

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ROGER HALL, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 04-0814 (RCL)
)	ECF
CENTRAL INTELLIGENCE AGENCY,)	
)	
Defendant.)	
_____)	

JOINT REPORT TO THE COURT AND
PROPOSED BRIEFING SCHEDULE

On several occasions during the past month the parties have communicated via telephone and electronic mail. Having agreed to a schedule for the submission of remaining matters to the Court, the parties respectfully provide the following report and proposed schedule.

1. DOCUMENTS

The CIA will submit:

- a. an inventory listing each responsive document on a chart with certain information, including the “CO” number, date, subject, number of pages in the document and the exemptions asserted,¹ and

¹ Throughout negotiations Plaintiffs have demanded that the CIA also provide the number of pages being released for each document, in addition to the total number of the pages (the latter of which the CIA has agreed to include in the inventory, as noted above). However, Plaintiffs are in possession of the produced documents and therefore are equally-positioned to tally the number of released pages in each document if they believe they need such information. Further, the Agency notes that it is not required to provide such numbers under the FOIA, and Plaintiffs are unable to cite any legal authority as support for this burdensome requirement.

Plaintiffs posit that they will be unable to determine whether there are discrepancies between the number of pages defendant claims to have released, and the number of pages that plaintiff in fact received, without the information sought. Further, Plaintiffs estimate that the CIA would expend

b. a Vaughn Index to include all records withheld in full, all referred records and a sampling of up to 100 partially withheld records selected by plaintiffs.

2. PROPOSED SCHEDULE

On or before,

March 28, 2014: Agency will produce inventory to Plaintiffs,

April 11, 2014: Plaintiffs will provide a sampling of CADRE documents that were released in part that Plaintiffs have selected for the *Vaughn* index,

May 9, 2014: Agency will produce its *Vaughn* index,

June 6, 2014: Agency will file its motion for summary judgment,

July 14, 2014: Plaintiffs will file their cross-motion/opposition,

August 13, 2014: Agency will file its opposition/reply

September 3, 2014: Plaintiffs will file their reply.

WHEREFORE, the Agency and Plaintiffs respectfully request that the Court adopt the parties' proposed schedule. A minute order is requested.

no more than six hours performing this task, including entering the information into defendant's index. In *Hall v. C.I.A.* 668 F.Supp.2d 172, 194 (D.D.C. 2009), this Court stated:

The Court therefore concludes that the CIA's supplemental filing must include more information about the segregability of documents, "specify[ing] in detail which portions of the document are disclosable and which are allegedly exempt,' . . . mak[ing] specific findings for each document withheld[,] . . . and 'correlat[ing] claimed exemptions with particular passages.'" *Id.* (quoting *Schiller*, 964 F.2d at 1209, 1210) (additional citations omitted).

Respectfully submitted,

/s/

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