

PREET BHARARA
United States Attorney for the
Southern District of New York
By: TARA M. La MORTE
BENJAMIN H. TORRANCE
Assistant United States Attorneys
86 Chambers Street, 3rd Floor
New York, New York 10007

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AMERICAN CIVIL LIBERTIES
UNION, et al.,

Plaintiffs,

v.

DEPARTMENT OF DEFENSE, et al.,

Defendants.

04 Civ. 4151 (AKH)

DECLARATION OF TARA M. La MORTE

Tara M. La Morte, pursuant to the provisions of 28 U.S.C. § 1746, declares, under penalty of perjury, as follows:

1. I am an Assistant United States Attorney in the office of Preet Bharara, United States Attorney for the Southern District of New York, attorney for the Government in this case. I am an attorney assigned to the defense of this matter.
2. I submit this declaration in support of the Government's eighth motion for summary judgment.

3. Attached as Exhibit A hereto is a true and correct copy of the Department of Defense's memorandum of law in support of its sixth motion for summary judgment, dated April 1, 2011. (Dkt. No. 457).

4. Attached as Exhibit B hereto is a true and correct copy of a Certification issued by Secretary of Defense Robert Gates on November 13, 2009, pursuant to section 565 of the Department of Homeland Security Appropriations Act, 2010 (Pub. L. 111-83).

5. Attached as Exhibit C hereto is a true and correct copy of a Certification issued by Secretary of Defense Leon Panetta on November 9, 2012, pursuant to section 565 of the Department of Homeland Security Appropriations Act, 2010 (Pub. L. 111-83).

6. Attached as Exhibit D hereto is a true and correct copy of the Declaration of Megan M. Weis, dated December 19, 2014, without exhibits (Dkt. No. 530).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
February 26, 2016

PREET BHARARA
United States Attorney for the
Southern District of New York

By: /s/ Tara M. La Morte
TARA M. La MORTE
Assistant United States Attorney
86 Chambers Street, Third Floor
New York, New York 10007
Tel: (212) 637-2746
Fax: (212) 637-2702
Email: tara.lamorte2@usdoj.gov