



RICK SCOTT
GOVERNOR

ELIZABETH DUDEK
SECRETARY

May 30, 2014

VIA E-MAIL AND CERTIFIED MAIL

Will A. Gunn, Esq.
General Counsel (024)
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420
Email: ogcfoiaappeals@va.gov

Re: Freedom of Information Act Appeal pursuant to 38 C.F.R. § 1.559

Dear Mr. Gunn:

As a result of the Department of Veterans Affairs' multiple failures regarding the healthcare needs of Florida veterans, on April 30, 2014, Elizabeth Dudek, acting in her official capacity as the Secretary of the State of Florida, Agency for Health Care Administration ("AHCA"), submitted a Freedom of Information Act ("FOIA") request pursuant to 5 U.S.C. § 552 to the Department. A copy of Secretary Dudek's April 30 FOIA request is attached hereto as **Exhibit A**. As General Counsel for AHCA, I represent Secretary Dudek in regard to this matter.

The Department has not responded to Secretary Dudek's FOIA request. The Department was required to respond within 20 working days from the date of the written request i.e., no later than May 29, 2014. 5 U.S.C. § 552; 38 C.F.R. § 1.556. To date, the Department has provided no response whatsoever, not even by notifying Secretary Dudek that there are "unusual circumstances" foreclosing a timely response. 38 C.F.R. § 1.556(c)(1).

The Department has refused to respond to **Exhibit A** in compliance with applicable law. Accordingly, consider this correspondence an appeal pursuant to 38 C.F.R. § 1.559. Additionally, AHCA reserves all administrative rights associated with the Department's refusal to timely comply with FOIA requirements.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stuart F. Williams", is written over a horizontal line.

Stuart F. Williams, Esq.
General Counsel,
*Counsel for Elizabeth Dudek in her Official Capacity as
Secretary of the State of Florida, Agency for Health Care
Administration*
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