IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AMERICAN CIVIL LIBERTIES UNION and AMERICAN CIVIL LIBERTIES UNION FOUNDATION,	)	
Plaintiffs,	)	Civil Action No. 1:16-cv-1256 (EGS)
v.	)	
CENTRAL INTELLIGENCE AGENCY, *et al.*,	)	
Defendants.	)	

DEFENDANT CENTRAL INTELLIGENCE AGENCY' STATEMENT OF MATERIAL FACTS AS TO WHICH THERE IS NO ISSUE

Pursuant to Local Civil Rule 7(h)(1), Defendant Central Intelligence Agency ("CIA" or "Agency") respectfully submits the following statement of material facts as to which there is no genuine dispute.

1. On March 3, 2016, Plaintiffs American Civil Liberties Union and American Civil Liberties Union Foundation (collectively, "the ACLU" or "Plaintiffs") submitted Freedom of Information Act ("FOIA") requests to, among other federal agencies, the CIA, seeking seven different categories of information related to the agencies' respective prepublication review processes. Declaration of Antoinette B. Shiner ("Shiner Decl.") ¶ 5 & Ex. A thereto (the underlying FOIA requests).

2. On June 21, 2016, Plaintiffs initiated this suit, naming, *inter alia*, the CIA as a Defendant. Dkt. No. 1.

3. On April 7, 2017, the CIA made an initial production, releasing nine documents in part and withholding seven documents in full. Shiner Decl. ¶ 12 & Ex. F thereto.

4. On June 23, 2017, the CIA made a final production, releasing an additional 59 documents in part and withholding three more in full. *Id.* ¶ 13 & Ex. G thereto.

5. The ACLU has informed defense counsel that it is challenging only one of the CIA's withholdings—to wit, a redaction that appears on the first page of one of the documents produced to the ACLU in the CIA's initial production. Defendant's Exhibit ("DEX") 1, 2 (email exchange between counsel confirming this limitation, and attaching the relevant document).

6. CIA has confirmed that the redaction in question is to "the names of several CIA employees." Shiner Decl. ¶ 14.

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

ELIZABETH J. SHAPIRO
Deputy Branch Director

/s/
Antonia Konkoly
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L St. NW, Room 11110
Washington, DC 20005
(202) 514-2395 (direct)
(202) 616-8470

antonia.konkoly@usdoj.gov

Counsel for the Defendants

DATED: September 12, 2019