

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

[REDACTED], AMERICAN
CIVIL LIBERTIES UNION; and
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION,

Plaintiffs,

v.

JOHN ASHCROFT, in his official capacity as
Attorney General of the United States;
ROBERT MUELLER, in his official
capacity as Director of the Federal Bureau of
Investigation; and MARION E. BOWMAN,
in his official capacity as Senior Counsel to
the Federal Bureau of Investigation,

Defendants.

**PLAINTIFFS' MOTION FOR
PARTIAL SUMMARY
JUDGMENT**

04 Civ. 2614 (VM)

SEALED CASE

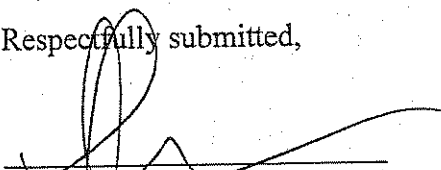
PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, plaintiffs [REDACTED]

[REDACTED] American Civil Liberties Union, and American
Civil Liberties Union Foundation respectfully move the Court to enter summary
judgment on plaintiffs' claims in this case. There are no genuine issues of material fact
in dispute. Thus, for the reasons stated in the attached Memorandum in Support of
Plaintiffs' Motion for Partial Summary Judgment, and supported by the enclosed
Statement of Undisputed Facts in Support of Plaintiffs' Motion for Partial Summary
Judgment, and Declarations in Support of Plaintiffs' Motion for Partial Summary
Judgment, plaintiffs are entitled to judgment as a matter of law. Because this case

involves important and complex issues of constitutional law, plaintiffs respectfully request that the Court schedule oral argument on plaintiffs' motion.

Respectfully submitted,



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September 8, 2006