



United States of America  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Michelle Celarier  
New York Post

(b) (6)

Croton on Hudson, NY (b) (6)

MAY 21 2015

Re: FOIA-2015-00581  
FOIA-2015-00582

Dear Ms. Celarier:

This is in response to your requests dated February 12, 2015, under the Freedom of Information Act seeking access to "phone and in person meeting records between any and all commissioners, including Edith Ramirez, and executives of Herbalife, including Pamela Jones Harbour and Alan Hoffman," (FOIA-2015-00581) and "all letters, phone calls and meetings between Edith Ramirez and other commissioners with members of Congress since 2014 regarding Herbalife." (FOIA-2015-00582) In accordance with the FOIA and agency policy, we have searched our records as of February 12, 2015, the date we received your requests in our FOIA office.

We have located 53 pages of responsive records. I am granting partial access to the accessible records. Portions of these pages fall within the exemptions to the FOIA's disclosure requirements, as explained below.

Some responsive records contain staff analyses, opinions, and recommendations. Those portions are deliberative and pre-decisional and are an integral part of the agency's decision-making process. They are exempt from the FOIA's disclosure requirements by FOIA Exemption 5.5 U.S.C. § 552(b)(5). *See NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132 (1975).

I am denying access to personal identifying information found in the documents. This information is exempt from release under FOIA Exemption 6, 5 U.S.C. § 552(b)(6), because individuals' right to privacy outweighs the general public's interest in seeing personal identifying information. *See The Lakin Law Firm v. FTC*, 352 F.3d 1122 (7th Cir. 2003).


Some records contain information which is exempt under FOIA Exemption 6, 5 U.S.C. § 552(b)(2), which permits withholding of records related solely to internal rules and practices. *See Milner v. Dep't of the Navy*, 131 S. Ct. 1259, 1265 & n.4 (2011).

If you are not satisfied with this response to your request, you may appeal by writing to Freedom of Information Act Appeal, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington D.C. 20580, within 30 days of the date of this

letter. Please enclose a copy of your original request and a copy of this response. If you believe that we should choose to disclose additional materials beyond what the FOIA requires, please explain why this would be in the public interest.

If you have any questions about the way we handled your request or about the FOIA regulations or procedures, please contact Alice Bartek at 202-326-2191.

Sincerely,



Sarah D. Mackey  
Associate General Counsel