UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/12/2026

KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY,

Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF THE ARMY, DEPARTMENT OF JUSTICE, NATIONAL SECURITY AGENCY, and OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE,

Defendants.

No. 22 Civ. 1542 (CM)

STIPULATION AND ~~PROPOSED~~ ORDER OF SETTLEMENT AND DISMISSAL

WHEREAS, on February 2 and 3, 2022, plaintiff Knight First Amendment Institute at Columbia University ("Plaintiff") submitted an identical FOIA request (the "Request") pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, to the Central Intelligence Agency, Department of the Army, National Security Agency, the Office of the Director of National Intelligence, and several components of the Department of Justice: the Drug Enforcement Administration, the Federal Bureau of Investigation, the Criminal Division, the National Security Division, the Office of Information Policy, and the Office of Legal Counsel (together, "Defendants");

WHEREAS, the Request sought records relating to the U.S. government's use or contemplated use of "spyware" technology, including spyware developed or provided to U.S. government agencies by NSO Group;

WHEREAS, Plaintiff also sought expedited processing for the Request;

WHEREAS, on February 24, 2022, Plaintiff filed this action;

WHEREAS, certain Defendants issued Glomar responses, and others conducted searches and processed potentially responsive records;

WHEREAS, following discussions of the Defendants' responses and certain additional searches and processing, Plaintiff has decided not to pursue any challenges to Defendants' responses to the Request;

WHEREAS, Plaintiff contends that it is entitled to attorneys' fees and costs; and

WHEREAS, the only outstanding issue in this case is accordingly Plaintiff's claim for attorneys' fees and costs, and the parties wish to resolve that claim and dispose of this matter without further litigation,

NOW, THEREFORE, it is hereby STIPULATED and AGREED between the parties as follows:

1. Within a reasonable time after the Court has endorsed and docketed this Stipulation and Order, Defendants shall pay to Plaintiff the sum of fourteen thousand, nine hundred two dollars ($14,902) for attorneys' fees and litigation costs. This payment shall constitute full and final satisfaction of any claims by Plaintiff for attorneys' fees and litigation costs in this matter, and is inclusive of any interest. Payment shall be made by electronic funds transfer, and counsel for Plaintiff will provide the necessary information to counsel for the Defendants to effectuate the transfer.

2. Plaintiff releases and discharges the Defendants and the United States of America, including its agencies, departments, officers, employees, servants, and agents, from any and all

claims and causes of action that Plaintiff asserted, or could have asserted, in this litigation arising out of Plaintiff's Request.

3. This action is accordingly dismissed with prejudice and without costs or fees other than as provided in paragraph 1 of this Stipulation and Order, provided that the Court shall retain jurisdiction over any issues that might arise relating to the enforcement of this Stipulation and Order.

4. Nothing in this Stipulation and Order shall constitute an admission that the Defendants are liable for any attorneys' fees or litigation costs, or that Plaintiff "substantially prevailed" in this action under 5 U.S.C. § 552(a)(4)(E), or is entitled to or eligible for any attorneys' fees or litigation costs. Nor is it an admission that the amount here agreed upon covers all of the time that could, in Plaintiff's view, be compensable as attorneys' fees and litigation costs in this action. Rather, this Stipulation and Order is entered into by the parties solely for the purpose of compromising disputed claims regarding attorneys' fees and litigation costs in this case and avoiding the expenses and risks of further litigation concerning Plaintiff's claims for attorneys' fees and litigation costs. This Stipulation and Order is non-precedential with respect to any other proceeding involving the parties, including, but not limited to, any other FOIA action or administrative proceeding, and shall have no effect or bearing on any pending or future request for records made by Plaintiff under FOIA.

5. This Stipulation and Order contains the entire agreement between the parties, and no statement, representation, promise, or agreement, oral or otherwise, between the parties or their counsel that is not included herein shall have any force or effect.

6. This Stipulation and Order may be executed in counterparts. Facsimile or pdf signatures shall constitute originals.

Date: January 8, 2026

/s/ *Carrie DeCell**
Carrie DeCell
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Attorney for Plaintiff

*consent to /s/ by email dated 1/8/2026

Date: New York, New York
January 8, 2026

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Attorney for Defendants

SO ORDERED:

HON. COLLEEN MCMAHON
UNITED STATES DISTRICT JUDGE

1-12-2026