



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
STATION PLACE  
100 F STREET, NE  
WASHINGTON, DC 20549-2465

Office of FOIA Services

August 20, 2015

Mr. David Pegno  
Dewey Pegno & Kramarsky LLP  
777 Third Ave  
New York, NY 10017

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552  
Request No. 15-04903-FOIA

Dear Mr. Pegno:

This letter is in response to your request dated June 22, 2015, and received in this office on July 02, 2015, seeking all documents produced to Richard Edelman and/or Steven Edelman in connection with FOIA requests submitted by Richard and/or Steven Edelman that relate to Empire State Building and were submitted after December 5, 2014. Specifically, you sought documents produced in response to any request made on or about April 17, 2015, seeking ESBA investor Consumer Complaints in the matter of Empire State Realty Trust or any substantially similar request.

Please be advised, the FOIA request filed on or near April 17, 2015, seeking records relating to consumer complaints concerning Empire State Realty Trust, has not been completed. Consequently, we did not locate or identify any information responsive to your request.

If you still have reason to believe that the SEC maintains the type of information you seek, please provide us with additional information, which could prompt another search. Otherwise, we conclude that no responsive information exists and we consider this request to be closed.

You have the right to appeal the adequacy of our search or finding of no responsive information, within 90 calendar days from the date of this letter, to our General Counsel under 5 U.S.C. § 552(a)(6), 17 CFR § 200.80(d)(5) and (6). Your appeal must be in writing, clearly marked "Freedom of Information Act Appeal," and should identify the requested records. The appeal may include facts and authorities you consider appropriate.

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You may file your appeal by completing the online Appeal form located at [https://www.sec.gov/forms/request\\_appeal](https://www.sec.gov/forms/request_appeal), or mail your appeal to the Office of FOIA Services of the Securities and Exchange Commission located at Station Place, 100 F Street NE, Mail Stop 2465, Washington, D.C. 20549, or deliver it to Room 1120 at that address. Also, send a copy to the SEC Office of the General Counsel, Mail Stop 9612, or deliver it to Room 1120 at the Station Place address.

If you have any questions, please contact me at [churchmant@sec.gov](mailto:churchmant@sec.gov) or (202) 551-8330. You may also contact me at [foiapa@sec.gov](mailto:foiapa@sec.gov) or (202) 551-7900.

Sincerely,

*Tina Churchman*

Tina Churchman  
FOIA Research Specialist