

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

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|----------------------------------|---|-----------------------|
| THE PROTECT DEMOCRACY PROJECT, |) | |
| |) | CONSOLIDATED CASES |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 1:17-cv-00814-TJK |
| |) | |
| OFFICE OF MANAGEMENT AND BUDGET, |) | |
| |) | |
| Defendant. |) | |
| |) | |
| |) | |
| THE PROTECT DEMOCRACY PROJECT, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 1:17-cv-00815-TJK |
| |) | |
| DEPARTMENT OF JUSTICE, |) | |
| |) | |
| Defendant. |) | |
| |) | |

JOINT STATUS REPORT

The United States Department of Justice (“DOJ”) and the Office of Management and Budget (“OMB”) (collectively, “Defendants”) and Plaintiff The Protect Democracy Project respectfully submit this Joint Status Report pursuant to the Court’s Minute Order of July 10, 2017. The parties report as follows:

1. On May 2, 2017, Plaintiff initiated actions under the Freedom of Information Act (“FOIA”) against OMB and DOJ. The two cases were subsequently consolidated pursuant to this Court’s Minute Order of June 12, 2017.
2. Defendants filed their Answers on June 21, 2017 [ECF Nos. 12 & 13].

3. Since the parties' last joint status report, OMB has completed its processing of Plaintiff's FOIA request.

4. The parties have conferred and agreed that Plaintiff's Complaint against DOJ only seeks to compel the release of records from DOJ's Office of Legal Counsel ("OLC"). Accordingly, the parties believe that it will be unnecessary for them to litigate the exhaustion issue raised by DOJ as the First Defense in its Answer.

5. OLC has received numerous FOIA requests relating to the same general subject matter as Plaintiff's FOIA request. To facilitate efficient processing of all of these FOIA requests, OLC has conducted a broad keyword search designed to capture any records responsive to any of the requests. That search (over-inclusive by design) retrieved 26,157 potentially responsive records, including emails, email attachments, and stand-alone records. OLC continues to search for responsive paper records, but anticipates that the volume of responsive paper records, if any, is small.

6. On August 2, 2017, OLC released in full one record responsive to Plaintiff's request. OLC informed Plaintiff that this release constituted the completion of OLC's search for responsive final legal advice documents.

7. OLC subsequently proceeded to review records other than its final legal advice documents for responsiveness, deduplication, and application of the FOIA's statutory exemptions from disclosure. This review has reduced the volume of potentially responsive records requiring further review for responsiveness and potential withholdings from over 26,000 documents to approximately 2,730 documents. OLC made productions from this batch of documents on October 31 and November 30, 2017, which totaled 123 pages released in part and

383 pages denied in full. OLC intends to continue making rolling productions on approximately a monthly basis going forward.

8. The parties will continue to file Joint Status Reports on the second Tuesday of every month, until further Order of the Court, pursuant to the Court's Minute Order of July 10, 2017.

Dated: December 12, 2017

/s/ Allison F. Murphy
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Respectfully submitted,

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