

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

OBAID ULLAH, AMERICAN CIVIL  
LIBERTIES UNION, AMERICAN CIVIL  
LIBERTIES UNION FOUNDATION,

*Plaintiffs,*

v.

CENTRAL INTELLIGENCE AGENCY,

*Defendant.*

Civil Action No. 18-2785 (JEB)

**ANSWER**

Defendant Central Intelligence Agency (“CIA”), by and through its undersigned counsel, respectfully submits the following answer to the Complaint filed by Plaintiffs Obaid Ullah, American Civil Liberties Union (“ACLU”), and American Civil Liberties Union Foundation (“ACLUF”):

**First Defense**

Some of the records requested in Plaintiffs’ Freedom of Information Act (“FOIA”) request are exempt in whole or in part under the FOIA.

**Second Defense**

The Court lacks subject matter jurisdiction over any requested relief that exceeds the relief authorized by the FOIA.

**Third Defense**

The Complaint violates Federal Rule of Civil Procedure (“Rule”) 8(a)(2) by alleging information that is unnecessary to a “short and plain” statement of the claim. The Court should strike all such immaterial and impertinent matters pursuant to Rule 12(f).

**Defendant's Responses to the Numbered Paragraphs**

Defendant denies each and every allegation contained in the Complaint not expressly admitted in this Answer. Defendant respectfully requests and reserves the right to amend, alter, and supplement the defenses contained in this Answer as the facts and circumstances giving rise to the Complaint become known to Defendant through the course of the litigation.

In response to the specifically enumerated paragraphs as set forth in the Complaint, Defendant admits, denies, and otherwise avers as follows:

1. Paragraph 1 consists of Plaintiffs' characterization of this action, and Plaintiffs' purpose for bringing this action, to which no response is required.

2.-7. Paragraphs 2 to 7 consist of Plaintiffs' characterization of purported background information that is immaterial and impertinent to this FOIA lawsuit and to which no response is required. The allegations should be stricken from the Complaint pursuant to Rule 12(f).

8. Paragraph 8 consists of Plaintiffs' characterization of this action to which no response is required.

9. Defendant admits it received a FOIA request from the ACLU on April 18, 2018. Defendant further admits that the ACLU sought expedited processing and a fee waiver. Defendant further admits that the CIA had not released any records in response to the FOIA request as of the date the Complaint was filed.

**Jurisdiction and Venue**

10. Paragraph 10 consists of Plaintiffs' conclusions of law regarding jurisdiction to which no response is required. To the extent that a response is deemed necessary, Defendant admits that this Court has jurisdiction.

11. Paragraph 11 consists of Plaintiffs' conclusions of law regarding venue to which no response is required. To the extent that a response is deemed necessary, Defendant admits that venue is proper within this judicial district.

**Parties**

12. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 12.

13. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 13.

14. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 14.

15. Admitted.

**Facts**

16. Defendant admits that it received a FOIA request from the ACLU on April 18, 2018, that sought release of the specified records. Defendant respectfully refers the Court to the FOIA request for a complete and accurate statement of its contents.

17. Defendant admits that the ACLU sought expedited processing. Defendant respectfully refers the Court to the FOIA request for a complete and accurate statement of its contents.

18. Defendant admits that the ACLU requested a fee waiver. Defendant respectfully refers the Court to the FOIA request for a complete and accurate statement of its contents.

19. Defendant admits that it denied the ACLU's request for expedited processing by letter dated April 20, 2018. No appeal to this letter was filed. Defendant further states that it agreed to waive the fees for the request as a matter of administrative discretion. The CIA

assigned the request reference number F-2018-01415. Defendant respectfully refers the Court to its April 20, 2018, letter for a complete and accurate statement of its contents.

20. Defendant admits that as of the filing of the Complaint the CIA issued no further response to the FOIA request.

21. Defendant admits that as of the filing of the Complaint the CIA had not made a final determination and had not issued a final response to the FOIA request.

**Causes of Action**

22.–26. Paragraphs 22 to 26 consist of Plaintiffs' conclusions of law to which no response is required. To the extent a response may be deemed required, denied.

**Prayer for Relief**

The remainder of the Complaint consists of Plaintiffs' request for relief to which no response is required. To the extent that a response may be deemed required, Defendant denies that Plaintiffs are entitled to any of the relief requested, or to any relief whatsoever.

February 27, 2019

Respectfully submitted,

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*Defendant's Counsel*