IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

KYLE DOUGLAS MORING, Plaintiff, v. UNITED STATES DEPARTMENT OF LABOR, Defendant.	CIVIL ACTION No. 5:26-CV-53 JUDGE Robert W. SCHROEDER, III MAGISTRATE JAMES BOONE BAXTER

UNITED STATES DEPARTMENT OF LABOR'S
ANSWER AND AFFIRMATIVE DEFENSES

The Department of Labor ("DOL" or "Defendant") files an answer and affirmative defenses to Plaintiff's Complaint for Judicial Review [ECF 1]. All allegations not specifically admitted are denied. To the extent that Plaintiff cites outside materials in his complaint, nothing in this answer should be construed as an admission that the cited materials are accurately quoted or relevant to this lawsuit.

PRELIMINARY STATEMENT[1]

1. This paragraph contains Plaintiff's characterization of this action, to which no response is required by Defendant. To the extent a response is required, Defendant only admits that Plaintiff brings this action pertaining to his FOIA request assigned tracking number 2026-F-05090 and respectfully refers the Court to the statute cited herein. Defendant lacks knowledge or

[1] For ease of reference, Defendant replicates the headings contained in the Complaint. Although Defendant believes that no response is required to such headings, to the extent a response is required and to the extent those headings and titles could be construed to contain factual allegations, those allegations are denied. is required and to the extent those headings and titles could be construed to contain factual allegations, those allegations are denied.

information sufficient to form a belief about the truth of the allegations contained within the remainder of this paragraph.

2. Defendant admits Plaintiff submitted a FOIA request received by Defendant on February 18, 2026, for which Defendant assigned tracking number 2026-F-05090 and that at the time this action was filed Defendant had not provided Plaintiff with a determination and denies all remaining allegations contained in this paragraph. The second sentence of this paragraph does not set forth claims of relief or aver facts in support of a claim and the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f). Defendant avers that a determination in response to Plaintiff's FOIA request 2026-F-05090 has been provided on May 12, 2026. Defendant further avers that the FOIA request is the best evidence of its contents and respectfully refers the Court to the FOIA request for a complete and accurate statement of its contents and denies any allegations inconsistent therewith.

3. The first sentence of this paragraph does not set forth claims of relief or aver facts in support of a claim and the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f). The second sentence consists of Plaintiff's characterization of this action, to which no response is required by Defendant. To the extent a response is required, Defendant only admits that at the time this action was filed a determination had not been provided to Plaintiff in response to Plaintiff's FOIA request and denies remaining allegations contained in this paragraph. Defendant avers that a determination in response to Plaintiff's FOIA request 2026-F-05090 has been provided on May 12, 2026.