

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CITIZENS UNITED,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 18-1862-RDM
)	
UNITED STATES DEPARTMENT OF STATE,)	
)	
Defendant.)	

PLAINTIFF’S STATEMENT OF GENUINE ISSUES

Pursuant to Local Civil Rule 7(h), Plaintiff Citizens United hereby submits this Statement of Genuine Issues in response to Defendant’s Statement of Material Facts as to Which There Is No Genuine Issue (ECF No. 24-2). The numbered paragraphs below correspond to the numbered paragraphs in the State Department’s Statement.

1. Not disputed.
2. Not disputed.
3. Not disputed.
4. Disputed as to whether the redactions are properly classified, exempt, and lawfully withheld.
- A. *Withholding of Information about the Engagement of an Intelligence Source*
5. Disputed as to whether the redactions are properly classified, exempt, and lawfully withheld.

6. Disputed as to whether the information is non-public. *See* DOJ OIG Report, “Review of Four FISA Applications and Other Aspects of the FBI’s Crossfire Hurricane Investigation” (Dec. 2019) at 86-90.
7. Not disputed that it was classified; disputed as to whether it is properly classified, exempt, and lawfully withheld.
8. Not disputed as to characterization of E.O. 13526; disputed as to whether it is properly classified.
9. Disputed. *See* DOJ OIG Report at 86-90.
10. Disputed. *See id.*
11. Disputed.
12. Disputed that document was properly classified.
13. Disputed as to whether Steele’s engagement related to a properly predicated ongoing national security investigation.
14. Disputed.
15. Disputed.
16. Disputed.
- B. Withholding of Information about the Engagement of an Intelligence Source*
17. Disputed that document is exempt and lawfully withheld.
18. Not disputed.
19. Disputed that document is exempt and lawfully withheld.
20. Disputed.
21. Disputed.

C. Withholding of Information about the Issuance or Refusal of a Visa

22. Not disputed.

D. Segregability of Document 7

23. Not disputed.

24. Not disputed.

25. Not disputed.

26. Not disputed.

27. Not disputed.

28. Disputed. *See* 2d Morgan Decl. ¶¶ 3-4, 6.

29. Disputed. *See* 2d Morgan Decl. ¶ 5.

30. Disputed. *See* 2d Morgan Decl. ¶ 5.

31. Disputed. *See* 2d Morgan Decl. ¶ 5.

32. Disputed. *See* 2d Morgan Decl. ¶ 5.

33. Disputed. *See* 2d Morgan Decl. ¶ 5.

Respectfully submitted,

/s/

Jeremiah L. Morgan
(D.C. Bar No. 1012943)
William J. Olson
(D.C. Bar No. 233833)
Robert J. Olson
(D.C. Bar No. 1029318)
William J. Olson, P.C.
370 Maple Avenue West, Suite 4
Vienna, VA 22180-5615
703-356-5070 (telephone)
703-356-5085 (fax)
wjo@mindspring.com (e-mail)

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Counsel for Plaintiff
CITIZENS UNITED