

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ACCURACY IN MEDIA, INC., et al.,)	
)	
Plaintiffs,)	
)	
v.)	
)	Case No. 14-1589 (EGS)
DEPARTMENT OF DEFENSE, et al.,)	
)	
Defendants.)	
_____)	

**PLAINTIFFS' UNOPPOSED MOTION
FOR LEAVE TO FILE SUPPLEMENTAL COMPLAINT**

COMES NOW plaintiff Accuracy in Media, Inc., along with the seven individual plaintiffs, under Federal Rule of Civil Procedure 15(d), and respectfully move this Court for leave to file their Supplemental Complaint, which alleges facts occurring after the original complaint was filed. Defendants do not oppose the relief sought.

The proposed Supplemental Complaint, submitted herewith, asserts a cause of action based on two additional Freedom of Information Act ("FOIA") requests, made on October 1, 2014—one to Africa Command and one to the CIA. These two FOIA requests, set forth in paragraphs 87-89 and 144-147 of the Supplemental Complaint, were not ripe when the Complaint was initially filed.

MEMORANDUM OF POINTS AND AUTHORITIES

Federal Rule of Civil Procedure 15(d), Supplemental Pleadings, provides, in part, "On motion and reasonable notice, the court may, on just terms, permit a party to serve a supplemental pleading setting out any transaction, occurrence, or event that happened after the date of the pleading to be supplemented."

"The addition of the new FOIA request is plainly a supplemental pleading as defined by Federal Rule of Civil Procedure 15(d), as it 'sets forth transactions or occurrences or events which have happened since the date of the pleading sought to be supplemented.'" *Hall v. CIA*, 437 F.3d 94 (D.C. Cir. 2006) (citations omitted).

The supplemental pleading will not unfairly prejudice Defendants.

The convenience of the Court and the parties dictate incorporation of the original pleading into the Supplemental Complaint.

WHEREFORE, plaintiff Accuracy in Media, Inc., along with the seven individual plaintiffs, respectfully move this Court for leave to file their Supplemental Complaint.

DATE: January 7, 2015.

Respectfully submitted,

_____/s/_____
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