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8 Attorneys for Federal Defendant

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION

12 CAITLIN KELLY HENRY and JESSE
13 STOUT,

14 Plaintiffs,

15 v.

16 UNITED STATES DEPARTMENT OF
17 JUSTICE,

18 Defendant.

) Civil Action No. C13-5924 DMR

) **SUPPLEMENTAL DECLARATION OF**
) **CHRISTINE SALAZAR IN SUPPORT OF**
) **FEDERAL DEFENDANT’S MOTION FOR**
) **SUMMARY JUDGMENT**

) Date: January 22, 2015

) Time: 11:00 a.m.

) Place: Courtroom 4 - 3rd Floor

) Hon. Donna M. Ryu

- 19
20 1. I am the Freedom of Information Act (“FOIA”) and Privacy Act (“PA”) point of contact for the
21 United States Attorney’s Office for the Central District of California (“USAO/CDC” or “District”).
22 In this capacity, I serve as a liaison to the FOIA/PA Staff of the Executive Office for United States
23 Attorneys (“EOUSA”) in Washington, D.C., which processes and responds to FOIA/PA requests
24 located in the USAO/CDC.
25 2. My duties include receiving and reviewing requests made pursuant to FOIA, 5 U.S.C. § 552, and/or
26 the PA, 5 U.S.C. § 552a, for records maintained by, or located in the USAO/CDC. I am responsible
27 for the searches conducted by the USAO/CDC for records responsive to FOIA/PA requests.
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- 1 3. The statements I make in this supplemental declaration are made on the basis of my review of the
2 official files and records of the USAO/CDC, my own personal knowledge, or on the basis of
3 knowledge acquired by me through the performance of my official duties.
- 4 4. As discussed in my declaration dated September 24, 2014, "Declaration of Christine Salazar In
5 Support of Federal Defendant's Motion for Summary Judgment" (hereinafter, "First Salazar
6 Declaration"), I am familiar with the FOIA/PA requests submitted by plaintiffs, Jesse Stout and
7 Caitlin Henry, dated April 30, 2013 and May 1, 2013, respectively, and with the searches conducted
8 by the USAO/CDC for records responsive to the requests.
- 9 5. Cases and matters opened in the USAO/CDC are assigned a USAO number. The USAO/CDC
10 maintains paper case and matter files, identified by USAO number; it does not maintain case and
11 matter files electronically. The USAO/CDC does not have a central, searchable, electronic filing
12 system in which it maintains copies of records.
- 13 6. As discussed in the First Salazar Declaration, to search for records responsive to plaintiffs' FOIA/PA
14 requests, I used the Legal Information Office Network Systems ("LIONS"), a system used by the
15 USAO/CDC to track cases and matters in the District. LIONS does not store electronically the
16 actual documents from USAO/CDC cases and matters. As a first step, I used LIONS to determine if
17 there is a case/matter in the USAO/CDC involving Ms. Henry or Mr. Stout.
- 18 7. When I conducted a search of LIONS, I did so by entering the names that were provided to me on
19 the plaintiffs' FOIA requests in a search of the "participants" field. The name variations that I used
20 were provided in the First Salazar Declaration at paragraph 9.
- 21 8. In LIONS, a "participant" may include litigants, subjects of investigation, witnesses, victims, and
22 other individuals, organization, or business associated with the case or matter. For example,
23 "participant" may include, in a matter involving use of investigative techniques such as an
24 application for a pen register or search warrant, the individual whose phone or property is at issue.
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1 9. The “participant” search returns all the cases/matters opened in which the individual whose name (or
2 other search term) I enter into the search has been listed as a “participant.” Those results will
3 include, among other information, the USAO number for the case/matter, Assistant United States
4 Attorney (“AUSA”) assigned, case caption, and the status of the case, *i.e.*, whether the case/matter is
5 active or closed. Closed files for the District are stored at the Federal Records Center.
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7 10. The District uses LIONS to track cases at the Federal Records Center. If LIONS identifies a
8 case/matter as closed, I use the USAO number assigned to that case/matter to locate and retrieve
9 case files at the Federal Records Center.

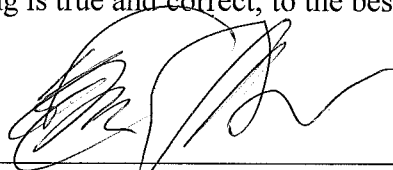
10 11. By entering Ms. Henry’s and Mr. Stout’s names in a “participant” search in LIONS, I would have
11 been able see if there were any cases/matters that were opened in the District that related to Ms.
12 Henry or Mr. Stout. Specifically, by entering these names in this field, I would be able to see if there
13 was a single case, or multiple cases that related to either individual. Also, this type of search
14 allowed me to see what role, if any, Ms. Henry or Mr. Stout had regarding a case that was filed,
15 investigated, or prosecuted in the District. As discussed in the First Salazar Declaration, my
16 searches did not return any results. I also performed a “participant” search of all the “associated key
17 words” listed in plaintiffs’ FOIA/PA requests. Those searches did not return any results.
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19 12. A “participant” search allowed me to obtain broader results than a LIONS query for a specific case
20 caption or case number. Those searches would only have allowed me to find information regarding
21 the specific case queried. Moreover, neither Ms. Henry’s nor Mr. Stout’s request included a specific
22 case caption or number.
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24 13. Although an AUSA may enter notes about the status of a particular case/matter to which the AUSA
25 is assigned in “comments” fields on LIONS, use of these fields is discretionary. These fields are
26 often unused, and even if an AUSA opts to use the field, the type of status information that the
27 AUSA chooses to include is discretionary.
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1 14. For the reasons described above and in the First Salazar Declaration, in the absence of a specific case
2 name or case number provided by either Ms. Henry or Mr. Stout, a LIONS “participant” search
3 using plaintiffs’ names was the most comprehensive method available to determine whether there
4 was a case/matter in the USAO/CDC involving plaintiffs. If the “participant” searches I ran had
5 returned any results, those results would have included the USAO number and the assigned AUSA,
6 allowing the USAO/CDC to locate the corresponding paper case file.
7

8 I declare under the penalty of perjury that the foregoing is true and correct, to the best of my knowledge
9 and belief. Executed this 8 day of December, 2014.



10 CHRISTINE SALAZAR
11 Legal Assistant
12 USAO/CDC
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