

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
AMERICAN IMMIGRATION LAWYERS)	
ASSOCIATION,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:10-cv-01224-EGS
)	
UNITED STATES DEPARTMENT OF)	
HOMELAND SECURITY, <u>et al.</u> ,)	
)	
Defendants.)	
_____)	

**DEFENDANTS’ OPPOSITION TO PLAINTIFF’S STATEMENT OF MATERIAL
FACTS NOT IN GENUINE DISPUTE**

1. Admit.
2. Defendants lack information sufficient to admit or deny this asserted fact and so deny.
3. Admit.
4. Deny. Because Plaintiff has failed to provide a citation to the record in support of this asserted fact, the Court should deem this fact conceded. See Perry v. Shinseki, __F. Supp. 2d__, 2011 WL 1770715 at *3 n.11 (D.D.C. 2011) (finding that plaintiff’s factual “denial does not comply with Local Civil Rule 7 because it is not supported by a citation to record evidence” and that plaintiff thus “has not raised any genuine issue with respect to this factual assertion by defendant”) (citing Chavers v. Shinseki, 667 F. Supp. 2d 116, 129 n.7 (D.D.C. 2009)); see also Local Civ. R. 7(h). This is, nonetheless, not a material fact precluding summary judgment.

5. Deny. Because Plaintiff has failed to provide a citation to the record in support of this asserted fact, the Court should deem this fact conceded. See Perry, __F. Supp. 2d__, 2011 WL 1770715 at *3 n.11. This is, nonetheless, not a material fact precluding summary judgment.

6. Deny. Because Plaintiff has failed to provide a citation to the record in support of this asserted fact, the Court should deem this fact conceded. See Perry, __F. Supp. 2d__, 2011 WL 1770715 at *3 n.11. This is, nonetheless, not a material fact precluding summary judgment.

7. Deny. Because Plaintiff has failed to provide a citation to the record in support of this asserted fact, the Court should deem this fact conceded. See Perry, __F. Supp. 2d__, 2011 WL 1770715 at *3 n.11. This is, nonetheless, not a material fact precluding summary judgment.

8. Admit.

9. Admit.

10. Admit.

11. Deny. Because Plaintiff has failed to provide a citation to the record in support of this asserted fact, the Court should deem this fact conceded. See Perry, __F. Supp. 2d__, 2011 WL 1770715 at *3 n.11. This is, nonetheless, not a material fact precluding summary judgment.

12. Deny. Because Plaintiff has failed to provide a citation to the record in support of this asserted fact, the Court should deem this fact conceded. See Perry, __F. Supp. 2d__, 2011 WL 1770715 at *3 n.11. This is, nonetheless, not a material fact precluding summary judgment.

13. Deny. Because Plaintiff has failed to provide a citation to the record in support of this asserted fact, the Court should deem this fact conceded. See Perry, __F. Supp. 2d__, 2011 WL 1770715 at *3 n.11. This is, nonetheless, not a material fact precluding summary judgment.

14. Deny. Because Plaintiff has failed to provide a citation to the record in support of this asserted fact, the Court should deem this fact conceded. See Perry, __F. Supp. 2d__, 2011 WL 1770715 at *3 n.11. This is, nonetheless, not a material fact precluding summary judgment.

15. Admit.

16. Deny. Because Plaintiff has failed to provide a citation to the record in support of this asserted fact, the Court should deem this fact conceded. See Perry, __F. Supp. 2d__, 2011 WL 1770715 at *3 n.11. This is, nonetheless, not a material fact precluding summary judgment.

17. Admit.

18. Admit.

19. Admit.

20. Admit.

21. Admit.

22. Deny. These documents may be publically available but are not within the public domain such that Defendants are obligated to release additional information. See Def.'s Cross-Motion & Opp. at 23-26.

23. Deny. These documents may be publically available but are not within the public domain such that Defendants are obligated to release additional information. See Def.'s Cross-Motion & Opp. at 23-26.

Dated: June 27, 2011

Respectfully Submitted,

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RUDOLPH CONTRERAS, D.C. BAR #434122

Chief, Civil Division

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