

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

_____)	
JEREMY BIGWOOD,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 11-cv-0602 (KBJ)
)	
UNITED STATES DEPARTMENT OF)	
DEFENSE and CENTRAL)	
INTELLIGENCE AGENCY,)	
)	
Defendants.)	
_____)	

ORDER

Defendants in the instant case have filed a [25] Motion for Summary Judgment arguing that the searches the Department of Defense conducted in response to Plaintiff’s Freedom of Information Act (“FOIA”) request were adequate, and that various FOIA exemptions justify Defendants’ redactions to the documents produced in response to Plaintiff’s request.¹ In reviewing Defendants’ Vaughn Index, declarations, and briefing, this Court notes that Defendants’ Vaughn Index does not include the particular bases on which the Department of Defense redacted each document. *See Judicial Watch, Inc. v. FDA*, 449 F.3d 141, 146 (D.C. Cir. 2006) (quoting *Mead Data Ctr. Inc. v. U.S. Dep’t of the Air Force*, 566 F.2d 242, 251 (D.C. Cir. 1977)) (agency responding to FOIA request bears burden to produce Vaughn Index that “specifically identif[ies] the reasons why a particular exemption is relevant and correlat[es] those claims with the particular part of a withheld document to which they apply”). While

¹ Defendants maintain in their summary judgment briefing that the Department of Defense properly withheld redacted information with respect to 159 documents, totaling 1,082 pages, pursuant to five separate FOIA exemptions. (*See* Defs.’ Mem. in Supp. of Mot. for Summ. J., ECF No. 25 at 3-41, 8-33 (page numbers refer to pages assigned by the Court’s electronic filing system).)

this information appears to have been included in various lengthy footnotes to Defendants' summary judgment briefing, this Court will not undertake the laborious task of correlating this information with Defendants' Vaughn Index entries when it is Defendants' burden to produce an adequate Vaughn Index. *See Potter v. Dist. of Columbia*, 558 F.3d 542, 553 (D.C. Cir. 2009) (internal quotation marks and citation omitted) (“[J]udges are not like pigs, hunting for truffles buried in briefs or the record.”). Accordingly, it is hereby

ORDERED that Defendants' [25] Motion for Summary Judgment is **DENIED** without prejudice, and that Defendants have until **October 8, 2014**, to submit a Vaughn Index that—at a minimum—includes a column listing particular bases for redactions for each document. It is

FURTHER ORDERED that Plaintiff's [34] Motion for Leave to File Surreply is **DENIED** as moot.

SO ORDERED.

DATE: September 8, 2014

Ketanji Brown Jackson
KETANJI BROWN JACKSON
United States District Judge