

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

NBC 7 SAN DIEGO, *et al.*,

Plaintiffs,

v.

**DEPARTMENT OF HOMELAND
SECURITY, *et al.*,**

Defendants.

Case No. 19-1146 (RBW)

PLAINTIFFS' CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56 and Local Rule 7, Plaintiffs NBC 7 San Diego and Tom Jones (“NBC 7”), and the Reporters Committee for Freedom of the Press (“RCFP”) (collectively, “Plaintiffs”) respectfully move the Court for partial summary judgment in their favor and against the Department of Homeland Security (“DHS”), Customs and Border Protection (“CBP”), and United States Citizenship and Immigration Services (“USCIS”) (collectively, “Defendants”) as to their failure to comply with their obligations under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, with respect to the following issues: (1) USCIS’s response to item 10 of RCFP’s FOIA request; (2) DHS’s response to RCFP’s FOIA request; (3) CBP’s search for records responsive to item 3 of NBC 7’s FOIA request and item 9 of RCFP’s FOIA request; and (4) CBP’s response to items 3 and 4 of NBC 7’s FOIA request and item 9 of RCFP’s FOIA request.

In support of their Motion and in opposition to the Motions for Summary Judgment filed by Defendants, ECF Nos. 22, 23, Plaintiffs submit the following: (1) Memorandum of Law; (2) Combined Statement of Material Facts as to Which there is No Genuine Issue and Response to

Defendants' Statement of Material Facts; (3) Declaration of Adam A. Marshall; (4) Declaration of Tom Jones, and (5) a proposed order. This Motion is based on the concurrently filed Memorandum of Law, all pleadings, records, and files in the above-captioned case, and on such argument as may be presented by counsel at any hearing on the parties' cross-motions for summary judgment.

Dated: May 18, 2020

Respectfully submitted,

/s/ Katie Townsend

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