

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Roger Hall, et al.,)	
)	
Plaintiff,)	
)	
V.)	Civil Action 04-00814 (HHK)
Central Intelligence Agency,)	ECF
)	
Defendant.)	
_____)	

DEFENDANT'S ANSWER

Defendant responds to the allegations of the Complaint as follows:

Jurisdiction

1. The allegations contained in paragraph 1 constitute a conclusion of law to which no response is required; to the extent they may be deemed allegations of fact, they are denied.

Parties

2. Denies the allegations contained in paragraph 2 for lack of knowledge or information sufficient to form a belief as to their truth.

3. Denies the allegations contained in paragraph 3 for lack of knowledge or information sufficient to form a belief as to their truth.

4. Denies the allegations contained in paragraph 4 for lack of knowledge or information sufficient to form a belief as to their truth.

5. Denies the allegations contained in paragraph 5 except admits that the Central Intelligence Agency (CIA) is an agency of the Executive Branch of the United States Government.

February 7, 2003 FOIA Request by all plaintiffs

6. Denies the allegations contained in paragraph 6 except to state that the letter speaks for itself.

7. Denies the allegations contained in paragraph 7 except to state that the letter speaks for itself.

8. Denies the allegations contained in paragraph 8 except to state that the letter speaks for itself.

9. Denies the allegations contained in paragraph 9.

10. Denies the allegations in the first sentence of paragraph 10 except admits that by letter dated 13 March 2003, the CIA's Information and Privacy Coordinator (IPC) acknowledged receipt of the 7 February 2003 FOIA request. Denies the allegations in the second sentence of paragraph 10 except to state that the complaint speaks for itself.

April 13, 2005 Court Order Denying
ATM's News Media Status and Public Interest Fee Waiver

11. Denies the allegations contained in paragraph 11 except to state that the Memorandum Opinion and Order speaks for itself.

April 26, 2005 FOIA Request by AIM

12. Denies the allegations contained in paragraph 12 except to state that the letter speaks for itself.

13. Denies the allegations contained in paragraph 13 except to state that the letter speaks for itself.

14. Denies the allegations contained in paragraph 14 except to state that the

letter speaks for itself.

15. Denies the allegations contained in paragraph 15 except to state that the letter speaks for itself.

AIM'S Exhaustion of its Administrative Remedies

16. Denies the allegations contained paragraph 16 except to state that the letter speaks for itself.

17. Denies the allegations in the first sentence of paragraph 17 except admits that on 8 July 2005, the CIA received a letter dated 29 June 2005 and the letter speaks for itself. Denies the allegations in the second sentence of paragraph 17 except to state that the letter speaks for itself.

18. The allegations contained in the first sentence of paragraph 18 constitute conclusions of law to which no response is required; to the extent they may be deemed allegations of fact, they are denied. Denies the allegations contained in the second sentence of paragraph 18.

April 13, 2005 Court Order Denying Hall and SSRI
News Media Status and Public Interest Fee Waiver

19. Denies the allegations contained in paragraph 19 except to state that the Memorandum Opinion and Order speaks for itself.

Hall's and SSRI's Correspondence Supplementin& the Administrative Record,
and Exhaustion of Administrative Remedies

20. Denies the allegations contained in paragraph 20 except to state that the letter speaks for itself.

21. Denies the allegations contained in paragraph 21 except to state that the letter speaks for itself.

22. Denies the allegations contained in paragraph 22 except to state that the letter speaks for itself.

23. Denies the allegations contained in paragraph 23 except to state that the letter speaks for itself.

24. Denies the allegations contained in paragraph 24 except to state that the letter speaks for itself.

25. Denies the allegations contained in paragraph 25 except to state that the letter speaks for itself.

26. Denies the allegations contained in paragraph 26 except to state that the letter speaks for itself.

27. Denies the allegations contained in paragraph 27 except to state that the letter speaks for itself.

28. Denies the allegations contained in paragraph 28 except to state that the letter speaks for itself.

29. Denies the allegations contained in paragraph 29 except to state that the letter speaks for itself.

30. Denies the allegations contained in paragraph 30 except to state that the

letter speaks for itself.

May 24, 2005 Request of Roger Hall and SSRI

31. Denies the allegations contained in paragraph 31.
32. Denies the allegations contained in paragraph 32.

Hall & SSRI's Exhaustion of Administrative Remedies

33. Denies the allegations in the first sentence of paragraph 33 except to state that the letter dated 1 July 2005 speaks for itself. Denies the allegations in the second sentence of paragraph 33 except to state that the letter speaks for itself.

33[sic]. The allegations contained in this paragraph constitute conclusions of law to which no response is required; to the extent they may be deemed allegations of fact, they are denied.

Count I

February 7, 2005 Isicl FOIA Request-all plaintiffs

35. Defendant restates and incorporates by reference its previous responses to paragraphs 1 through 33 [sic] as though set forth fully herein.

36. The allegations contained in paragraph 36 constitute conclusions of law to which no response is required; to the extent they may be deemed allegations of fact, they are denied.

Count II

April 26, 2005 FOIA Request-plaintiff AIM

37. Defendant restates and incorporates by reference its previous responses to paragraphs 1 through 36 above as though set forth fully herein.

38. The allegations contained in paragraph 38 constitute conclusions of law to which no response is required; to the extent they may be deemed allegations of fact, they are denied.

Count III

May 24, 2005 FOIA Request-plaintiffs Hall & SSRI

39. Defendant restates and incorporates by reference its previous responses to paragraphs 1 through 38 above as though set forth fully herein,

40. The allegations contained in paragraph 40 constitute conclusions of law to which no response is required; to the extent they may be deemed allegations of fact, they are denied.

Count IV

News Media Status-all plaintiffs

41. Defendant restates and incorporates by reference its previous responses to paragraphs 1 through 40 above as through set forth fully herein,

42. The allegations contained in paragraph 42 constitute conclusions of law to which no response is required; to the extent they may be deemed allegations of fact, they are denied.

Count V

Public Interest Fee Waiver-all plaintiffs

43. Defendant restates and incorporates by reference its previous responses to paragraphs 1 through 42 above as though set forth fully herein.

44. The allegations contained in paragraph 44 constitute conclusions of law to which no response is required; to the extent they may be deemed allegations of fact, they are denied.

Defendant denies that plaintiffs are entitled to the relief requested in their “Prayer for Relief” set forth after paragraph 44 or to any relief whatsoever.

Defendant Denies each and every allegation not specifically admitted.

For further answer and defense, defendant states that plaintiffs' claims are barred for failure to state a claim upon which relief can be granted and for lack of subject matter

jurisdiction. Further plaintiffs have failed to exhaust their administrative remedies.

WHEREFORE, defendant respectfully requests the Court to enter judgment in favor of defendant, to dismiss the complaint, and to grant defendant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

/ s /

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/ s /

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/ s /

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CERTIFICATE OF SERVICE

I hereby certify that on February 14, 2006, a copy of foregoing DEFENDANT'S ANSWER was electronically served on all parties by operation of the Court's electronic filing system.

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