



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd floor
New York, New York 10007*

October 2, 2017

BY ECF

The Honorable P. Kevin Castel
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *New York Times Co. v. U.S. Dep't of Justice*,
No. 17 Civ. 1946 (PKC)

Dear Judge Castel:

We write respectfully on behalf of the parties in the above-referenced matter in order to provide a joint status report, pursuant to the Court's Order dated September 12, 2017 (Dkt. No. 13). The parties last submitted a status report on September 11, 2017 (Dkt. No. 12), stating that the Government had completed its initial searches for documents responsive to Plaintiffs' FOIA requests, and that the parties had been conferring regarding the search results and possible agreements regarding the processing of documents. Since September 11, 2017, the parties have continued to confer, and have reached additional agreements that permitted the Government to narrow the universe of documents that must be processed. The Government estimates that there are now approximately 12,000 documents to be processed.

Per the parties' most recent discussions, the parties have agreed that the Government will make a first release and/or response to Plaintiffs' FOIA requests on November 10, 2017. On November 10, in addition to a potential document release, the Government will provide certain information regarding its processing of the documents, including but not limited to the number of pages reviewed, the number of documents referred out for consultation, and the number of pages currently anticipated to be withheld in whole or in part. The parties also anticipate, by November 10, being able to discuss a schedule for remaining productions and/or responses by the Government in response to Plaintiffs' FOIA requests.

The parties therefore jointly and respectfully request: (1) the Court's endorsement of the parties' agreed deadline of November 10, 2017, for the Government's first release and/or response pertaining to Plaintiff's FOIA requests; and (2) the Court's leave to submit a further status report on November 15, 2017. In that status report, the parties anticipate

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outlining the progress of the case, potential agreements regarding case scheduling, or any disputes that may need to be resolved. Furthermore, the parties note that a court conference is scheduled in this matter for **October 6, 2017, at 10:45 a.m.** (Dkt. No. 11). Given the parties' agreements and the continuing progress of the case, the parties jointly and respectfully request that the October 6 conference be adjourned to a date subsequent to November 15, 2017; but the parties would be happy to appear on October 6, if the Court wishes.

We thank the Court for its consideration of this matter.

Respectfully,
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