

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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PRISON LEGAL NEWS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-1812 (RBW)
)	
HARLEY G. LAPPIN, DIRECTOR,)	
FEDERAL BUREAU OF PRISONS,)	
)	
Defendant.)	
)	
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ORDER

For the reasons set forth in the accompanying Memorandum Opinion, it is hereby **ORDERED** that the plaintiff's motion for summary judgment is **GRANTED**. It is further

ORDERED that the defendant's motion for summary judgment is **DENIED WITHOUT PREJUDICE**. It is further

ORDERED that the Bureau must either conduct anew its searches for the records sought by the plaintiff or submit an affidavit or alternative submission that adequately demonstrates – consistent with the accompanying memorandum opinion – that the Bureau employed search methods reasonably likely to lead to the discovery of records responsive to the plaintiff's request and that the responsive documents and parts of documents not produced to the plaintiff have properly been withheld under the FOIA exemptions claimed by the Bureau. It is further

ORDERED that the parties shall submit a joint scheduling order proposing how they wish to resolve this case within thirty days of the issuance of this Order.

SO ORDERED this 26th day of March, 2009.

_____/s/_____
REGGIE B. WALTON
United States District Judge