

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

PETER DELAVERITA, Plaintiff,)	
v.)	Civil Action No. 05-1304 (RBW)
CENTRAL INTELLIGENCE AGENCY, Defendant.)	

ORDER

In accordance with the Memorandum Opinion that accompanies this Order, it is hereby
ORDERED that the plaintiff's motion for summary judgment is GRANTED. It is
further **ORDERED** that the defendant's motion for summary judgment is
DENIED.

SO ORDERED this 24th day of July, 2004.

REGGIE W. DALTON
United States District Judge

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MEMORANDUM OPINION

The plaintiff, Peter DeLaVerita, brings this action alleging that the defendant, the Central Intelligence Agency (“CIA”), has impermissibly withheld a document he requested pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 (2000). Complaint (“Compl.”) concerning the covert Delta Team ¶¹. Currently before the Court are the plaintiff’s motion for summary judgment (“Pl.’s Mot.”) and the defendant’s cross-motion for summary judgment (“Def.’s Mot.”).¹ For the following reasons, the Court grants the plaintiff’s motion for summary judgment and denies the defendant’s cross-motion.

REMAINDER OF DOCUMENT IS CLASSIFIED



¹ The following papers have been submitted to the Court in connection with these motions: (1) Memorandum of Points and Authorities in Support of Plaintiff’s Motion for Summary Judgment (“Pl.’s Mem.”); (2) Defendant’s Opposition to Plaintiff’s Motion for Summary Judgment (“Def.’s Opp.”); (3) Plaintiff’s Reply to Defendant’s Opposition to Plaintiff’s Motion for Summary Judgment (“Pl.’s Reply”); (4) Memorandum of Law in Support of Defendant’s Motion for Summary Judgment (“Def.’s Mem.”); (5) Plaintiff’s Opposition to Defendant’s Motion for Summary Judgment (“Pl.’s Opp.”); and (6) Defendant’s Reply to Plaintiff’s Opposition and Brief of Amicus Curiae (“Def.’s Reply”). In addition to the parties’ filings, the Court permitted the National Security Archive as an amicus curiae to file a brief in support of the plaintiff’s position. See Brief of Amicus Curiae National Security Archive in Support of Peter DeLaVerita (“Am. Br.”).