

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

AMERICAN CIVIL LIBERTIES UNION OF
MASSACHUSETTS, INC.,

Plaintiff,

v.

THE CENTRAL INTELLIGENCE AGENCY,
THE OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE, THE UNITED
STATES DEPARTMENT OF DEFENSE, and
THE NATIONAL SECURITY AGENCY,
Defendants.

Civil Action No. 22-CV-11532-DJC

PLAINTIFF'S CROSS-MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Plaintiff American Civil Liberties Union of Massachusetts, Inc. ("ACLUM") hereby cross-moves for summary judgment against the Central Intelligence Agency, the Office of the Director of National Intelligence, the United States Department of Defense, and the National Security Agency (collectively, "Defendants"). As described in the accompanying memorandum of law, Defendants have improperly refused to confirm or deny the existence of records responsive to ACLUM's Freedom of Information Act requests. Accordingly, ACLUM respectfully asks the Court to deny Defendants' motion for summary judgment and grant ACLUM's cross-motion.

Dated: March 6, 2023

Respectfully submitted,

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Counsel for Plaintiff

LOCAL RULE 7.1 CERTIFICATION

I hereby certify that throughout the course of this proceeding, I consulted with counsel for Defendants to narrow the issues but was unable to reach a resolution. Defendants have filed their own summary judgment motion, which Plaintiff opposes.

/s/ Natalie F. Panariello
Natalie F. Panariello

CERTIFICATE OF SERVICE

I hereby certify that this motion, along with the accompanying memorandum of law, statement of facts, and the Declaration of Daniel McFadden, was filed on March 6, 2023, through the Court's ECF system and will therefore be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Natalie F. Panariello
Natalie F. Panariello