02914

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<sup>Δ</sup> Admitted in RI, MA, CT & IA

In order to help determine my status as to assess applicable fees, please note that I am a Proposed Intervenor in the matter of SEC v. Ripple Labs Inc. in the Southern District of New York.

Thank you in advance for your consideration of this Request.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Deaton". The signature is stylized and somewhat cursive, with a large, sweeping flourish at the end.

John E. Deaton, Esq.  
Deaton Law Firm LLC  
450 North Broadway  
East Providence, RI 02914  
O: (401) 351-6400  
F: (401) 351-6401  
[all-deaton@deatonlawfirm.com](mailto:all-deaton@deatonlawfirm.com)

# **ATTACHMENT 2**



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

Office of FOIA Services

September 03, 2021

Mr. John E. Deaton Esq.  
The Deaton Law Firm  
450 North Broadway  
East Providence, RI 02914

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552  
Request No. **21-02640-FOIA (2 of 2)**

Dear Mr. Deaton:

This letter is an acknowledgment of your FOIA request dated and received in this office on September 02, 2021, for records regarding **Mr. Walter J. Clayton's personal calendar detailing any meetings and/or appointments from May 2017 to Dec. 2020.**

Your request has been assigned tracking number 21-02640-FOIA. Your request will be assigned to a Research Specialist for processing and you will be notified of the findings as soon as possible. If you do not receive a response after thirty business days from when we received your request, you have the right to seek dispute resolution services from an SEC FOIA Public Liaison or the Office of Government Information Services (OGIS). A list of SEC FOIA Public Liaisons can be found on our agency website at <https://www.sec.gov/oso/contact/foia-contact.html>. OGIS can be reached at 1-877-684-6448 or [Archives.gov](http://Archives.gov) or via email at [ogis@nara.gov](mailto:ogis@nara.gov).

In the interim, if you have any questions about your request, you may contact this office by calling (202) 551-7900, or sending an e-mail to [foiapa@sec.gov](mailto:foiapa@sec.gov). Please refer to your tracking number when contacting us.

For additional information, please visit our website at [www.sec.gov](http://www.sec.gov) and follow the FOIA link at the bottom.

Sincerely,

Office of FOIA Services

# **ATTACHMENT 3**



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

Office of FOIA Services

September 14, 2021

Mr. John E. Deaton, Esq.  
Deaton Law Firm, LLC  
450 North Broadway  
East Providence, RI 02914

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552  
Request No. **21-02640-FOIA**

Dear Mr. Deaton:

This letter is in response to your request, dated and received in this office on September 2, 2021, for access to the following documents. Each subject in your request has been assigned a separate tracking number as noted below.

FOIA REQUEST NUMBER	SUBJECT
21-02639-FOIA	Mr. William H. Hinman's personal calendar detailing any meetings and/or appointments attended while acting in his official capacity as the SEC's Director of the Division of Corporation Finance from May 2017 to December 2020, including the meeting/appointment dates, times, locations, and participating individuals.
<b>21-02640-FOIA</b>	<b>Mr. Walter J. Clayton's personal calendar detailing any meetings and/or appointments attended while acting in his official capacity as SEC Chairman from May 2017 to December 2020, including the meeting/appointment dates, times, locations, and participating individuals.</b>

This letter only responds to Request No. 21-02640-FOIA concerning Chair Walter J. Clayton.




Mr. John E. Deaton, Esq.  
September 14, 2021  
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21-02640-FOIA

Please be advised, Chairman Clayton's calendar is publicly available and posted on the SEC's website at the following link, <https://www.sec.gov/foia/docs/sec-chair-calendar.htm>.

If you have any questions, please contact me at [taylorf@sec.gov](mailto:taylorf@sec.gov) or (202) 551-8349. You may also contact me at [foiapa@sec.gov](mailto:foiapa@sec.gov) or (202) 551-7900. You may also contact the SEC's FOIA Public Service Center at [foiapa@sec.gov](mailto:foiapa@sec.gov) or (202) 551-7900. For more information about the FOIA Public Service Center and other options available to you please see the attached addendum.

Sincerely,

A handwritten signature in cursive script that reads "Felecia Taylor".

Felecia Taylor  
FOIA Lead Research Specialist

Enclosure

## ADDENDUM

For further assistance you can contact a SEC FOIA Public Liaison by calling (202) 551-7900 or visiting <https://www.sec.gov/oso/help/foia-contact.html>.

SEC FOIA Public Liaisons are supervisory staff within the Office of FOIA Services. They can assist FOIA requesters with general questions or concerns about the SEC's FOIA process or about the processing of their specific request.

In addition, you may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. OGIS can be reached at 1-877-684-6448 or via e-mail at [ogis@nara.gov](mailto:ogis@nara.gov). Information concerning services offered by OGIS can be found at their website at [Archives.gov](https://www.archives.gov). Note that contacting the FOIA Public Liaison or OGIS does not stop the 90-day appeal clock and is not a substitute for filing an administrative appeal.