

1 Lauren Gelman, State Bar No. 228734  
2 Jennifer Stisa Granick, State Bar No. 168423  
3 CENTER FOR INTERNET & SOCIETY  
4 CYBERLAW CLINIC  
5 Crown Quadrangle  
6 559 Nathan Abbott Way  
7 Stanford, California 94305-8610  
8 Telephone: (650) 724-3358  
9 Facsimile: (650) 723-4426

10 David L. Sobel  
11 Marcia Hofmann  
12 ELECTRONIC PRIVACY INFORMATION CENTER  
13 1718 Connecticut Avenue, N.W.  
14 Suite 200  
15 Washington, D.C. 20009  
16 Telephone: (202) 483-1140  
17 Facsimile: (202) 483-1248

18 *Attorneys for Plaintiff*  
19 ELECTRONIC PRIVACY INFORMATION CENTER

20 UNITED STATES DISTRICT COURT  
21 NORTHERN DISTRICT OF CALIFORNIA  
22 SAN JOSE DIVISION

23 ELECTRONIC PRIVACY INFORMATION )  
24 CENTER, )

25 Plaintiff, )

26 v. )

27 NATIONAL AERONAUTICS AND )  
28 SPACE ADMINISTRATION, )

29 Defendant. )  
30 \_\_\_\_\_ )

Civil Case No. \_\_\_\_\_

**COMPLAINT FOR  
INJUNCTIVE RELIEF**

**COMPLAINT FOR INJUNCTIVE RELIEF**

1 This is an action under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, for  
2 injunctive and other appropriate relief, and seeking the release of agency records requested by Plaintiff  
3 from Defendant National Aeronautics and Space Administration.

4 Plaintiff, by and through its attorneys, alleges as follows:

5  
6 **PARTIES**

7 1. Plaintiff Electronic Privacy Information Center (“EPIC”) is a public interest research  
8 organization incorporated as a not-for-profit corporation in Washington, D.C. EPIC’s activities include  
9 the review of federal law enforcement activities and policies to determine their possible impacts on civil  
10 liberties and privacy interests. Among its other activities, EPIC publishes books, reports, and a bi-  
11 weekly electronic newsletter. EPIC also maintains a heavily visited site on the World Wide Web  
12 (www.epic.org) containing extensive information on privacy issues, including information EPIC has  
13 obtained from federal agencies under FOIA.

14 2. Defendant National Aeronautics and Space Administration (“NASA”) is an independent  
15 agency within the Executive Branch of the United States Government. The Ames Research Center,  
16 located at Moffett Field, California, is a component of NASA and maintains the agency records at issue  
17 in this action. NASA is an agency within the meaning of 5 U.S.C. § 552(f).

18  
19 **JURISDICTION AND VENUE**

20 3. This Court has both subject matter jurisdiction over this action and personal jurisdiction over  
21 the parties pursuant to 5 U.S.C. § 552(a)(4)(B). This Court also has jurisdiction over this action  
22 pursuant to 28 U.S.C. § 1331. Venue is proper in this district under 5 U.S.C. § 552(a)(4)(B).

23 **GENERAL ALLEGATIONS**

24 4. On or about July 31, 2002, Plaintiff received 22 pages of documents from the  
25 Transportation Security Administration (“TSA”) in response to a FOIA request. The records were  
26 created by Defendant NASA.

27  
28  
29 **COMPLAINT FOR INJUNCTIVE RELIEF**





1 Dated: January 22, 2004

Respectfully submitted,

2  
3  
4 \_\_\_\_\_  
5 Lauren Gelman (SBN 228734)  
6 Jennifer Stisa Granick (SBN 168423)  
7 CENTER FOR INTERNET AND SOCIETY  
8 CYBERLAW CLINIC  
9 Crown Quadrangle  
10 559 Nathan Abbott Way  
11 Stanford, CA 94305  
12 (650) 724-3358

13  
14 David L. Sobel  
15 Marcia Hofmann  
16 ELECTRONIC PRIVACY INFORMATION CENTER  
17 1718 Connecticut Avenue, N.W.  
18 Suite 200  
19 Washington, DC 20009  
20 (202) 483-1140

21  
22 *Attorneys for Plaintiff*  
23 ELECTRONIC PRIVACY INFORMATION CENTER  
24  
25  
26  
27  
28