

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

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CITIZENS FOR RESPONSIBILITY)
AND ETHICS IN WASHINGTON,)
)
Plaintiff,)
)
v.) Civil Action No: 1:07-cv-01707 (HHK/JMF)
)
EXECUTIVE OFFICE OF THE)
PRESIDENT, et al.,)
)
Defendants.)
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NATIONAL SECURITY ARCHIVE,)
)
Plaintiff,)
)
v.) Civil Action No: 1:07-cv-01577 (HHK/JMF)
)
EXECUTIVE OFFICE OF THE)
PRESIDENT, et al.,)
)
Defendants.)
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NOTICE BY DEFENDANTS OF SUPPLEMENTAL AUTHORITY

Defendants, by and through undersigned counsel, hereby notify the Court of the recent decision of the United States District Court for the District of Columbia in CREW v. Office of Administration, Civ. No. 07-964 (CKK) (D.D.C. June 16, 2008), holding that the Office of Administration, Executive Office of the President, “is not an agency subject to the FOIA.” Defendants referred to CREW v. OA in their Motion to Dismiss [39] at 17 n.5, Reply in Support of Consolidated Motion to Dismiss [43] at 12 n.7, and Consolidated Response to Plaintiffs’

Surreplies [54] at 3-4 n.1, and Magistrate Judge Facciolo referred to it in his Report and Recommendation regarding CREW's Motion for Temporary Restraining Order [11] at 4 & n.6.

Respectfully submitted,

GREGORY G. KATSAS
Acting Assistant Attorney General

JEFFREY TAYLOR
United States Attorney

ELIZABETH J. SHAPIRO
Assistant Branch Director

/s/ Tamra T. Moore
TAMRA T. MOORE, D.C. Bar No. 488392
HELEN H. HONG (CA SBN 235635)
Trial Attorneys
U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, N.W., Room 6134
Washington, D.C. 20530
Telephone: (202) 514-8095
Facsimile: (202) 616-8470
Email: Tamra.Moore@usdoj.gov

Dated: June 17, 2008

Attorneys for Defendant

CERTIFICATE OF SERVICE

I certify that, on this 17th day of June 2008, I caused a copy of the foregoing Notice by Defendants of Supplemental Authority and accompanying attachment to be filed with the Clerk of the Court via the CM/ECF system, causing them to be served electronically. The documents are available for viewing and downloading from the ECF system.

/s/ Tamra T. Moore

Tamra T. Moore