



U.S. Department of Justice

Office of Legal Counsel

Washington, D.C. 20530

March 16, 2015

Alex Abdo
American Civil Liberties Union
American Civil Liberties Union Foundation
aabdo@aclu.org

Re: FOIA Tracking No. FY15-041

Dear Mr. Abdo:

This letter responds to your March 10, 2015 Freedom of Information Act ("FOIA") request to the Office of Legal Counsel ("OLC") in which you sought "the legal opinion from [OLC] interpreting 'common commercial service agreements,' as referenced in Senator Ron Wyden's letter to Attorney General Eric Holder, dated February 3, 2015."

Our office has located the memorandum you have requested. We are withholding the document pursuant to FOIA Exemption Five, 5 U.S.C. § 552(b)(5), because it is protected by the deliberative process and attorney-client privileges. For your information, the withheld record also is classified, and it may also be exempt under FOIA Exemption Three, *id.* § 552(b)(3).

You have the right to file an administrative appeal. You must submit any administrative appeal within 60 days of the date of this letter by mail to the Office of Information Policy, United States Department of Justice, 1425 New York Avenue, N.W., Suite 11050, Washington, D.C. 20530; by fax at (202) 514-1009; or through OIP's e-portal at <http://www.justice.gov/oip/oip-request.html>. Both the letter and the envelope, or the fax, should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink that reads "Paul P. Colborn".

Paul P. Colborn
Special Counsel