

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

ROGER HALL, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 04-814 (RCL)
)	ECF
CENTRAL INTELLIGENCE AGENCY,)	
)	
Defendant.)	
_____)	

DEFENDANT’S STATUS REPORT

In this Freedom of Information Act (“FOIA”) matter, Defendant, Central Intelligence Agency (“CIA” or “the Agency”), by and through the United States Attorney for the District of Columbia, hereby respectfully submits this status report to advise the Court of the completion of tasks ordered by this Court and to provide an update about its intentions of filing its sample *Vaughn* Index and dispositive motion.

1. Via its September 30, 2013 Order the Court set “a deadline of December 15, 2013, for the defendant to complete processing of these records. Within 30 days thereafter, Defendant’s *Vaughn* index shall be filed, along with defendant’s dispositive motion. Plaintiff’s opposition shall be due 30 days thereafter, with any cross-motion. Defendant’s reply and opposition to plaintiff’s cross-motion shall be due 15 days thereafter, and plaintiff’s reply 15 days after that.” D.I. 205, at p. 1. The Court further instructed that “[t]he documents produced to plaintiff since May 20, 2013, shall be made available by defendant’s counsel to plaintiff in the requested electronic format.” *Id.* at p. 2.

2. On November 20, 2013, the Agency filed its motion to enlarge the above-referenced deadlines. D.I. 206 ¶¶ 5, 8. Due to the Government shutdown, the Agency requested 30 additional days, up to and including January 14, 2014, to complete processing the records in question, forward them to the United States Attorney's Office for the District of Columbia ("USAO"), and for the USAO to convert those paper records into electronic format and send them to all of the Plaintiffs. *Id.* Plaintiffs consented to this extension.
3. Further, due to the high volume of documents, in the interest of judicial economy, and to expedite resolution of the matter, CIA moved to submit a representative sample *Vaughn* index.¹ Undersigned counsel conferred with Plaintiffs' counsel regarding the sample. Counsel for Plaintiffs Mr. Hall and Studies Solutions Results, Inc. indicated that they would like a "full Vaughn." No response was received from counsel for Accuracy in Media. More than two and one-half months have now passed and Plaintiffs have failed to file any opposition with the Court. Because an opposition must be filed within 17 days of the filing of a motion, the Agency's motion is now deemed conceded. L. Civ. R. 7(b) and Fed. R. Civ. P. 6.
4. By letter dated December 16, 2013 (December 15, 2013 was a Sunday), this Office forwarded documents responsive to Plaintiffs' FOIA request, on two CDs, in .pdf searchable format that were initially released to Plaintiffs by the Central Intelligence Agency in hard copy, on June 19 and July 1, 2013.
5. On January 14, 2014, this Office forwarded the remaining documents on CDs to Plaintiffs. This constituted the CIA's final release of all records responsive to Items 5 and 7.

¹ Upon recent review, the Agency has concluded that completing a full index would require an extra four months.

6. In the process of preparing its *Vaughn* index and securing declarations from all other government agencies, the CIA has determined that it requires additional time to file a dispositive motion and plans to confer with Plaintiffs and seek additional time to prepare the declaration, *Vaughn* index, and accompanying brief.

Respectfully submitted,

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