

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PUBLIC RECORD MEDIA,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF JUSTICE,

Defendant.

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Case No. 12-1225- MJD

ANSWER

Defendant the United States Department of Justice, by its attorneys, hereby answers the complaint upon information and belief as follows:

1. States that the allegations in Paragraph 1 constitute a characterization of this action to which no response is required.

2-3. States that the allegations in Paragraphs 2 and 3 constitute legal conclusions to which no response is required.

4. Denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4.

5. Admits the first and third sentences. States that the allegations in the second sentence constitute legal conclusions to which no response is required. To the extent an answer is required, neither admits nor denies the allegations in paragraph 5, pursuant to 5 U.S.C. § 552(b)(1).

6. Denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 6, which purports to characterize a media report and other unspecified press reports, except to admit that the U.S. Government uses armed unmanned aerial vehicles to

carry out lethal operations outside the United States and that lethal operations by the United States have been a topic of public discussion. As to the cited media report, the Court is respectfully referred to that article for a complete and accurate statement of its contents.

7. Admits that U.S. government officials have acknowledged generally the use of armed unmanned aerial vehicles and that Eric Holder is the Attorney General. To the extent Plaintiffs' allegations purport to characterize the cited media reports, the Court is respectfully referred to those reports for a complete and accurate statement of their contents.

8. Denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 8, which purports to characterize a media report and other unspecified press reports. As to the cited media report, the Court is respectfully referred to that article for a complete and accurate statement of its contents. To the extent an answer is required, neither admits nor denies the allegations in paragraph 5, pursuant to 5 U.S.C. § 552(b)(1).

9. Admits that UAVs are used within the United States by various public entities, and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 9. As to the cited media report, the Court is respectfully referred to that article for a complete and accurate statement of its contents.

10. Admits that Plaintiff submitted a FOIA request, to which the Court is respectfully referred for a complete and accurate statement of its contents.

11. States that the allegations in Paragraph 11 purport to characterize the Defendant's response to Plaintiff's FOIA request, to which the Court is respectfully referred for a complete and accurate statement of its contents.

12. Admits that Plaintiff sent an administrative appeal letter, to which the court is respectfully referred for a complete and accurate statement of its contents.

13. Denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 13.

14. Denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 14.

15. Denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 15.

16. States that the allegations in the first sentence of Paragraph 16 purport to characterize the Defendant's acknowledgement of Plaintiff's administrative appeal, to which the Court is respectfully referred for a complete and accurate statement of its contents. Admits the second sentence.

17. Denies knowledge or information sufficient to form a belief as to the truth of the allegations regarding the delivery of Plaintiff's appeal or the alleged telephone conversation. With respect to the acknowledgement of Plaintiff's appeal, the Court is respectfully referred to that letter for a complete and accurate statement of its contents.

18. States that the allegations in Paragraph 18 constitute legal conclusions to which no response is required.

19. Repeats the responses provided to Paragraphs 1 through 18.

20. States that the allegations in Paragraph 20 constitute legal conclusions to which no response is required.

21. Denies, and respectfully refers the Court to Defendant's response to Plaintiff's FOIA request for a complete and accurate statement of its contents.

22-24. States that the allegations in Paragraphs 22 through 24 constitute legal conclusions to which no response is required.

The remainder of the complaint contains a request for relief, to which no response is required. To the extent a response is required, Defendant denies the allegations contained in the

remainder of the complaint and states that Plaintiff is not entitled to the requested relief or any other relief.

Defendant denies all allegations in the complaint not expressly admitted or denied.

FIRST DEFENSE

Plaintiff fails to state a claim upon which relief can be granted.

WHEREFORE, Defendant is entitled to judgment dismissing Plaintiff's complaint with prejudice and granting such further relief as the Court deems just, including costs.

Dated: June 29, 2012

Respectfully Submitted,

STUART F. DELERY
Acting Assistant Attorney General

ELIZABETH J. SHAPIRO
Deputy Director, Federal Programs Branch

/s/Amy E. Powell

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CERTIFICATION 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 by First Class Mail, on the 29th of June, 2012.

/s/Amy E. Powell
AMY POWELL
June 29, 2012