



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

Office of FOIA Services

August 06, 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. 15-04900-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 documents produced in response to any request made on or about February 9, 2015, seeking all information concerning the investigation in the Matter of Empire State Realty Trust (File No. MNY-08894), and any other SEC investigation concerning Empire State Realty Trust or any substantially similar request.

Please be advised, the request filed on February 9, 2015, seeking records relating to SEC investigation MNY-08894, 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, 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, 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 or (202) 551-8330. You may also contact me at foiapa@sec.gov or (202) 551-7900.

Sincerely,

Tina Churchman

Tina Churchman
FOIA Research Specialist