

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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COMPETITIVE ENTERPRISE	:	:
INSTITUTE,	:	:
	:	:
Plaintiff,	:	:
	:	:
v.	:	:
	:	:
OFFICE OF SCIENCE AND	:	Civil Action No. 14-765 (GK)
TECHNOLOGY POLICY	:	:
	:	:
Defendant.	:	:
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ORDER

Plaintiff Competitive Enterprise Institute ("Plaintiff" or "CEI") brings this action against the Office of Science and Technology Policy ("Defendant," "OSTP," or "the Government"), a component of the Executive Office of the President of the United States. Plaintiff alleges that the Government violated the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, (Counts I & II), because it failed to produce emails residing in a private email account belonging to Dr. John P. Holdren, an Assistant to the President and Director of OSTP. The email account was provided to Dr. Holdren by his former employer, the Woods Hole Research Center ("Woods Hole"), a private, non-governmental organization.

This matter is before the Court on Defendant's Motion for Summary Judgment [Dkt. No. 32]. Upon consideration of the Motion, Opposition [Dkt. No. 33], Supplemental Authority [Dkt. No. 34],

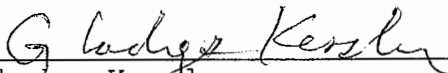
Reply [Dkt. No. 35], Surreply [Dkt. No. 36-1], and the entire record herein, and for the reasons stated in the accompanying Memorandum Opinion, Defendant's Motion, it is hereby

ORDERED, that Defendant's Motion for Summary Judgment shall be **granted**; and it is further

ORDERED, that the Government shall continue to produce Dr. Holdren's work-related Woods Hole emails as they exist in Dr. Holdren's OSTP email account; and it is further

ORDERED, that Plaintiff's Motion for Leave to File a Surreply [Dkt. No. 36] shall be **granted**.

March 13, 2017


Gladys Kessler
United States District Judge

Copies to: attorneys on record via ECF