

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

ROGER HALL, et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 04-0814 (HHK)
	:	
CENTRAL INTELLIGENCE AGENCY	:	
	:	
Defendant	:	

UNOPPOSED MOTION FOR LEAVE TO FILE

Come now the plaintiffs, Roger Hall, Studies Solutions Results, Inc., and Accuracy in Media, Inc., and jointly move this Court for leave to file a corrected version of their motion to require the defendant to file a status report detailing what steps have been take to comply with the new Freedom of Information Act policy of openness set forth in President Barack Obama’s January 21, 2009 FOIA Memorandum and in Attorney General Eric Holder’s March 19, 2009 FOIA Guidelines.

As grounds for this motion, plaintiffs represent to the Court as follows.

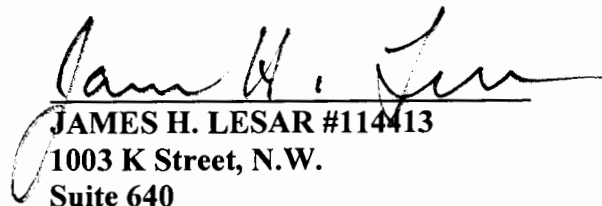
- 1. The parties have conferred regarding this motion and defendant does not oppose it.**
- 2. This Court denied the attached motion because it failed to comply with a local rule which requires that counsel confer regarding nondispositive motions and state in the party’s motion whether or not the adversary party opposes the motion.**
- 2. On July 2nd, counsel for plaintiffs’ Hall and SSRI, with the consent of cou**

Counsel for AIM, Inc., did confer with the CIA's then counsel, AUSA Merced Momeni, who again repeated the CIA's previous opposition to a fresh consideration of certain issues raised by this case in light of President Obama's January 21st directive and Attorney General Holder's March 19, 2009 memorandum regarding FOIA policy. Nevertheless, as a result of points made by counsel during this consultation, AUSA Momeni, she asked if he would be willing to pass along a draft of plaintiffs' motion. He replied that he would, and she said she would immediately send it to the CIA and would get a reply by Monday, July 6th.

3. On July 7th, plaintiffs' counsel contacted AUSA Rybicki, who had just replaced AUSA Momeni in the case. Because he and his counterpart at the CIA were both new to the case, AUSA Rymicki requested plaintiffs' counsel to delay one more day before filing the motion so he and his counterpart could consider it. Late in the afternoon of July 7th, AUSA Rybicki informed plaintiffs' counsel that the CIA would oppose the motion.

4. Plaintiffs' counsel immediately filed the motion. As originally drafted, plaintiffs indicated both that the the CIA opposed the motion and they it did not oppose the motion. Counsel for plaintiffs' Hall and SSRI thought that before the motion was filed he had changed the draft motion to indicate that the CIA opposed it. It is now apparent that he didn't. Counsel apologizes for this error.

Respectfully submitted,


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Counsel for Plaintiff AIM, Inc.

Dated: July 10, 2009

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CENTRAL INTELLIGENCE AGENCY	:	
	:	
Defendant	:	

ORDER

Upon consideration of plaintiffs' opposed motion for an order requiring defendant Central Intelligence Agency to file a status report regarding the steps it has taken to comply with President Obama's Openness Policy, defendant's opposition thereto, and the entire record herein, it is by this Court this _____ day of _____, 2009, hereby

ORDERED, that within 90 days of the date of this order, defendant shall file a status report detailing the steps it has taken to comply with President Barack Obama's Openness Policy; and it is further

ORDERED, that all other proceedings in this case are stayed pending submission of said status report.

UNITED STATES DISTRICT COURT