IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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

PLAINTIFFS' COUNTER-STATEMENT OF DISPUTED FACTS

Pursuant to Local Civil Rule 7(h) and paragraph 13 of the Court's Standing Order (ECF No. 46), Plaintiffs American Civil Liberties Union and American Civil Liberties Union Foundation ("Plaintiffs") hereby submit this Counter-Statement of Disputed Facts in conjunction with its cross-motion for partial summary judgment under Federal Rule of Civil Procedure 56(a).

Defendant's Statement of Material Facts	
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.	1. Admitted.

Declaration of Antoinette B. Shiner ("Shiner Decl.") ¶ 5 & Ex. A thereto.	
2. On June 21, 2016, Plaintiffs initiated this suit, naming, *inter alia*, the CIA as a Defendant. Dkt. No. 1.	2. Admitted.
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.	3. Admitted in part and denied in part. On April 7, 2017, the CIA made an initial production, releasing nine documents in full and 20 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. Shiner Decl. ¶ 13 & Ex. G thereto.	4. Admitted.
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).	5. Admitted.
6. CIA has confirmed that the redaction in question is to "the names of several CIA employees." Shiner Decl. ¶ 14.	6. Admitted.

October 10, 2019

Respectfully submitted,

/s/ Brett Max Kaufman

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