

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ROGER HALL, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No.: 04-0814
	)	ECF
CENTRAL INTELLIGENCE AGENCY,	)	
	)	
Defendant.	)	
_____	)	

**DEFENDANT’S UPDATED NOTICE OF ANTICIPATED  
FILING OF SUPPLEMENTAL ITEM 4 AND ITEM 5 DOCUMENTS**

The Central Intelligence Agency (“Defendant” or “CIA”), through and by undersigned counsel, respectfully updates its notice of anticipated filing of supplemental Item 4 and Item 5 documents (“initial notice”) [No. 170].

Since the CIA filed its prior notice stating that it anticipated filing certain document by January 17, 2012, undersigned counsel has been working with other agencies to gather further information necessary to finalize their declarations and corresponding exhibits. Although the CIA has provided this Office with a declaration,<sup>1</sup> which is ready to be filed with the Court, undersigned counsel has held several discussions with the National Security Agency (NSA) regarding that agency’s declaration. However, NSA counsel advised this Office today that it would be unable to timely complete the declaration for this matter due to his involvement in drafting an *ex parte*, in camera, declaration due shortly before the District Court in the Southern

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<sup>1</sup> In order to provide the Court with a complete set of records simultaneously, that declaration will be filed when all relevant documents are ready for filing.

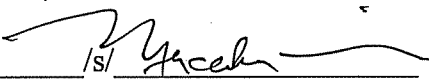
District of New York, regarding the Government's withholdings of records pertaining to the FISA Amendments Act of 2008. At this time, there has been extensive inter-agency coordination in that matter, which must be finalized before NSA counsel will be able to complete this classified declaration to meet the Court's deadline. This coordination has been much more extensive than anticipated.

Therefore, additional time is necessary to complete this task and for the undersigned to consult with another agency on its declaration. The Government therefore respectfully notifies this Court that it anticipates providing all outstanding Item 4 and Item 5 coordination documents to Plaintiffs no later than February 16, 2012, at which time the CIA will file the supplemental Item 4 and Item 5 documents with the accompanying *Vaughn* indices and supporting declarations.

Respectfully submitted,

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Dated: January 12, 2012.