

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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AMERICAN CIVIL LIBERTIES UNION,)	
and AMERICAN CIVIL LIBERTIES)	
UNION FOUNDATION,)	
)	
Plaintiffs,)	Civil Action No. 1:13-cv-01870 (JEB)
)	
v.)	
)	
CENTRAL INTELLIGENCE AGENCY, et)	
al.)	
)	
Defendants.)	
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**GOVERNMENT’S REPLY IN FURTHER SUPPORT OF
FOURTH MOTION FOR EXTENSION OF TIME**

As set forth in the Government’s Fourth Motion for Extension of Time (Dkt # 34), defendants do not control the timing of the release of the SSCI Report’s Executive Summary, findings, and conclusions. Dkt # 34 at 2. And plaintiffs have also recognized that release of these records will likely occur “through the separate political process.” Pls.’ Opp. at 2 (Dkt # 35). Because SSCI has not committed to a date certain by which the Executive Summary, findings, and conclusions will be released, and because the defendants are unable to enforce a deadline by which SSCI will act, there is little purpose served in setting a release deadline. Accordingly, the government opposes a November 17th deadline.

Defendants remain ready to file their summary judgment motions by December 5th, pursuant to the schedule set by the Court on October 7th. Defendants do not, however, oppose plaintiffs’ proposed alternative briefing schedule based on the public release date of the Executive Summary, findings, and conclusions and the CIA Response. However, if those documents are publicly released prior to November 7, 2014 (*i.e.*, more than four weeks prior to

December 5, 2014, when defendants' opening brief is due), defendants would respectfully request that the original briefing schedule be maintained.

Dated: October 30, 2014

Respectfully submitted,

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