

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JUDICIAL WATCH, INC.,)	
)	
Plaintiff,)	Civil Action No.
)	1:12-cv-00049-RBW
v.)	
)	
U.S. DEPARTMENT OF DEFENSE, and)	
CENTRAL INTELLIGENCE AGENCY,)	
)	
Defendants.)	

DEFENDANTS' ANSWER TO PLAINTIFF'S COMPLAINT

Defendants U.S. Department of Defense (“DoD”) and Central Intelligence Agency (“CIA”), through their undersigned counsel, hereby answer plaintiff’s Complaint as follows.

1. This paragraph contains plaintiff’s statement of the jurisdictional basis for this action, to which no response is required.
2. This paragraph contains plaintiff’s statement of the venue for this action, to which no response is required.
3. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.
4. Defendants admit the allegations in the first sentence of this paragraph, except to deny that DoD is headquartered at 1600 Defense Pentagon, Washington, DC 20301-1600. DoD’s address is listed on its website as 1400 Defense Pentagon, Washington, DC 20301-1400. The second sentence of this paragraph contains conclusions of law, to which no response is required.

5. Defendants admit the allegations in the first sentence of this paragraph. The second sentence of this paragraph contains conclusions of law, to which no response is required.

6. Defendants admit that plaintiff sent a FOIA request to DoD on August 9, 2011, and respectfully refer the Court to plaintiff's August 9, 2011 letter to DoD for a complete and accurate statement of plaintiff's FOIA request.

7. Defendants admit the allegations in the first sentence of this paragraph. Regarding the second sentence, defendants respectfully refer the Court to DoD's August 22, 2011 response letter for a complete and accurate statement of its contents.

8. This paragraph contains conclusions of law, to which no response is required.

9. Defendants admit that plaintiff sent a FOIA request to the CIA on August 9, 2011, and respectfully refer the Court to plaintiff's August 9, 2011 letter to the CIA for a complete and accurate statement of plaintiff's FOIA request.

10. Defendants admit the allegations in the first sentence of this paragraph. Regarding the second sentence, defendants respectfully refer the Court to the CIA's August 16, 2011 response letter for a complete and accurate statement of its contents.

11. This paragraph contains conclusions of law, to which no response is required.

12. Defendants deny the allegations in this paragraph, except to admit that as of the date of the Complaint, defendants have neither produced records responsive to plaintiff's requests nor indicated whether any such records will be produced. Defendants respectfully refer the Court to DoD's August 22, 2011 letter and to the CIA's August 16, 2011 letter for a complete and accurate statement of their contents.

13. This paragraph contains conclusions of law, to which no response is required.

14. The answers to all preceding paragraphs are incorporated herein by reference.

15. Defendants deny the allegations in this paragraph.

16. Defendants deny the allegations in this paragraph.

Defendants deny any and all allegations of the Complaint not expressly admitted herein.

In addition, defendants deny that plaintiff is entitled to the relief requested in its Prayer for Relief, or to any relief whatsoever.

WHEREFORE, defendants respectfully request that this action be dismissed with prejudice and that the Court grant defendants such other relief as may be appropriate.

Respectfully Submitted,

TONY WEST
Assistant Attorney General

JOHN R. TYLER
Assistant Director, Federal Programs Branch

/s/ Marcia Berman
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Attorneys for Defendants.

CERTIFICATE OF SERVICE

I hereby certify that on February 16, 2012, a true and correct copy of the foregoing Defendants' Answer to Plaintiff's Complaint was served upon plaintiff's counsel of record at the address listed below:

Via ECF:

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/s/ Marcia Berman
MARCIA BERMAN