

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JOHN EAKIN,

Plaintiff,

v.

UNITED STATES DEPARTMENT
OF DEFENSE,

Defendant.

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No. SA-16-CV-972-RCL

**RESPONSE IN OPPOSITION TO PLAINTIFF’S
MOTION FOR PARTIAL SUMMARY JUDGMENT**

Defendant United States Department of Defense (DoD) has today filed its Motion to Dismiss or, in the Alternative, for Summary Judgment (ECF No. 142). For the reasons set forth in that filing, which DoD incorporates herein by reference, Korean War files and charge-out sheets are not responsive to Plaintiff’s FOIA requests. Accordingly, the Court should deny Plaintiff’s Motion for Partial Summary Judgment (ECF No. 141).

Dated: September 29, 2023

Respectfully submitted,

JAIME ESPARZA
United States Attorney

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