

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

<hr/>)
NATIONAL IMMIGRATION PROJECT))
OF THE NATIONAL LAWYERS GUILD,))
))
MIJENTE SUPPORT COMMITTEE))
))
and))
))
DETENTION WATCH NETWORK)	Civil Action No. 17-cv-2448 (APM)
))
	Plaintiffs,)
))
v.))
))
IMMIGRATION AND CUSTOMS))
ENFORCEMENT))
	Defendant.)
<hr/>)

JOINT STATUS REPORT

Pursuant to the Court’s order dated January 9, 2018, the parties, by and through undersigned counsel, respectfully submit the following status report.

1. As stated more fully in the prior status report, this is an action under the Freedom of Information Act (“FOIA”) involving twenty-four FOIA requests submitted to Defendant U.S. Immigration and Customs Enforcement (“ICE” or the “Defendant”) concerning “Operation Mega or related operations.” (Compl. ¶ 12).

2. ICE states that it has collected approximately 8,700 potentially responsive documents from numerous offices within ICE, including approximately 50 field offices.¹ To date, the total number of pages collected totals approximately 257,000, and ICE states that it is presently

¹ In the prior status report, ICE stated that “[r]esponding to the FOIA requests involves a search of numerous offices within ICE, including 40 field offices.” The reference to “40 field offices” in that report should have been to approximately “50 field offices.”

confirming that its collection of potentially responsive documents from its 24 Enforcement Removal Operation (“ERO”) field offices is complete.

3. The parties have conferred in an effort to narrow the number of pages to be processed and have agreed that ICE will apply the following search terms to the 257,000 pages collected (as well as any additional pages that might be collected as ICE confirms the completeness of its collection from ERO field offices) to further narrow the number of potentially responsive pages to be processed: “Target List” OR “Mayor” OR “Police Department” OR “State Police” OR “County Police” OR “City Council” OR “County Commissioner” OR “National Fugitive Operations Program” OR “Target Operations Division” OR “Operation Mega” OR “Operation MAGA” OR “Operation Cross Check” OR “Operation Epic” OR “Cross Check VII” OR “Operation Omega” OR “Operation Safe City.” Plaintiff agrees that the use of these search terms as a filter applied against the total number of pages collected constitutes an adequate search of the total pages collected and a reasonable means of identifying potentially responsive documents for processing. Plaintiff, however, continues to reserve the right to challenge the adequacy of ICE’s search regarding the collection of the 257,000 pages of records in the first instance.

4. Pursuant to the Court’s order dated January 9, 2018, ICE produced 510 responsive pages on February 20, 2018. Following that production, the parties have conferred over the rate of processing going forward.

5. ICE estimates that the application of the search terms described above will reduce the number of potentially responsive pages to be processed from approximately 257,000 pages to approximately 26,850 pages. The parties agree that ICE will process approximately 500 pages this month and will release the non-exempt, responsive portions of those documents on or before

March 20, 2018. The parties further agree that, following ICE's production in March 2018, ICE will begin processing records at the rate of 1,000 pages per month and will produce the non-exempt, responsive portion of those documents approximately every 30 days, beginning with a production on or before April 20, 2018.

6. In light of the above, the parties propose that they provide a further status report to the Court on or before May 2, 2018, and that the Court defer setting a briefing schedule at this time.

Respectfully submitted,

JESSIE K. LIU, D.C. Bar #472845
United States Attorney

DANIEL F. VAN HORN, D.C. BAR # 924092
Civil Chief

By: _____/s/_____
JEREMY S. SIMON, D.C. BAR #447956
Assistant United States Attorney
555 4th Street, N.W.
Washington, D.C. 20530
(202) 252-2528
Jeremy.simon@usdoj.gov

Counsel for Defendant

AND

_____/s/_____
Patrick D. Llewellyn (D.C. Bar No. 1033296)
Michael T. Kirkpatrick (D.C. Bar No. 486293)
Public Citizen Litigation Group
1600 20th Street NW
Washington, DC 20009
(202) 588-7727
pllewellyn@citizen.org

Paromita Shah*
Sejal Zota*

National Immigration Project of the
National Lawyers Guild
14 Beacon Street, Suite 602
Boston, MA 02108
(617) 227-9727

*Admitted pro hac vice

Counsel for Plaintiffs