

IN THE 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.	)	
	)	
_____	)	

JOINT STATUS REPORT

COME NOW Plaintiffs and Defendants, by their respective undersigned counsel, and, in accordance with the Court's March 14, 2009, Minute Order directing the parties to file, jointly, a report including "all changes in status from the time briefing commenced in this matter," respectfully submit the following.

1. Sadly, on December 12, 2018, Admiral James A. Lyons, Jr., USN (Ret.), one of the seven individual Plaintiffs, passed away, at the age of 91. Admiral Lyons had been a former four-star admiral, Commander-in-Chief of the U.S. Pacific Fleet, Father of the Navy Seal Red Cell Program, Senior US Military Representative to the UN, and Deputy Chief of Naval Operations where he was the principal advisor to the Joint Chiefs of Staff. His commands include the US Second Fleet, NATO Striking Fleet, Seventh Fleet Logistic Force, and several ship commands.

2. In response to Plaintiffs' FOIA request to the State Department for "[a]ny and all videos depicting the United States Consulate in Benghazi, Libya (including the Special Mission Compound and the Annex) between September 10, 2012 and September 12,

2012... includ[ing]... video of closed circuit television monitor at the Benghazi Mission facility's Tactical Operations Center... (Complaint, ECF 31 ¶ 116 (2)), the government produced 54 video clips, totaling 52 minutes, 37 seconds.

3. In addition, as set forth in Plaintiffs' Opposition to Defendants' Motion for Summary Judgment and Cross-Motion for Summary Judgment (ECF No. 71 n. 10 at 3), the government's Motion for Summary Judgment (ECF No. 58-2 at 12) identifies several issues that the plaintiffs do not contest. Plaintiffs do not challenge (1) withholdings of confidential sources under Exemption 7(D), (2) information protected by privacy afforded by Exemptions 6 and 7(C), (3) the search for records responsive to the portion of plaintiffs' FOIA request to the State Department cited in ¶ 116(6) of the Second Amended Complaint, (4) whether the State Department properly withheld in full or part a call log and three interview summaries, (5) the CIA's *Glomar* assertion in response to plaintiffs' request for records of Gaddafi's expressed interest in a truce and possible abdication and exile out of Libya, (6) the CIA's search for records in response to the request for all records of CIA Director Petraeus's and Deputy Director Morell's actions and communications for the 24-hour period beginning when first notified, and (7) the DIA's withholding of four September 12, 2012, records—three intelligence reports and one situation report.

Dated: March 21, 2019.

