

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

STEVEN AFTERGOOD, )  
 )  
 Plaintiff, )  
 )  
 v. ) Civil Action No. 01-2524 (RMU)  
 )  
 CENTRAL INTELLIGENCE AGENCY, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

ANSWER

Defendant, by its undersigned attorneys, hereby answers the Amended Supplemental Complaint as follows:

FIRST DEFENSE

The Amended Supplemental Complaint fails to state a claim upon which relief can be granted.

SECOND DEFENSE

In response to the numbered paragraphs of the Amended Supplemental Complaint, defendant admits, denies, or otherwise avers as follows:

1. First and second sentences: These sentences contain plaintiff's characterizations of this action, which do not require answers, but to the extent that answers may be deemed required, deny. Third sentence: Deny, and to aver the transmittal of a letter to plaintiff dated June 27, 2003, to which the Court is respectfully referred for a complete and accurate statement of its contents.

2. This paragraph consists of plaintiff's characterization of the Amended Supplemental Complaint, which does not require an answer, but to the extent that an answer may be deemed required, deny.

3. Deny, as conclusions of law.

4. Deny, except to aver that the National Security Agency was established in 1952, that the National Reconnaissance Office was established in 1961, that the Defense Intelligence Agency was established in 1961, and that the National Imagery and Mapping Agency (now known as the National Geospatial-Intelligence Agency) was established in 1996.

5. Deny, as conclusions of law.

6. Deny, as conclusions of law.

7. First sentence: This sentence refers to one of plaintiff's prayers for relief, which does not require an answer, but to the extent that an answer may be deemed required, deny. Second sentence: Deny, as a conclusion of law.

8-13. Deny, as conclusions of law.

14. This paragraph consists of plaintiff's allegations concerning jurisdiction, which do not require answers, but to the extent that answers may be deemed required, deny.

15. This paragraph consists of plaintiff's allegation concerning venue, which does not require an answer, but to the extent that an answer may be deemed required, deny.

16. Deny, for lack of knowledge or information sufficient to form a belief as to the truth of the allegations.

17. First clause: Admit. Second clause: Deny, for lack of knowledge or information sufficient to form a belief as to the truth of the allegation.

18. First sentence: Deny, except to aver the receipt of a letter from plaintiff dated May 11, 1995, to which the Court is respectfully referred for a complete and accurate statement of its contents. Second sentence: Deny, except to aver the transmittal of a letter to plaintiff dated May 30, 1995, to which the Court is respectfully referred for a complete and accurate statement of its contents. Third sentence: Deny, except to aver the transmittal of a letter to plaintiff dated December 14, 2000, to which the Court is respectfully referred for a complete and accurate statement of its contents. Fourth Sentence: Deny, except to aver that by Order dated September 5, 2002, the Court granted both defendant's motion to dismiss plaintiff's Complaint of December 7, 2001, and plaintiff's motion to file a supplemental complaint.

19. First sentence: This sentence consists of plaintiff's characterization of the previously filed Supplemental Complaint, which does not require an answer, but to the extent that an answer may be deemed required, deny, except to aver the receipt of a letter from plaintiff dated February 22, 2002, to which the Court is respectfully referred for a complete and accurate

statement of its contents. Second sentence: Deny, except to aver the transmittal of a letter to plaintiff dated March 27, 2002, to which the Court is respectfully referred for a complete and accurate statement of its contents.

20. First sentence: Deny, except to aver the receipt of a letter from plaintiff dated September 12, 2002, to which the Court is respectfully referred for a complete and accurate statement of its contents. Second sentence: Deny, except to aver the transmittal of a letter to plaintiff dated October 3, 2002, to which the Court is respectfully referred for a complete and accurate statement of its contents.

21. First sentence, first and second clauses: Deny, as conclusions of law. First sentence, third clause: Admit. Second sentence: This sentence consists of plaintiff's characterization of the previously filed Supplemental Complaint, which does not require an answer, but to the extent that an answer may be deemed required, deny. Third sentence: Deny, except to aver that defendant filed its Answer to plaintiff's Supplemental Complaint on December 10, 2002, to which the Court is respectfully referred for a complete and accurate statement of its contents.

22. First sentence: Deny, except to aver the transmittal of a letter to plaintiff dated June 27, 2003, to which the Court is respectfully referred for a complete and accurate statement of its contents. Second sentence: Deny, except to aver that no

further correspondence concerning plaintiff's letter of February 22, 2002, has been transmitted to him.

23. This paragraph consists of plaintiff's characterization of the Amended Supplemental Complaint, which does not require an answer, but to the extent that an answer may be deemed required, deny.

24. Defendant's responses to the averments in the preceding paragraphs are incorporated by reference.

25. Deny, as conclusions of law.

Each and every allegation not heretofore expressly admitted or denied is denied.

Defendant denies that plaintiff is entitled to the relief prayed for or to any relief whatsoever.

WHEREFORE, defendant, having fully answered,  
respectfully prays that this action be dismissed with prejudice  
and that it be granted its costs.

Respectfully submitted,

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ROSCOE C. HOWARD, JR.  
(D.C. Bar #246470)  
United States Attorney

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MARK E. NAGLE  
(D.C. Bar #416364)  
Assistant United States Attorney

Dated: February 2, 2004

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