

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JAMES A. MURPHY,
4990 Sadler Place
Unit 5604
Glen Allen, VA 23058

Plaintiff,

v.

DEPARTMENT OF HOMELAND
SECURITY,
2707 Martin Luther King Jr. Ave., SE
Washington, DC 20528

Defendant.

Civil Action No.: 25-1025

COMPLAINT

1. Plaintiff James A. Murphy brings this action against Defendant Department of Homeland Security (“DHS”) and its component, Immigration and Customs Enforcement (“ICE”), to compel compliance with the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552.

2. The requested records relate to an interview DHS conducted of someone named, or using the pseudonym, Satoshi Nakamoto, which is the name often used for the person(s) who claims to have created the digital asset Bitcoin. *See Ex. A.*

3. These records are immensely important, as federal and state officials are currently taking steps to investigate potential investment in Bitcoin. For instance, on March 6, 2025, President Trump issued an Executive Order establishing a “Strategic Bitcoin Reserve.” The Order directs that all Bitcoin held by the federal

government be placed in a Strategic Bitcoin Reserve, and it authorizes the Secretaries of the Treasury and Commerce to develop budget-neutral strategies for acquiring additional Bitcoin for the Reserve. *See* Exec. Order No. 14,233, § 3, 90 Fed. Reg. 11,789, 11,789–90 (Mar. 6, 2025).

4. Similarly, the U.S. Senate is considering legislation that would establish a Bitcoin reserve operated by the U.S. Treasury.¹

5. Additionally, nearly 20 states are currently considering legislation that would authorize investing public funds in Bitcoin.²

6. Beyond these government actions, many public and private companies also currently hold Bitcoin on their balance sheets as treasury assets. The largest of these in the United States is Strategy (NASDAQ: MSTR), which holds over 500,000 Bitcoin worth more than \$4.25 billion.³

7. Over \$100 billion is currently invested in U.S. exchange-traded products that hold only Bitcoin.⁴ These products trade on U.S. securities exchanges and are held and traded by individuals, retirement accounts, college and university endowments, pension funds, and a variety of institutions.

¹ *See* Press Release, Sen. Cynthia Lummis, Lummis Introduces Strategic Bitcoin Reserve Legislation (July 31, 2024), <https://tinyurl.com/3u35bu9k>.

² *See* Jesse Hamilton, *North Carolina Joins Growing Number of States Pursuing Crypto Investments*, CoinDesk (Feb. 10, 2025), <https://tinyurl.com/4tafya8v>.

³ *See* Mehab Qureshi, *MicroStrategy now holds over 500,000 Bitcoin after \$584M purchase*, The Street Roundtable (Mar. 24, 2025), <https://tinyurl.com/yyadekeu>.

⁴ *See* Bob Pisani, *ETFs holding bitcoin are now the crypto's largest holders, surpassing creator Satoshi Nakamoto*, CNBC (Dec. 12, 2024), <https://tinyurl.com/ysvj9dh9>.

8. Given the massive public and private investment in Bitcoin, it is important for Mr. Murphy and the public to understand better what the federal government knows about the identity of the actor(s) responsible for creating Bitcoin.

9. To better understand these issues, Mr. Murphy submitted a FOIA Request to DHS on February 12, 2025. *See* Ex. A.

10. To date, DHS has failed to comply with its statutory obligation to respond to Mr. Murphy's FOIA request.

11. DHS is thus depriving Mr. Murphy and the public of vital information.

JURISDICTION AND VENUE

12. This Court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331. Additionally, it may grant declaratory relief pursuant to 28 U.S.C. § 2201 *et seq.*

13. Venue is proper in this District pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1391(e).

PARTIES

14. Mr. Murphy is an attorney licensed to practice law in New York and Virginia. He is a resident of the Commonwealth of Virginia. He regularly publishes information to thousands of people through the social media platform X (formerly known as Twitter) where he posts using the handle @MetaLawMan. Through these posts, Mr. Murphy primarily focuses on news and commentary on legal issues related to digital assets, including cryptocurrencies such as Bitcoin. Mr. Murphy has also

been an investor in Bitcoin and other cryptocurrencies for several years, and he also engaged in Bitcoin mining for several years.

15. DHS is an agency of the federal government within the meaning of 5 U.S.C. § 552(f), and DHS, along with its component ICE, has possession and control of the records Mr. Murphy seeks.

BACKGROUND

A. Bitcoin explained.

16. Bitcoin is a digital currency operating on a peer-to-peer network, which allows users to send and receive payments without the need for intermediaries like banks or governments.

17. The Bitcoin network was created in 2009 by an anonymous individual or group using the pseudonym Satoshi Nakamoto.

18. Bitcoin transactions are recorded on a public ledger called a blockchain, which ensures transparency and security.

19. Bitcoin is generated through a process called “mining,” where powerful computers solve complex mathematical problems to validate transactions—the movement of Bitcoin from one wallet to another on the blockchain.

20. The “miners” earn rewards for running the computational work in the form of new Bitcoins.

21. Bitcoin has a limited supply—capped at 21 million coins—and it is considered to be a store of value (like “digital gold”) and a medium of exchange.

22. The total market value of all Bitcoin in existence is over \$1.7 trillion, and it is estimated that there are more than 100 million owners of Bitcoin worldwide.⁵

23. Bitcoin is the only major cryptocurrency whose creator is unknown to the public.

B. DHS Interviewed Bitcoin Creator Satoshi Nakamoto.

24. On April 29, 2019, DHS Special Agent Rana Saoud gave a presentation at the OffshoreAlert Conference North America. At the time of her presentation, Special Agent Saoud served as an Assistant Special Agent in Charge in the Homeland Security Investigations office in Miami, Florida.

25. Special Agent Saoud was subsequently promoted, and, according to her LinkedIn profile, she currently serves as Special Agent in Charge of Homeland Security Investigations in the Nashville, Tennessee office. *See* Rana Saoud, LinkedIn, <https://tinyurl.com/35ereahv> (last visited Apr. 6, 2025).

26. During her April 29, 2019 public presentation, Special Agent Saoud affirmed that DHS knows the identity of Satoshi Nakamoto.

27. In fact, Special Agent Saoud stated that DHS agents traveled to California to interview Nakamoto about his creating Bitcoin. According to Special Agent Saoud, when the agents got to California, there were actually three other people who had been involved with creating Bitcoin, and the agents met with all four individuals to discuss how Bitcoin works and why they created it.

⁵ *See Bitcoin's Market Cap Reaches \$1.7 Trillion, Representing 1.3% of Global Money Supply*, Blockchain.news (Mar. 22, 2025), <https://tinyurl.com/83jybxuj>.

28. Specifically, during her public presentation, Special Agent Saoud explained the circumstances surrounding the meeting with Nakamoto:

One of our agents ... he was [a] really, really smart, forward-leaning agent, and he goes “I want to go interview Satoshi Nakamoto,” and we’re like “What?” He said, “Yeah I want to go interview this guy.” And at the time, we’re like “Hey, it was a figment of somebody’s imagination, maybe it’s true, maybe it’s not true.” So, you know, we had all this push back from our headquarters and we thought: “Hey, if an agent wants to go talk to him and we have some money why don’t we send him? Let’s find out how this works.” So, as it came to be, the agents flew out to California, and they realized that he wasn’t alone in creating this. There were 3 other people. And they sat down and met with them and talked to them to find out how this actually works and what their reason for it was.⁶

29. DHS has never disclosed the identities of these four Satoshi Nakamotos to the public.

C. Mr. Murphy’s FOIA Request.

30. To learn more about these important events, on February 12, 2025, Mr. Murphy submitted a FOIA request to DHS.⁷ See Ex. A.

⁶ OffshoreAlert, *Regulating Cryptocurrencies & ICOs: Security, Commodity, or Currency?*, YouTube, at 44:21–45:10 (May 24, 2019), <https://tinyurl.com/2s92yf9z> (recording of The OffshoreAlert Conference on Financial Intelligence & Investigations (Apr. 29, 2019)).

⁷ In January 2025, Mr. Murphy submitted a separate FOIA request to DHS seeking records about interviews of Satoshi Nakamoto. That request, which DHS referred to ICE, was assigned tracking number 2025-ICFO-17214. Mr. Murphy does not challenge ICE’s response to that request through this lawsuit. Rather, through this lawsuit, Mr. Murphy challenges DHS’s failure to respond to his February 12, 2025 FOIA request.

31. In that request, Mr. Murphy sought four categories of records:
- (1) Any transcript of the public statements made by DHS Special Agent Rana Saoud at the Off-Short Alert Conference North America on April 27, 2019.
 - (2) Records of any interview conducted by DHS of someone named, or using the pseudonym, Satoshi Nakamoto, including any transcription of the interview, audio or video recording of the interview, notes taken during the interview, or correspondence sent or received that reference the interview.
 - (3) Records of any interview conducted by DHS of an individual purporting to have created Bitcoin or whom DHS believes created Bitcoin, including any transcription of the interview, audio or video recording of the interview, notes taken during the interview, or correspondence sent or received that reference the interview.
 - (4) Records discussing the identity of the creator(s) of Bitcoin.

Ex. A at 1 (footnotes omitted).

32. Mr. Murphy limited responsive records to those created, sent, or received between January 1, 2009, and the date of the search. *See id.* at 1.

33. Mr. Murphy also identified the following DHS components as those most likely to have responsive records: the Office of the Secretary; the Office of the Deputy Secretary; the Science and Technology Directorate; and Homeland Security Investigations, which is housed within ICE. *See id.* at 1–2.

34. Mr. Murphy also requested a fee waiver based on his status as a media requester and given the significant public interest in the requested records. *See id.* at 2.

35. On February 13, 2025, DHS sent Mr. Murphy a letter acknowledging receipt of the FOIA request and assigning it tracking number 2025-HQFO-02468. *See* Ex. B.

36. Additionally, DHS referred the request to ICE. *See id.* at 1.

37. On February 19, 2025, ICE sent Mr. Murphy an email acknowledging receipt of the FOIA request, but stating that “Mr. Murphy has already submitted this request.” Ex. C. ICE further stated that it would “continue to process this request under tracking number 2025-ICFO-17214.” *Id.*

38. On February 19, 2025, Mr. Murphy’s counsel responded to ICE’s email, acknowledging that “Mr. Murphy previously submitted a FOIA request seeking records on similar topics,” but noting that “the February 12, 2025 request differs in several ways from the request ICE assigned tracking number 2025-ICFO-17214.” Ex. D. Accordingly, Mr. Murphy’s counsel asked that ICE “confirm that [it] is processing the request submitted on February 12, 2025.” *Id.*

39. To date, ICE has not responded to that correspondence, and Mr. Murphy has not received any further correspondence from DHS or ICE regarding his February 12, 2025 FOIA request. Accordingly, the statutory deadline for DHS to respond has passed.

COUNT I
Violation of FOIA, 5 U.S.C. § 552

40. Plaintiff repeats the foregoing paragraphs as if set forth fully herein.

41. DHS is an agency of the federal government within the meaning of 5 U.S.C. § 552(f).

42. By letter dated February 12, 2025, Mr. Murphy submitted a valid FOIA request to DHS. *See* Ex. A.

43. That request reasonably described all requested records and complied with all applicable statutes and regulations.

44. DHS has failed to respond to the request by conducting a search reasonably calculated to locate responsive records, as FOIA requires. *See Weisberg v. U.S. Dep't of Just.*, 705 F.2d 1344, 1351 (D.C. Cir. 1983).

45. And the requested records are not exempt from FOIA pursuant to 5 U.S.C. § 552(b).

46. DHS has also failed to respond to Mr. Murphy's request within the statutory time period. *See* 5 U.S.C. § 552(a)(6).

47. Accordingly, Mr. Murphy has exhausted his administrative remedies. *See* 5 U.S.C. § 552(a)(6)(C).

48. By failing to release all responsive, non-exempt records, DHS has violated FOIA. *See* 5 U.S.C. § 552(a)(3)(A).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

- i. Declare that the requested records, as described in the foregoing paragraphs, must be disclosed pursuant to 5 U.S.C. § 552.
- ii. Order DHS to conduct legally sufficient searches immediately for all records responsive to Plaintiff's FOIA request and demonstrate that the search methods were reasonably likely to lead to the discovery of responsive records.
- iii. Order DHS to produce by a date certain all non-exempt records responsive to Plaintiff's FOIA request.
- iv. Award Plaintiff attorneys' fees and costs incurred in this action pursuant to 5 U.S.C. § 552(a)(4)(E).
- v. Grant Plaintiff such other and further relief as this Court deems proper.

April 7, 2025

Respectfully submitted,

/s/ Brian J. Field
BRIAN J. FIELD
D.C. Bar No. 985577
SCHAERR | JAFFE LLP
1717 K Street NW
Suite 900
Washington, DC 20006
Tel.: (202) 787-1060
Email: bfield@schaerr-jaffe.com

Counsel for Plaintiff James A. Murphy

EXHIBIT A

SCHAERR
JAFFE
LLP

February 12, 2025

By electronic mail

U.S. Department of Homeland Security
Privacy Office, Mail Stop 0655
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528
FOIA@HQ.DHS.gov

Re: FOIA request for records discussing the creator(s) of Bitcoin.

Dear FOIA Officer:

I write on behalf of our client James A. Murphy and pursuant to the Freedom of Information Act (“FOIA”), to request that the Department of Homeland Security (DHS) produce the following records:

1. Any transcript of the public statements made by DHS Special Agent Rana Saoud at the Off-Short Alert Conference North America on April 27, 2019.¹
2. Records of any interview conducted by DHS of someone named, or using the pseudonym, Satoshi Nakamoto, including any transcription of the interview, audio or video recording of the interview, notes taken during the interview, or correspondence sent or received that reference the interview.²
3. Records of any interview conducted by DHS of an individual purporting to have created Bitcoin or whom DHS believes created Bitcoin, including any transcription of the interview, audio or video recording of the interview, notes taken during the interview, or correspondence sent or received that reference the interview.
4. Records discussing the identity of the creator(s) of Bitcoin.

Definitions and scope. The date range for responsive records encompasses all records created, sent, or received between January 1, 2009, and the date of the search. Also, this request is directed to any DHS office or component deemed reasonably likely to have responsive records, including, at a minimum: the Office of the Secretary; the Office of the

¹ In order to provide DHS with additional information to assist locating responsive records, we note that the referenced statement can be found here: <https://www.youtube.com/watch?v=MAOrjIub4Qc>.

² Satoshi Nakamoto is the name often used for the person who claims to have created Bitcoin.

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Deputy Secretary; the Science and Technology Directorate; and Homeland Security Investigations.

Additionally, the term “records” includes any document or communication in DHS’s possession, whether created by a DHS employee; created by another agency, foreign government, or non-government entity and transmitted to DHS; or otherwise obtained from any source and maintained within DHS’s possession.

Fee waiver. Mr. Murphy also requests a waiver of both search fees and duplication fees under 5 U.S.C. §§ 552(a)(4)(A)(i), 552(a)(4)(A)(ii)(II), and 552(a)(4)(A)(iii). Mr. Murphy actively disseminates information to thousands of people through X, where he posts as @MetaLawMan. The information Mr. Murphy disseminates is in the public interest, and it educates the public about government operations. As such, Mr. Murphy qualifies for a fee waiver as a member of the news media. *See Nat’l Sec. Archive v. Dep’t of Def.*, 880 F.2d 1381, 1387 (D.C. Cir. 1989). As the D.C. Circuit has said: “[I]f an entity ... issues substantive press releases concerning the documents it uncovers, or even if it simply provides editorial comments on those documents in interviews with newspapers, such a gloss on the underlying materials could satisfy this element of the definition.” *Cause of Action v. FTC*, 799 F.3d 1108, 1122 (D.C. Cir. 2015). Mr. Murphy intends to do just that with any records obtained through this request.

Mr. Murphy also requests a full fee waiver for this request as “disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii). The identity of the creator of Bitcoin is a topic of immense interest throughout the cryptocurrency community. But that interest expands out to the general public, as nearly 20 states are currently considering legislation that would authorize investing public funds in Bitcoin.³ Additionally, the U.S. Senate is considering legislation that would establish a Bitcoin reserve operated by the U.S. Treasury.⁴ Given these events, where billions of public funds could be invested in Bitcoin, it is important for the public to learn more about the actor who is behind Bitcoin.

Format of records. We ask that you please provide each responsive record in electronic form. If a portion of the responsive records may be produced more readily than the remainder, we request that those records be produced first and that the remaining records be produced on a rolling basis. Also, if you withhold any responsive record in whole

³ *See North Carolina Joins Growing Number of States Pursuing Crypto Investments*, CoinDesk (Feb. 10, 2025), available at <https://tinyurl.com/4tafya8v>.

⁴ *See Lummis Introduces Strategic Bitcoin Reserve Legislation*, Press Release (July 31, 2024), available at <https://tinyurl.com/3u35bu9k>.

Murphy DHS FOIA Request
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or in part pursuant to any FOIA exemption, we request that you provide a *Vaughn* index explaining all such withholdings.

Follow-up communication. We welcome communication about this request if further discussion would assist in the search and release of the requested records. We ask that you respond to this request without delay given our urgent need for the responsive records. Should you have any questions, please contact me at (202) 787-1060 or bfield@schaerr-jaffe.com.

Thank you for your attention to this matter, and I look forward to receiving your response.

Sincerely,

/s/ Brian J. Field

Brian J. Field

Counsel for James A. Murphy

EXHIBIT B



Homeland
Security

February 13, 2025

Brian Field
Schaerr Jaffe LLP
300 Independence Ave. SE
Washington, District of Columbia 20003

Re: 2025-HQFO-02468

Dear Requester:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), Privacy Office, dated 2/12/2025, and received in this office on 2/12/2025. You requested documents regarding records related to DHS Special Agent Rana Saoud, Satoshi Nakamoto, and the creator of Bitcoin.

Due to the subject matter of your request, I am transferring this request to the FOIA Officer for US Immigrations and Customs Enforcement (ICE) for processing under the FOIA and direct response to you. Contact information for ICE is below:

FOIA Officer
Freedom of Information Act Office
US Immigration Customs Enforcement (ICE)
500 12th Street, SW, Stop 5009
Washington, D.C. 20536-5009
Phone: 866-633-1182
Fax: 202-732-4265
E-mail: ice-foia@dhs.gov

You have a right to appeal the above determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to: Privacy Office, Attn: FOIA Appeals, U.S. Department of Homeland Security, 2707 Martin Luther King Jr. Avenue, SE, Mail Stop 0655, Washington, D.C. 20528-0655, following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. Part 5 § 5.5(e)(2). Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS FOIA regulations are available at www.dhs.gov/foia.

You may contact the DHS FOIA Public Liaison at 202-343-1743 for any further assistance and to discuss any aspect of your request. You may also contact OGIS at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact

information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you need to contact our office again about this matter, please refer to 2025-HQFO-02468. You may contact this office at 1-866-431-0486 or 202-343-1743.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory Bridges". The signature is written in a cursive style with a large initial "G" and "B".

Gregory Bridges, Director
Disclosure, DHS Privacy Office

EXHIBIT C

Brian Field

From: ICE-FOIA <ICE-FOIA@ice.dhs.gov>
Sent: Wednesday, February 19, 2025 10:38 AM
To: Brian Field
Subject: FOIA Request Referred From DHS Privacy Office
Attachments: 2025-HQFO-02468_Murphy - DHS FOIA Req. (2025.02.12).pdf

EXHIBIT D

Brian Field

From: Brian Field
Sent: Wednesday, February 19, 2025 1:42 PM
To: ICE-FOIA
Subject: RE: FOIA Request Referred From DHS Privacy Office

Brian J. Field
SCHAERR | JAFFE LLP
1717 K Street NW, Suite 900 | Washington, DC 20006
Office (202) 787-1060 | Mobile (703) 989-7780
bfield@schaerr-jaffe.com | www.schaerr-jaffe.com

From: ICE-FOIA <ICE-FOIA@ice.dhs.gov>
Sent: Wednesday, February 19, 2025 10:38 AM
To: Brian Field <bfield@schaerr-jaffe.com>
Subject: FOIA Request Referred From DHS Privacy Office