

EXHIBIT G

**HALL v. CIA:
OVERVIEW OF SUMMARY JUDGMENT RULINGS**

Issues Related to Document Search and Processing

- Item 1: All records pertaining to Southeast Asia POW/MIAs (civilian or military) and detainees, who have not returned, or whose remains have not been returned, to the United States, regardless of whether they are currently held in prisoner status, and regardless of whether they were sent out of Southeast Asia.
 - CIA produced documents in connection with *Hall I* in 2005. *See November 2009 Opinion*, 668 F. Supp. 2d at 177.
 - Court upheld search in 2009. *See November 2009 Opinion*, 668 F. Supp. 2d at 182-83.
- Item 2: All records pertaining to POW/MIAs sent out of Southeast Asia (for example, to China, Cuba, North Korea, Russia).
 - CIA produced documents in connection with *Hall I* in 2005. *See November 2009 Opinion*, 668 F. Supp. 2d at 177.
 - Court upheld search in 2009. *See November 2009 Opinion*, 668 F. Supp. 2d at 182-83.
- Item 3: All records prepared by and/or assembled by the CIA between January 1, 1960 and December 31, 2002, relating to the status of any United States POWs or MIAs in Laos, including but not limited to any reports, memoranda, letters, notes, or other documents prepared by Mr. Horgan or any other officer, agent or employee of the CIA for the Joint Chiefs of Staff, the President, or any federal agency.
 - For 1971-1975, CIA produced documents in connection with *Hall I* in 2005. *See November 2009 Opinion*, 668 F. Supp. 2d at 177.
 - For 1971-1975, Court upheld search in 2009. *See November 2009 Opinion*, 668 F. Supp. 2d at 182-83.
 - For the other years, CIA performed search and produced documents in September 2007. *See November 2009 Opinion*, 668 F. Supp. 2d at 177-78.
 - Court held in 2009 that declaration was insufficiently detailed to justify search. CIA must file supplemental declaration. *See November 2009 Opinion*, 668 F. Supp. 2d at 183-84.

- Court upheld search in 2012. *See August 2012 Opinion*, 881 F. Supp. at 57-58.
- However, Court held in 2009 that CIA had not adequately followed up on referrals. CIA must “take affirmative steps to ensure that its referrals are being processed.” *See November 2009 Opinion*, 668 F. Supp. 2d at 181-82.
- CIA produced 15 documents in 2010. *See August 2012 Opinion*, 881 F. Supp. at 55-56.
- Court upheld treatment of referrals in 2012. *See August 2012 Opinion*, 881 F. Supp. at 56.
- Item 4: All records of the Senate Select Committee on POW/MIA Affairs which were withdrawn from the collection at the National Archives and returned to the CIA for processing.
 - CIA responded in 2004 that these records were not “agency records” subject to FOIA, relying on decision in *Hall I*. *See November 2009 Opinion*, 668 F. Supp. 2d at 179.
 - Court held in 2009 that CIA must produce “identical copies of documents of [the CIA’s] own creation.” *See November 2009 Opinion*, 668 F. Supp. 2d at 179.
 - Although documents produced to the Senate Committee were arguably outside the scope of the request, CIA nevertheless searched for those documents in an effort to resolve the litigation. CIA produced over 1,000 documents in 2010 and 2011. *See August 2012 Opinion*, 881 F. Supp. at 58.
 - Court upheld search in 2012. *See August 2012 Opinion*, 881 F. Supp. at 59.
- Item 5: All records relating to 47 individuals who allegedly are Vietnam era POW/MIAs, and whose next-of-kin have provided privacy waivers to Roger Hall, and those persons who are on the Prisoner of War/Missing Personnel Office’s List of persons whose primary next-of-kin (PNOK) have authorized the release of information concerning them.
 - CIA responded in 2004 that it required additional identifying information for the individuals listed in order to distinguish false hits. *See November 2009 Opinion*, 668 F. Supp. 2d at 180.
 - Court held in 2009 that it was not clear why additional information was necessary. *See November 2009 Opinion*, 668 F. Supp. 2d at 180-81.

- CIA agreed to search for 31 individuals and produced over 20 documents in 2011. *See August 2012 Opinion*, 881 F. Supp. at 52.
 - Plaintiff submitted three new names in 2011. CIA searched for those names even though two of them were not included in the original FOIA request. *See August 2012 Opinion*, 881 F. Supp. at 52 n.3.
- Court held in 2012 that description of search was inadequate because CIA said it searched the systems “most likely” to contain responsive records. *See August 2012 Opinion*, 881 F. Supp. at 59-60.
- Court held in 2012 that CIA had not adequately followed up on 7 referral documents. *See August 2012 Opinion*, 881 F. Supp. at 56-57.
- Court held in 2012 that CIA had to search for the other 1,700-plus names in both the CADRE system and hard copy archives, notwithstanding enormous burden. *See August 2012 Opinion*, 881 F. Supp. at 53-54.
- CIA produced over 500 documents in 2013 and 2014.
- Item 6: All records on or pertaining to any search conducted for documents responsive to Roger Hall’s requests dated January 5, 1994, February 7, 1994, and April 23, 1998, including but not limited to all instructions and descriptions of searches to be undertaken by any component of the CIA and all responses thereto, and all records pertaining to the assessment of fees in connection therewith, including but not limited to any itemizations or other records reflecting the time spent on each search, the rate charged for the search, the date and duration and kind of search performed, etc.
 - CIA produced 20 documents in 2006. *See November 2009 Opinion*, 668 F. Supp. 2d at 178.
 - Court held in 2009 that declaration was insufficiently detailed to justify search and that the CIA must file a supplemental declaration. *See November 2009 Opinion*, 668 F. Supp. 2d at 185-86.
 - Court upheld search in 2012. *See August 2012 Opinion*, 881 F. Supp. at 60.
- Item 7: All records on or pertaining to any search conducted regarding any other requests for records pertaining to Vietnam War POW/MIAs, including any search for such records conducted in response to any request by any Congressional Committee or executive branch agency.

- CIA responded in 2004 that the request was unreasonably burdensome but invited plaintiffs to narrow their request. Plaintiffs never responded, so CIA declined to accept the request (in 2005). *See November 2009 Opinion*, 668 F. Supp. 2d at 181.
- Court held in 2009 that CIA did not need to search for Item 7, with one exception: It had to search for records in the MORI system of “searches recently conducted for other federal agencies.” *See November 2009 Opinion*, 668 F. Supp. 2d at 181.
- CIA conducted that search and found no responsive documents. *See August 2012 Opinion*, 881 F. Supp. at 54.
- Court nevertheless held in 2012 that CIA must search “all systems likely to contain responsive documents” for all records pertaining to congressional committee requests for POW documents. *See August 2012 Opinion*, 881 F. Supp. at 54-55.
- CIA produced over 200 documents in 2013 and 2014.
- Item 8: All records of whatever nature pertaining to the estimates of fees made in response to the February 7, 2003 Freedom of Information Act request of Mr. Roger Hall and Studies Solutions Research, Inc., and how each estimate was made.
 - CIA produced 4 documents in July 2007. *See November 2009 Opinion*, 668 F. Supp. 2d at 178.
 - Court upheld search in 2009. *See November 2009 Opinion*, 668 F. Supp. 2d at 181.
 - Court upheld search again in 2012 (after plaintiffs challenged it again). *See August 2012 Opinion*, 881 F. Supp. at 60.

Issues Relating to Withholding

- Exemption 1
 - Summary judgment granted in part, denied in part in 2009. *See November 2009 Opinion*, 668 F. Supp. 2d at 188-89.
 - Summary judgment granted in full after further briefing in 2012. *See August 2012 Opinion*, 881 F. Supp. at 64-65.
- Exemption 2
 - Summary judgment denied in 2009. *See November 2009 Opinion*, 668 F. Supp. 2d at 189-90.
 - Deemed moot in 2012 because the same information was properly withheld under a different exemption. *See August 2012 Opinion*, 881 F. Supp. at 60.
- Exemption 3
 - Summary judgment granted in 2009. *See November 2009 Opinion*, 668 F. Supp. 2d at 190.
 - Summary judgment granted as to CIA in 2012. Summary judgment denied as to 29 Department of Defense Documents in 2012. *See August 2012 Opinion*, 881 F. Supp. at 66-67.
- Exemption 5
 - Summary judgment granted in part and denied in part in 2009. *See November 2009 Opinion*, 668 F. Supp. 2d at 190-93.
 - Summary judgment granted in full in 2012. *See August 2012 Opinion*, 881 F. Supp. at 67-70.
- Exemption 6
 - Summary judgment denied in 2009. *See November 2009 Opinion*, 668 F. Supp. 2d at 193.
 - Summary judgment granted in part and denied in part in 2012. *See August 2012 Opinion*, 881 F. Supp. at 60.