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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

.....X
AMERICAN CIVIL LIBERTIES UNION and
THE AMERICAN CIVIL LIBERTIES UNION
FOUNDATION,

Plaintiffs,

v.

15 Civ. 1954 (CM)

DEPARTMENT OF JUSTICE, including its
components the Office of Legal Counsel and
Office of Information Policy, DEPARTMENT
OF DEFENSE, DEPARTMENT OF STATE, and
CENTRAL INTELLIGENCE AGENCY,

Defendants.

.....X

DECLARATION OF SARAH S. NORMAND

SARAH S. NORMAND, pursuant to 28 U.S.C. § 1746, declares 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 defendants the Department of Justice, the Department of Defense, the Department of State, and the Central Intelligence Agency (collectively, the “government”) in the above-named case. Together with attorneys with the Department of Justice, Federal Programs Branch, I have been assigned to defend this matter, and I am fully familiar with the facts pertaining to it. I submit this declaration

in support of the government's cross-motion for partial summary judgment, and in opposition to plaintiffs' motion for summary judgment, in this case.

2. Attached hereto as Exhibit A is a true and accurate copy of an excerpt of the appellate brief filed by the government in *New York Times Co. v. Department of Justice*, Nos. 14-4432(L), 14-4764(Con) (2d Cir.), which is cited on page 14 of plaintiffs' consolidated memorandum of law in opposition to the government's motion for summary judgment and in further support of plaintiffs' motion for partial summary judgment ("ACLU Opposition Brief"). See ECF No. 52.

3. Attached hereto as Exhibit B is a true and accurate copy of a transcript of the interview of Secretary of State John Kerry with Miriam Chaudhry of Pakistan TV, dated August 1, 2013. This transcript is available on the State Department's website, at <http://m.state.gov/md212627.htm> (last visited Dec. 22, 2015). See ACLU Opposition Brief at 30 (discussing "August 2013 Kerry Statement").

4. Attached hereto as Exhibit C is a true and accurate copy of a transcript of the first 6:45 minutes of the documentary entitled "The Spymasters: CIA in the Crosshairs." See ACLU Opposition Brief at 31 (discussing "November 2015 Panetta Statement").

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

Dated: New York, New York
December 22, 2015

/s/ Sarah S. Normand
SARAH S. NORMAND
Assistant United States Attorney