



**COMMONWEALTH of VIRGINIA**  
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April 19, 2022

**VIA ELECTRONIC DELIVERY**

Lin Weeks, Esq.  
Reporters Committee for Freedom of the Press  
1156 15th St. NW, Suite 1020  
Washington, DC 20005

RE: **Ben Paviour and VPM News v. Virginia Department of Education**  
Case No. CL22001654-00

Dear Mr. Weeks,

Please find enclosed a copy of the sole document sought by Petitioners in the above-styled matter. Specifically, the enclosed is the document entitled "EA\_Instructions.docx" that was attached to the email in Exhibit D of the Petition (the "Attachment").

In providing this document, Respondent specifically does not waive any arguments or defenses and, in fact, maintains that the Attachment is exempt from mandatory disclosure, and was properly withheld, under the Virginia Freedom of Information Act pursuant to Va. Code § 2.2-3705.7(2)'s exemption for the working papers of the Office of the Governor. However, in the interest of resolving this matter, Respondent has elected to exercise its statutory discretion to disclose the Attachment, notwithstanding its status as a working paper of the Office of the Governor.

As the only document sought in this matter has now been disclosed, Respondent requests that you notify the Circuit Court for the City of Richmond that the hearing set for April 25, 2022, at 2:30 p.m. is no longer necessary and may be taken off the Court's calendar, and that you dismiss your petition. Please call me if you have any questions.

Sincerely,

*/s/ Steven G. Popp*

Steven G. Popp  
Deputy Attorney General

Enclosure

CC: Katie Townsend (via email)  
Gunita Singh (via email)  
Thomas J. Sanford (via email)  
Christopher P. Bernhardt (via email)