

Memorandum

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DATE FILED: 7/10/17

AMERICAN CIVIL LIBERTIES UNION *et al.*,

Plaintiffs,

- against -

UNITED STATES DEPARTMENT OF JUSTICE *et al.*,

Defendants.

12 Civ. 794 (CM)

REVISED JUDGMENT

WHEREAS plaintiffs the American Civil Liberties Union and the American Civil Liberties Union Foundation ("Plaintiffs") filed suit in this Court pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, seeking the release of certain documents by defendants United States Department of Justice, including its component the Office of Legal Counsel ("OLC"), United States Department of Defense ("DOD"), and Central Intelligence Agency ("CIA") (collectively, the "Government");

WHEREAS, on July 16, 2015, this Court issued a Memorandum Decision and Order Ruling on the Motions for Summary Judgment by the CIA, DOD and OLC (the "Memorandum Decision and Order");

WHEREAS, a judgment dated July 22, and entered on the docket on July 23, was entered in accordance with the Memorandum Decision and Order, granting DOD's motion for summary judgment, directing OLC to produce four documents to Plaintiffs in whole or in part, directing CIA to produce three documents to Plaintiffs in part, and otherwise granting OLC's and CIA's motions for summary judgment (the "2015 Judgment");

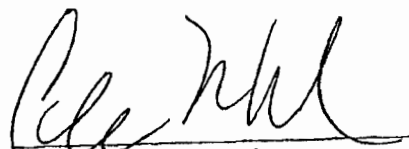
WHEREAS, on September 18, 2015, the ACLU filed a notice of appeal of the 2015 Judgment;

WHEREAS, on October 2, 2015, the Government filed a notice of cross-appeal of the 2015 Judgment;

WHEREAS, on December 20, 2016, the Court of Appeals issued an opinion affirming the 2015 Judgment on Plaintiffs' appeal, reversing the 2015 Judgment on the Government's cross-appeal, and remanding for entry of a revised judgment in accordance with the Court of Appeals' opinion; and

WHEREAS, the Court of Appeals' mandate issued on February 28, 2017,

JUDGMENT IS HEREBY ENTERED, in accordance with the Court of Appeals' December 20, 2016 opinion, granting the motions for summary judgment of DOD, CIA and O.I.C, denying Plaintiffs' motion for summary judgment, and closing this case.



Hon. Colleen McMahon
Chief United States District Judge

7/10/17

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