

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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|                     |   |
|---------------------|---|
| ELECTRONIC PRIVACY  | ) |
| INFORMATION CENTER, | ) |
|                     | ) |
| Plaintiff,          | ) |
|                     | ) |
| v.                  | ) |
|                     | ) |
| UNITED STATES ARMY  | ) |
|                     | ) |
| Defendant.          | ) |

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Civil Action No. 14-776 (BAH)

**JOINT STIPULATION OF SETTLEMENT AND DISMISSAL**

The parties, by and through their respective counsel, hereby stipulate and agree as follows:

1. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the parties hereby stipulate and agree that this action shall be, and is hereby, dismissed with prejudice.
2. In return for Plaintiff's dismissal with prejudice of all claims that were the subject of its Freedom of Information Act ("FOIA"), Defendant shall pay Plaintiff a lump sum of Fourteen Thousand Five Hundred Dollars (\$14,500.00) in attorney's fees and costs in this matter.
3. Plaintiff and Plaintiff's counsel agree to cooperate with Defendant's counsel in promptly providing additional reasonable information including any banking information that may be necessary for transmission of funds. This payment is in full and final satisfaction of all Plaintiff's rights and claims in this case, including but not limited to those for attorney's fees, costs, and other litigation expenses in this case, and Defendant shall have no further liability for any amounts.
4. Plaintiff agrees to forever discharge, release, and withdraw any claims of access to records or portions of records sought in this action. Defendant agrees not to seek any fees

from Plaintiff in connection with its response to the Freedom of Information Act request that gave rise to the Complaint in this case.

5. This Joint Stipulation of Settlement shall represent full and complete satisfaction of all claims arising from the allegations set forth in the Complaint filed in this action, including full and complete satisfaction of all claims for costs, attorneys' fees, search, review, or processing fees that have been, or could be, made in this case. In particular, this Joint Stipulation of Settlement shall resolve all claims for attorneys' fees and costs, as well as search, review and processing fees incurred by both Plaintiff and Defendant in connection with the administrative Freedom of Information Act process, the District Court litigation process, and any other proceedings involving the claims raised or that could have been raised in this action.

6. This Joint Stipulation of Settlement shall not constitute an admission of liability or fault on the part of the Defendant or the United States or their agents, servants, or employees, and is entered into by both parties for the sole purpose of compromising disputed claims and avoiding the expenses and risks of further litigation. This Joint Stipulation of Settlement is understood not to preclude or prevent the Plaintiff from seeking, through the applicable Freedom of Information Act or other means, records not sought in the three Freedom of Information Act requests that are described in the Complaint.

7. This Joint Stipulation of Settlement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

8. The parties agree that this Joint Stipulation of Settlement will not be used as evidence or otherwise in any pending or future civil or administrative action against Defendant or the United States, or any agency or instrumentality of the United States, other than any action to enforce the terms of this agreement.

9. Execution of this Joint Stipulation of Settlement by counsel for Plaintiff and by counsel for Defendant and filing on the Court's ECF docket shall constitute a dismissal of this action with prejudice, effective upon filing, pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii).

Dated: 4/22/2015

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Respectfully Submitted,

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