UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

GEORGE KATSIAFICAS,)	
Plaintiff,)	
v.)	Civil Action No. 13-11058-WGY
UNITED STATES CENTRAL INTELLIGENCE AGENCY,)	
Defendant.)))	

DEFENDANT'S CROSS-MOTION FOR SUMMARY JUDGMENT

Defendant, the United States Central Intelligence Agency ("CIA"), cross-moves for summary judgment pursuant to Fed. R. Civ. P. 56 in this Freedom of Information Act ("FOIA") case, 5 U.S.C. §552 ("FOIA"). Plaintiff George Katsiaficas seeks the release of records pertaining to the coup d'etat of May 16, 1961 in South Korea and the assassination of the Republic of Korea President Park Chung-hee on October 26, 1979. The CIA conducted an adequate search in response to Katsiaficas's FOIA request; therefore, the CIA is entitled to summary judgment.

In support of this Cross-Motion for Summary Judgment, the CIA relies upon the accompanying memorandum of law and Declaration of Martha M. Lutz, Chief of the CIA's Litigation Support Unit, with attached exhibits.

WHEREFORE, the CIA respectfully requests that this Court grant its cross-motion for summary judgment and deny Plaintiff's motion for summary judgment.

Respectfully submitted,

CARMEN M. ORTIZ United States Attorney

By: /s/ Jennifer A. Serafyn

Jennifer A. Serafyn

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Dated: February 28, 2014 Jennifer.Serafyn@usdoj.gov

Local Rule 7.1 Certification

I hereby certify that I communicated with Plaintiff's counsel about Defendant's intent to file this motion and we did not narrow or resolve the issues raised by this motion.

<u>/s/ Jennifer A. Serafyn</u> Jennifer A. Serafyn Assistant United States Attorney

Dated: February 28, 2014

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants via Fist Class Mail.

/s/ Jennifer A. Serafyn Jennifer A. Serafyn

Dated: February 28, 2014 Assistant United States Attorney