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11 UNITED STATES DISTRICT COURT
 12 CENTRAL DISTRICT OF CALIFORNIA
 13
 14 WESTERN DIVISION

15)	No. CV 03-08023-AHM (RZx)
16	H. RAY LAHR,)	
17)	Date: October 31, 2005
18	Plaintiff,)	Time: 10 a.m.
19)	Judge: Hon. A. Howard Matz
20	v.)	
21	NATIONAL TRANSPORTATION)	
22	SAFETY BOARD, <i>et al.</i> ,)	
23)	
	Defendants.)	

- 24 1. DEFENDANTS' NOTICE OF MOTION AND MOTION FOR
 25 PARTIAL SUMMARY JUDGMENT AS TO THE CENTRAL
 26 INTELLIGENCE AGENCY
- 27 2. MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT
 28 OF DEFENDANTS' MOTION

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1 NOTICE OF MOTION AND MOTION FOR PARTIAL SUMMARY
2 JUDGMENT AS TO THE CENTRAL INTELLIGENCE AGENCY

3 PLEASE TAKE NOTICE that defendants will move pursuant to Fed. R.
4 Civ. P. 56 for partial summary judgment as to the Central Intelligence Agency
5 (CIA) in the Courtroom of the Hon. A. Howard Matz on October 31, 2005, at 10
6 a.m., or as soon thereafter as the matter may be heard. This motion will seek the
7 entry of summary judgment in favor of defendants as to the CIA, and the dismissal
8 of all claims with respect thereto, except any claim involving the application of 5
9 U.S.C. § 552(b) to any record, created by the CIA, that is still undergoing review
10 by the CIA as of the date of the order and judgment and is responsive to the
11 request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, that
12 plaintiff submitted to the CIA by letter dated October 8, 2003.

13 The grounds for this motion are that no genuine issue of material fact exists
14 and that defendants are entitled to partial summary judgment as to the CIA as a
15 matter of law. The grounds for this motion are set forth in the memorandum of
16 points and authorities submitted herewith, and upon such other and further
17 arguments, documents, and grounds as may be advanced to the Court in the future.
18 This motion is made following the conference of counsel pursuant to L.R. 7-3
19 which took place on July 1, 2005.

1 Dated: August 16, 2005
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3

4 Respectfully submitted,

5 PETER D. KEISLER
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8 United States Attorney

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