

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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

PLAINTIFF ACCURACY IN MEDIA'S MOTION TO EXCEED PAGE
LIMITATION IN REPLY TO CIA OPPOSITION PLAINTIFFS' DISPOSITIVE MOTIONS

COMES NOW plaintiff Accuracy in Media, Inc., by counsel, under Local Rule 47(e), and respectfully moves the Court for leave to exceed the 25-page limit in its reply memorandum. The CIA opposes the motion.

Memorandum of Points and Authorities

Local Rule 47(e), *Motions, Page Limitations*, states, in part, that "a reply memorandum shall not exceed 25 pages, without prior approval of the Court."

Plaintiffs' dispositive motions (ECF 258 through 263) included prayers for *in camera* inspection, for limited discovery, and to appoint a special master.

In its oppositions (ECF 271, 272), defendant argued, *inter alia*, that plaintiffs had failed to offer sufficient proof of extreme government misconduct to overcome the CIA claims of deliberative process privilege, that the deliberative process privilege was available even for records that were over 25 years or older, that the CIA need not search for missing attachments not already the subject of previous court orders, that the CIA need not search its operational records, that the CIA has already adhered to legislative and Executive Branch directives to declassify POW/MIA records, that the use of a special master was

unwarranted, as was limited discovery and inspection *in camera*, and that all but three of plaintiffs' 180 statements of material facts were "immaterial" on various grounds, such as hearsay, not based on personal knowledge, irrelevant as not related to the adequacy of the search or the bases for withholdings, and that they constituted improper requests for admissions.

Defendant also argued that the circumstances surrounding the abandonment of American POWs is not relevant to the issues before the Court, that some of plaintiffs' expert witnesses were not qualified to render the opinions submitted, and that, in any event, their opinions were speculative.

Because the CIA's response was characterized by generalities, plaintiff's reply required specific responses. To adequately respond to the CIA's various arguments, particularly its position that plaintiffs' statements of material fact were immaterial, AIM needed to largely exceed the 25-page limit.

WHEREFORE, plaintiff Accuracy in Media, Inc., respectfully seeks leave to exceed the 25-page limit imposed by Local Rule 47(e), and prays that the Court accept for filing its proposed memorandum, submitted herewith.

DATE: April 10, 2017.

Respectfully submitted,

_____/s/
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