

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Jigsaw Productions, Inc. v. U.S. Securities and Exchange Commission

No. 24-cv-2358 (TSC) (D.D.C. Mar. 23, 2026) · No. No. 24-cv-2358 (TSC) · Decided March 23, 2026

SUMMARY

The U.S. District Court for the District of Columbia denied the SEC’s motion for summary judgment and granted Jigsaw Productions, Inc.’s cross-motion in a FOIA action seeking an audio and video recording of Elon Musk’s SEC interview. The court held that the SEC failed to establish a substantial privacy interest or foreseeable harm under FOIA Exemptions 6 and 7(C), particularly because the interview transcript had been released and Musk’s voice, image, and mannerisms were already widely public. The court ordered the SEC to release the portions corresponding to the unredacted transcript, while permitting redaction of recordings of other individuals.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Tanya S. Chutkan
JURISDICTION	United States District Court for the District of Columbia
DECIDED	March 23, 2026
DOCKET	No. 24-cv-2358 (TSC)
DISPOSITION	other
PROCEDURAL POSTURE	Cross-motions for summary judgment in a Freedom of Information Act action seeking release of an audio and video recording of Elon Musk’s interview with SEC investigators.
STANDARD OF REVIEW	Summary judgment is appropriate on the basis of agency affidavits when the affidavits describe the justifications for nondisclosure with reasonably specific detail, show that the withheld information logically falls within the claimed exemption, and are not controverted by contrary evidence or evidence of bad faith. Under FOIA, the agency bears the burden of justifying withholding, including demonstrating foreseeable harm to an interest protected by the invoked exemption.
PRECEDENTIAL VALUE	published district court memorandum opinion; persuasive authority
PARTIES	Jigsaw Productions, Inc. v. U.S. Securities and Exchange Commission

TOPICS

judicial review of agency action

administrative law

summary judgment

civil procedure

PRACTICE AREAS

Freedom of Information Act

administrative law

civil procedure

QUESTIONS PRESENTED

1. Whether the SEC properly withheld the recording under FOIA Exemptions 6 and 7(C).
2. Whether the SEC demonstrated a substantial privacy interest in Musk's voice and likeness that would be foreseeably harmed by disclosure of the recording despite the public release of the interview's substance and Musk's extensive public exposure.
3. Whether the court should order release of the portions of the recording corresponding to the unredacted portions of the transcript while permitting redaction of recordings of other individuals.

HOLDINGS

1. The SEC improperly withheld the portions of the recording corresponding to Musk under Exemptions 6 and 7(C) because it failed to identify a substantial privacy interest that would be foreseeably harmed by disclosure.
2. Although audio and video can reveal personal information not contained in a transcript, Musk's status as a highly public figure and the extensive public availability of his voice, likeness, mannerisms, and statements substantially diminished any privacy interest in this particular recording to a de minimis level.
3. The SEC's assertion that release of the recording could contribute to deepfakes did not establish foreseeable harm because it was speculative and failed to show that release of one additional recording would actually impede Musk's privacy interests.

KEY QUOTATIONS

"Accordingly, FOIA's exemptions are to be narrowly construed." (at 3-4)

"It is well established that 'one can have no privacy interest in information that is already in the public domain.'" (at 6)

"The SEC must 'provide 'a focused and concrete demonstration of why the particular type of material at issue''—the video and audio of an interview whose contents are already public—will foreseeably harm a substantial privacy interest." (at 7)

"The SEC has not identified any substantial privacy interest that would be foreseeably harmed by the recording's release." (at 11)

FACTUAL BACKGROUND

Jigsaw Productions sought the video and audio recording of Elon Musk's 2018 interview with SEC investigators as part of a documentary project. The SEC released a 281-page transcript with redactions but withheld the recording, asserting privacy interests in the voices and images of Musk and other persons present. Musk is an exceptionally prominent public figure whose voice, likeness, mannerisms, and discussions of the SEC matter are already widely available in public interviews and other media.

PROCEDURAL HISTORY

Jigsaw submitted a FOIA request to the SEC for materials from its civil investigation of Elon Musk, including the written transcript and video recording of his interview. The SEC released a redacted transcript but withheld the recording in full under FOIA Exemptions 6 and 7(C). The parties filed cross-motions for summary judgment, and the district court denied the SEC's motion and granted Jigsaw's cross-motion in part.

DISPOSITION

other

REMAND INSTRUCTIONS

The SEC must release within 60 days the portions of the recording corresponding to the unredacted portions of the written transcript. The SEC may redact any video or audio of persons other than Musk.

CASES CITED

- Johnson v. Commission on Presidential Debates, 202 F. Supp. 3d 159, 167 (D.D.C. 2016)
- Department of the Air Force v. Rose, 425 U.S. 352, 361 (1976)
- CIA v. Sims, 471 U.S. 159, 166 (1985)
- Reporters Committee for Freedom of the Press v. FBI, 3 F.4th 350, 357, 369-70 (D.C. Cir. 2021)
- Human Rights Defense Center v. U.S. Park Police, 126 F.4th 708, 712-13, 716 (D.C. Cir. 2025)
- Public Citizen, Inc. v. Rubber Manufacturers Association, 533 F.3d 810, 813 (D.C. Cir. 2008)
- Department of State v. Ray, 502 U.S. 164, 173 (1991)
- Citizens for Responsibility and Ethics in Washington v. Department of Justice, 58 F.4th 1255, 1262 (D.C. Cir. 2023)
- Larson v. Department of State, 565 F.3d 857, 862 (D.C. Cir. 2009)
- Cornucopia Institute v. Agricultural Marketing Service, 312 F. Supp. 3d 85, 96 (D.D.C. 2018)
- Coastal States Gas Corp. v. Department of Energy, 617 F.2d 854, 870 (D.C. Cir. 1980)
- American Civil Liberties Union v. Department of Justice, 655 F.3d 1, 6, 12 (D.C. Cir. 2011)
- Department of Defense v. FLRA, 510 U.S. 487, 496 n.6 (1994)
- Citizens for Responsibility and Ethics in Washington v. Department of Justice, 746 F.3d 1082, 1091-92 (D.C. Cir. 2014)
- Multi Ag Media LLC v. Department of Agriculture, 515 F.3d 1224, 1229 (D.C. Cir. 2008)
- Chase v. Department of Justice, 301 F. Supp. 3d 146, 155 (D.D.C. 2018)

- National Archives & Records Administration v. Favish, 541 U.S. 157, 171 (2004)
- Citizens for Responsibility and Ethics in Washington v. Department of Justice, 840 F. Supp. 2d 226, 233 (D.D.C. 2012)
- Kimberlin v. Department of Justice, 139 F.3d 944, 949 (D.C. Cir. 1998)
- Nation Magazine v. U.S. Customs Service, 71 F.3d 885, 896 (D.C. Cir. 1995)
- New York Times Co. v. NASA, 920 F.2d 1002, 1004, 1006, 1009-10 (D.C. Cir. 1990) (en banc)
- Advocates for Highway & Auto Safety v. Federal Highway Administration, 818 F. Supp. 2d 122, 128-29 (D.D.C. 2011)
- Citizens for Responsibility and Ethics in Washington v. Department of Justice, 978 F. Supp. 2d 1, 10 (D.D.C. 2013)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-district-of-columbia/2026/jigsaw-productions-inc-v-u-s-securities-and-exchange-orivqetc>