

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MARK ALLEN,)
)
Plaintiff,)
)
v.) Civil Action No. 78-1743
)
CENTRAL INTELLIGENCE AGENCY,)
et al.,)
Defendants.)
_____)

DEFENDANTS' RESPONSE TO PLAINTIFF'S
MOTION TO STRIKE AFFIDAVT
OF LOUIS J. DUBE

Defendants opposition plaintiff's motion to strike the affidavit of Louis J. Dube for the reasons contained in the supplemental affidavit of Louis J. Dube, Information Review Officer of the Directorate of Operations of the Central Intelligence Agency dated June 10, 1981 filed herewith.

Respectfully submitted,

Charles F. C. Fitts

CHARLES F. C. FITTS
United States Attorney

Royce C. Lamberth


ROYCE C. LAMBERTH
Assistant United States Attorney

Dennis A. Dutterer

DENNIS A. DUTTERER
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of the foregoing Defendants' Response to Plaintiff's Motion to Strike Affidavit of Louis J. Dubé and proposed Order to be sent to counsel for plaintiff, James H. Iesar, Esquire, 2101 L Street, N.W., Suite 203, Washington, D. C. 20006 this 10th day of June, 1981.



DENNIS A. DUTTERER
Assistant United States Attorney
U.S. District Courthouse
Room 2846
Washington, D. C. 20001
(202) 633-4925

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MARK ALLEN,

Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY,
et al.,

Defendants.

)
)
)
) Civil Action No. 78-1743
)
)
)
)
)
)
)

ORDER

Upon consideration of plaintiff's motion to strike the affidavit of Louis J. Dube and defendants' opposition thereto, it is by the Court this _____ day of _____, 1981

ORDERED that plaintiff's motion should be, and hereby is, denied.

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MARK ALLEN,)
)
 Plaintiff,)
)
 v.) Civil Action No. 78-1743
)
 CENTRAL INTELLIGENCE AGENCY,)
)
 Defendant.)
 _____)

SUPPLEMENTAL AFFIDAVIT

LOUIS J. DUBE, being first duly sworn, deposes and says:

1. I am the Information Review Officer of the Directorate of Operations (DO) of the Central Intelligence Agency (CIA). My responsibilities include the review of DO documents which are the object of the Freedom of Information Act (FOIA) requests to CIA to ensure that FOIA determinations made regarding the disposition of such documents are proper. The statements made herein are based upon my knowledge, upon information made available to me in my official capacity, upon advice and counsel from the Office of General Counsel and upon conclusions reached in accordance therewith.

2. For reasons set forth in the Liebenau Affidavit of 9 February 1981 and the Dube Affidavit of 5 June 1981, it is not possible to set forth any additional information concerning Document No. 509-803 on the public record. To release any further information would have the effect of revealing

classified information. The unclassified portions of the Dube
Affidavit of 5 June 1981 are attached.

Louis J. Dube
LOUIS J. DUBE

COMMONWEALTH OF VIRGINIA)
) ss.
COUNTY OF FAIRFAX)

Subscribed and sworn to before me this 11th day of
June 1981.

Reba L. Mackey
Notary Public

My commission expires : 2/14/83