

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

THE PROTECT DEMOCRACY PROJECT, INC.

Plaintiff

vs.

DEPARTMENT OF HOMELAND SECURITY
CUSTOMS AND BORDER PROTECTION
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF PERSONNEL MANAGEMENT

Defendants.

17-cv-02118-RDM

JOINT STATUS REPORT

Plaintiff The Protect Democracy Project, Inc., and Defendants the Department of Homeland Security (“DHS”), Customs and Border Protection (“CBP”), Office of Management and Budget (“OMB”), and Office of Personnel Management (“OPM”), by and through their undersigned counsel, report as follows the status of this Freedom of Information Act (“FOIA”) case.

Plaintiff initiated this action on October 13, 2017 in connection with FOIA requests that Plaintiff submitted to Defendants in August 2017.

The parties submitted a joint status report on March 15, 2019. *See* Joint Status Report (ECF No. 31). In the joint status report, the parties stated that Defendants DHS and OMB were continuing to review and produce records in response to Plaintiff’s requests, and that there were no pending action items related to Defendants CBP and OPM. The Court subsequently entered an order directing the parties to appear for a status conference on April 8, 2019. *See* Minute Order (Mar. 20, 2019). By joint request of the parties, the status conference was cancelled and

the parties were directed to file a further status report on or before May 6, 2019. *See* Minute Order (Apr. 4, 2019).

Overview of Current Status

Plaintiff and Defendants have been engaged in ongoing discussions regarding the potential resolution of this matter. The parties jointly report as follows:

1. Defendants CBP and OPM have completed their planned productions in this case.
2. Defendants DHS and OMB have collectively produced 968 pages of records. After reviewing the productions to date, Plaintiff has conferred with counsel for Defendants and the parties have agreed that DHS and OMB will not make further productions in this case.
3. Having reviewed the redaction summaries provided by Defendants CBP and OPM, Plaintiff has determined that it will not challenge the redactions made to date.
4. Each party reserves its position on the issue of attorneys' fees (including, without limitation, Plaintiff's eligibility for fees and all issues that may bear on Plaintiff's entitlement to fees) and the parties will continue to confer in this regard.

The parties would be happy to address any questions the Court may have on this agreement.

Conclusion

The parties respectfully request that the Court enter an order directing that:

1. The production schedules for Defendants DHS and OMB are modified such that DHS and OMB are no longer required to make future productions in this case; and
2. The parties submit a further status report on or before June 21, 2019.

Respectfully submitted,

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Chief, Civil Division

By: /s/ Scott Leeson Sroka
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, DAVID J. IRAOLA, certify that on May 6, 2019, true and correct copies of this Joint Status Report were served electronically on all registered counsel of record via ECF.

Dated: May 6, 2019

/s/ David J. Iraola

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