

WHEREFORE, the CIA respectfully requests that this Court grant its cross-motion for summary judgment and deny Plaintiff's motion for summary judgment.

Respectfully submitted,

CARMEN M. ORTIZ
United States Attorney

By: /s/ Jennifer A. Serafyn
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Dated: February 28, 2014

Local Rule 7.1 Certification

I hereby certify that I communicated with Plaintiff's counsel about Defendant's intent to file this motion and we did not narrow or resolve the issues raised by this motion.

/s/ Jennifer A. Serafyn
Jennifer A. Serafyn
Assistant United States Attorney

Dated: February 28, 2014

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants via First Class Mail.

/s/ Jennifer A. Serafyn
Jennifer A. Serafyn
Assistant United States Attorney

Dated: February 28, 2014