

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

THE JAMES MADISON PROJECT

Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY

Defendant.

Civil Action No. 07-01382 (RMU)

* * * * *

**RESPONSE TO DEFENDANT’S LOCAL RULE 7(h) STATEMENT OF
MATERIAL FACTS AS TO WHICH THERE IS NO GENUINE ISSUE**

Pursuant to Local Rule 7.1 (h), the plaintiff respectfully responds to the defendant’s Statement of Material Facts as to Which There is No Genuine Issue.

1. Plaintiff does not dispute this statement.
2. Plaintiff does not dispute this statement.
3. Plaintiff does not dispute the factual contents of the Central Intelligence Agency’s letter dated July 4, 2007.
4. Plaintiff does not dispute this statement.
5. Plaintiff does not dispute the factual recitations of these statements in that the CIA identified particular components and databases as those which would be searched for responsive records, but does dispute any implied legal or factual characterizations or conclusions that those components and databases were most likely to have responsive records or were the only components or databases to contains responsive records.

6. Plaintiff does not dispute the factual recitations of these statements in that the CIA utilized specific search terms to conduct the search and that certain documents were retrieved, but does dispute any implied legal or factual characterizations or conclusions that the particular search terms rendered the search adequate or reasonable to locate all responsive records, or that additional search terms should not have been utilized.
7. Plaintiff does not dispute the factual recitations of this statement in that certain responsive documents were released in part, but does dispute any legal characterizations or conclusions regarding the applicability of FOIA exemptions or the segregability of information.
8. Plaintiff does not dispute this statement.
9. Plaintiff does not dispute the factual recitation of these statements in that another search was conducted, particular search terms were utilized, and additional documents were retrieved and released in part, but does dispute any legal or factual characterizations or conclusions that the particular search terms rendered the search adequate or reasonable to locate all responsive records or regarding the applicability of FOIA exemptions.
10. Plaintiff does not dispute the factual recitations of these statements in that the particular document was reexamined, that missing pages were located and released, and that no additional information from the document was released, but does dispute any legal characterizations or conclusions regarding the applicability of FOIA exemptions.

11. Plaintiff does not dispute the factual recitation of these statements in that the scope of the search was modified, but does dispute any legal characterizations or conclusions regarding the adequacy of the search.

12. Plaintiff does not dispute the factual recitation of these statements in that documents were retrieved, some were disclosed in whole or in part and others were withheld in their entirety, but does dispute any legal characterizations or conclusions regarding the applicability of FOIA exemptions.

Date: July 14, 2008

Respectfully submitted,

/s/

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