

**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.)	
_____)	

ORDER

Before the Court is the CIA's renewed motion for summary judgment and plaintiffs' cross-motions for summary judgment, as well as plaintiffs' request for discovery, *in camera* review, and appointment of a special master. As explained in the accompanying Opinion issued on this date, upon consideration of the CIA's motion for summary judgment [248], Accuracy in Media's (AIM) opposition to the CIA's motion for and its own cross-motion for summary judgment [258], Roger Hall's and SSRI's opposition to the CIA's motion and its own cross-motion for summary judgment [259], the CIA's reply to its motion for summary judgment [271], the CIA's opposition to the plaintiffs' motions for summary judgment [272], plaintiffs' joint reply to the CIA's opposition to their motions for summary judgment [286], AIM's own reply to the CIA's opposition to its motion for summary judgment [289], applicable law, and the entire record in this case, it is hereby:

ORDERED that on the issue of the adequacy of the CIA's Item 5 search, the CIA's Motion for summary judgment is DENIED and the plaintiffs' Cross-Motion for summary judgment is GRANTED; and it is further

ORDERED that on the issue of the adequacy of the CIA's Item 7 search, the CIA's Motion for summary judgment is DENIED and the plaintiffs' Cross-Motion for summary judgment is GRANTED, except as to adding further search terms; and it is further

ORDERED that on the issue of the Item 5 referral documents outstanding in light of the Court's 2012 Order, the CIA's Motion for summary judgment is GRANTED and the plaintiffs' Cross-Motion for summary judgment is DENIED; and it is further

ORDERED that on the issue of the application of Exemption 3 in documents considered in the Court's 2012 Order, the CIA's Motion for summary judgment is GRANTED and the plaintiffs' Cross-Motion for summary judgment is DENIED; and it is further

ORDERED that on the issue of the application of Exemption 6 in documents considered in the Court's 2012 Order, the CIA's Motion for summary judgment is DENIED and the plaintiffs' Cross-Motion for summary judgment is GRANTED with respect to producing the names of non-CIA employees; and it is further

ORDERED that on the issue of the CIA's application of Exemption 1 to documents produced since the Court's 2012 Order, the CIA's Motion for summary judgment is GRANTED-IN-PART except as to documents 2, 3, and 15 of the denied-in-full *Vaughn* index and the plaintiffs' Cross-Motion for summary judgment is GRANTED-IN-PART as to documents 2, 3, and 15 of the denied-in-full *Vaughn* index, and is otherwise DENIED; and it is further

ORDERED that on the issue of the CIA's application of Exemption 3 to documents produced since the Court's 2012 Order, the CIA's Motion for summary judgment is GRANTED and the plaintiffs' Cross-Motion for summary judgment is DENIED; and it is further

ORDERED that on the issue of the CIA's application of Exemption 5 to documents produced since the Court's 2012 Order, the CIA's Motion for summary judgment is GRANTED and the plaintiffs' Cross-Motion for summary judgment is DENIED; and it is further

ORDERED that on the issue of the CIA's application of Exemption 6 to documents produced since the Court's 2012 Order, the CIA's Motion for summary judgment is DENIED and the plaintiffs' Cross-Motion for summary judgment is GRANTED with respect to producing the names of non-CIA employees.

Summary judgment will be entered in accordance with the above. It is further

ORDERED that on the issue of discovery, the plaintiffs' Motion is DENIED; and it is further

ORDERED that on the issue of *in camera* inspection, the plaintiffs' Motion is DENIED; and it is further

ORDERED that on the issue of appointing a special master, the plaintiffs' Motion is DENIED.


It is further ORDERED that the following issues shall remain outstanding:

1. The inadequate search for Item 5, with respect to why certain files were destroyed and a reasonable explanation for the CIA's failure to produce items the existence of which plaintiffs have made a *prima facie* showing;
2. The inadequate search for Item 7, with respect to information regarding prior searches for information responsive to congressional requests;
3. The production of names of non-CIA personnel;
4. The production of a denied-in-full *Vaughn* index that includes a sufficient indication of the dates of creation of documents 2, 3, and 15 on the index.

No later than ten (10) days of entry of this Order, the parties will provide the Court with dates during the week of August 21, 2017, that they are available for a status conference regarding the CIA's progress to comply with this Order.

SO ORDERED.

Date: 8/2/17


Royce C. Lamberth
United States District Judge