

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

Center for Public Integrity,

Plaintiff,

v.

Federal Election Commission,

Defendant.

Civil Action No. 17-1162 (CRC)
ECF

**PLAINTIFF’S REPLY IN SUPPORT OF ITS
CROSS-MOTION FOR SUMMARY JUDGMENT**

In its Cross-Motion for Summary Judgment (Docket No. 13, at 5), Plaintiff argued that the @altFEC emails must contain some segregable, non-exempt information, such as the names of the senders and recipients, and the dates of the emails. In response, Defendant has apparently conceded the point and disclosed this information via its Vaughn index (Docket No. 16-1). Given this, there is no legal basis for Defendant to withhold these emails in full. The Freedom of Information Act requires that they be released in redacted form, if not in full.

Plaintiff has separately moved for *in camera* review of the withheld records (Docket No. 15). If granted, *in camera* review would provide the Court with evidence as to whether there is other information that is both non-exempt and segregable. Whether to order *in camera* review is, of course, a matter within the Court’s discretion. See *Ray v. Turner*, 587 F.2d 1187, 1195 (D.C. Cir. 1978) (*per curiam*).

If, as Defendant has urged, the Court does not order *in camera* review, then the Court must find that Defendant has not met its burden to justify its withholdings. It has not provided any evidence that the records contain no reasonably segregable non-exempt information. The

