

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Leopold v. U.S. Department of Justice

No. 1:20-cv-03651 (TNM) (D.D.C. Apr. 21, 2026) · No. 1:20-cv-03651 (TNM) · Decided April 21, 2026

SUMMARY

The United States District Court for the District of Columbia considers Plaintiffs’ motion for attorney’s fees and costs under the Freedom of Information Act after resolving the merits of their requests concerning the 2020 presidential election. The Court finds Plaintiffs eligible and entitled to fees but reduces the requested attorney’s fees because of excessive billing and limited success, while awarding requested costs in full. The Court awards \$14,265 for merits litigation, \$4,280 for fee-related litigation, and \$1,398.51 in costs, totaling \$19,943.51.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Trevor N. McFadden
JURISDICTION	United States District Court for the District of Columbia
DECIDED	April 21, 2026
DOCKET	1:20-cv-03651 (TNM)
DISPOSITION	other
PROCEDURAL POSTURE	After the merits of the Freedom of Information Act dispute were resolved on cross-motions for summary judgment, Plaintiffs moved for attorney's fees and costs.
STANDARD OF REVIEW	The court independently assessed whether the requested attorney's fees and costs were reasonable, considering the number of hours expended, hourly rates, success achieved, duplicative or unproductive work, and the circumstances of the case.
PRECEDENTIAL VALUE	Published district court memorandum opinion; persuasive within the jurisdiction but not binding precedent on the D.C. Circuit.
PARTIES	Jason Leopold, BuzzFeed, Inc. v. U.S. Department of Justice

TOPICS

- attorney fees
- costs
- administrative law
- civil procedure
- remedies

PRACTICE AREAS

administrative law

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether Plaintiffs were entitled to recover attorney's fees and costs under FOIA.
2. Whether the amount of attorney's fees requested for the merits litigation and the fee litigation was reasonable.
3. Whether Plaintiffs' requested litigation costs were reasonable and recoverable in full.

HOLDINGS

1. Plaintiffs were eligible for and entitled to an award of attorney's fees and costs because DOJ conceded those issues and conceded that Plaintiffs substantially prevailed.
2. The requested attorney's fees were excessive and should be reduced to \$14,265 for the merits stage and approximately \$4,280 for the fees stage, for a total fee award of approximately \$18,545.
3. Plaintiffs were entitled to recover all \$1,398.51 in requested costs.

KEY QUOTATIONS

“But getting to summary judgment does not entitle a litigant to full fees.” (at 8)

“Such a sum would be an “unsupportable windfall.”” (at 12)

FACTUAL BACKGROUND

Buzzfeed and Jason Leopold submitted a FOIA request to DOJ shortly after the 2020 presidential election concerning DOJ leadership's preparedness and responses to election issues. DOJ identified approximately 720 responsive pages and produced approximately 360 pages in full or in part, withholding the remainder under FOIA exemptions. After litigation and supplemental productions, the Court upheld most of DOJ's withholdings but ordered production of one document, leading Plaintiffs to seek fees and costs.

PROCEDURAL HISTORY

Buzzfeed, Inc. and Jason Leopold sued the Department of Justice under FOIA after the agency responded to their request concerning the 2020 presidential election. The Court granted DOJ summary judgment as to all but one document, requiring production of that document while upholding the remaining withholdings. Plaintiffs then sought approximately \$51,975.51 in attorney's fees and costs; DOJ conceded eligibility and entitlement but challenged the reasonableness of the amount.

DISPOSITION

other

CASES CITED

- *Jud. Watch, Inc. v. Dep't of Com.*, 470 F.3d 363, 368-69 (D.C. Cir. 2006)
- *Queen Anne's Conservation Ass'n v. Dep't of State*, 800 F. Supp. 2d 195, 198 (D.D.C. 2011)
- *Urb. Air Initiative, Inc. v. EPA*, 442 F. Supp. 3d 301, 320-21, 326-27 (D.D.C. 2020)
- *Davy v. CIA*, 550 F.3d 1155, 1159 (D.C. Cir. 2008)
- *Louise Trauma Ctr. LLC v. DHS*, No. 1:20-cv-01128, 2023 WL 3478479, at *4 n.3 (D.D.C. May 16, 2023)
- *Env't Def. Fund, Inc. v. Reilly*, 1 F.3d 1254, 1258 (D.C. Cir. 1993)
- *Hall v. CIA*, 115 F. Supp. 3d 24, 28 (D.D.C. 2015)
- *Hardy v. BATFE*, 293 F. Supp. 3d 17, 30 (D.D.C. 2017)
- *Elec. Priv. Info. Ctr. v. FBI*, 80 F. Supp. 3d 149, 159 (D.D.C. 2015)
- *CREW v. DOJ*, 825 F. Supp. 2d 226, 229, 231 (D.D.C. 2011)
- *Codrea v. BATF*, 272 F. Supp. 3d 49, 53 (D.D.C. 2017)
- *Env't Integrity Project v. EPA*, 316 F. Supp. 3d 320, 325 (D.D.C. 2018)
- *Hernandez v. Chipotle Mexican Grill, Inc.*, 257 F. Supp. 3d 100, 110 (D.D.C. 2017)
- *New York v. Microsoft Corp.*, 297 F. Supp. 2d 15, 35 (D.D.C. 2003)
- *Turner v. D.C. Bd. of Elections & Ethics*, 354 F.3d 890, 899 (D.C. Cir. 2004)
- *Rooths v. District of Columbia*, 802 F. Supp. 2d 56, 63 (D.D.C. 2011)
- *Douglas v. District of Columbia*, 67 F. Supp. 3d 36, 43 (D.D.C. 2014)
- *Role Models Am., Inc. v. Brownlee*, 353 F.3d 962, 973 (D.C. Cir. 2004)
- *Leopold v. DOJ*, No. 1:20-cv-03651, 2024 WL 5159099, at *5-10 (D.D.C. Dec. 18, 2024)