

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ORGANIZATION FOR)
COMPETITIVE MARKETS,)
)
Plaintiff,)
)
v.)
)
OFFICE OF INSPECTOR)
GENERAL, USDA,)
)
Defendant,)
and)
NATIONAL CATTLEMEN’S BEEF)
ASSOCIATION,)
)
Defendant-Intervenor.)
_____)

Civil Action No. 14-1902 (EGS)

DECLARATION OF MATTHEW PENZER

I, MATTHEW PENZER, hereby declare as follows:

1. I am counsel for Plaintiff in the above-captioned matter. The facts set forth in this Declaration are true and of my own personal knowledge.
2. Attached hereto is a true and correct copy of OIG Record, Bates Stamped “OCM 2985,” which is a February 21, 2013, OIG email referring to the new document as the “rebooted report.”

Dated: March 22, 2019

Respectfully submitted,

/s/ Matthew E. Penzer

MATTHEW PENZER
Bar No. CO0016
1255 23rd St, NW, Suite 450
Washington, DC 20037
(240) 271-6144
mpenzer@humanesociety.org

Exhibit 1

Non Responsive

From: (b)(6)
Sent: Thursday, February 21, 2013 11:16 AM
To: PFEIL, DONALD
Cc: KEATING, PAUL
Subject: beef board

Hi Don,

I've just checked in the rebooted report—it's available [here](#) for your review. Note that there are a few instances where I use [square brackets] to indicate placeholders, and have highlighted some information that I don't have (mostly dates). Hopefully those will be easy to update. With all the changes, I'd suggest telling Word to not display the insertions and deletions by going to the show markup button on the review tab and unchecking that option in the dropdown menu.

Let me know when it would be a good time for us to discuss, clean up the changes, and get the draft moving. Talking with Steve, I think he's expecting for this to go through the discussion draft feedback workflows on the HQ Approval site, so we'll need to move it to that page after it's been re-referenced as needed.

(b)(6)

(b)(6)

Writer-Editor
USDA Office of Inspector General

(b)(6)@olg.usda.gov

mobile: (b)(6)