

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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

**DEFENDANT’S STATUS REPORT AND 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 provides this status report and update to its notice of anticipated filing of supplemental Item 4 and Item 5 documents (“initial notice”) [No. 170].

In addition to previously having received a supplemental declaration and *Vaughn* index from the CIA, and a declaration from the Department of Defense, earlier this month this Office received a declaration and *Vaughn* index from the National Security Counsel. The undersigned is advised that a single document referred to another federal agency, about which the parties await further information, is the only outstanding document.¹ In addition, the CIA and NSA have directly provided additional documents to Plaintiffs during the past several weeks.

Rather than await a response about the single outstanding document, this week the undersigned initiated discussions with opposing counsel for both parties, and offered to provide

¹ The undersigned has placed phone calls to officials at the agency in question again this week.

pertinent materials from the CIA, DOD and NSA to Plaintiffs so that the parties could narrow the issues in order to avoid placing superfluous documents on the docket. Copies of the CIA and NSA *Vaughn* indexes were provided to plaintiffs' counsel yesterday, and a DOD declaration may be forwarded soon, also.

Defendant has requested that Plaintiffs review the materials within 60 days and advise whether they are willing to stipulate to certain facts, in order to narrow the issues, prior to Defendant's filing of additional Items 4 and 5-related documents with the Court within 30 days thereafter. Plaintiffs have agreed to a total 90-day review and negotiation process, and for the drafting of any necessary brief to accompany the materials.²

² Mr. Hall's counsel has advised that Mr. Hall is suffering from certain health issues and that movement is rather difficult for him, thus, necessitating a 60-day review process.

Therefore, the Government respectfully notifies this Court that the parties expect to hold further discussions on or about April 16, 2012, and Defendant anticipates filing its supplemental Item 4 and Item 5 coordination documents on or before May 16, 2012.

Respectfully submitted,

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Dated: February 16, 2012.
Washington, D.C.