

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

**JAMES A. BUTLER,**

**Plaintiff,**

**v.**

**DEPARTMENT OF JUSTICE,**

**Defendant.**

**Civil Action No. 02-412 (RBW)**

**ORDER**

This matter is before the Court upon remand from the United States Court of Appeals for the District of Columbia Circuit. In its mandate of June 9, 2005, the Circuit Court held that defendant had failed to demonstrate that it had performed an adequate search for responsive documents as required by the Freedom of Information Act ("FOIA"). The Circuit Court also stated that this Court "may order DOJ to submit a reasonably detailed affidavit upon which the reasonableness of its search can be judged." According, it is

**ORDERED** that within 30 days of this Order that defendant file an affidavit regarding its search for documents responsive to plaintiff's FOIA request. It is

**FURTHER ORDERED** that plaintiff file a response to defendant's affidavit within 30 days thereafter.

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REGGIE B. WALTON  
United States District Judge

DATE: August 5, 2005