

August 16, 2019

VIA CM/ECF

Hon. Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007



Re: *American Civil Liberties Union, et al. v. Office of the Director of National Intelligence, et al.*, No. 18-cv-12131 (LGS)

Dear Judge Schofield:

The parties in the above-captioned Freedom of Information Act (“FOIA”) lawsuit submit this joint letter pursuant to the Court’s order dated April 16, 2019 (ECF No. 35) (the “Order”), to provide the Court with a status report.

Defendants’ production of documents has generally proceeded according to the schedule outlined in the Order (ECF No. 35). Since the last status report to the Court on June 17, 2019 (ECF No. 36), all agencies other than the Department of Justice’s National Security Division have completed their productions, subject to certain ongoing inquiries discussed below. The agencies have withheld a number of documents in full, as well as portions of the produced documents, pursuant to various FOIA exemptions and statutory authorities, and Plaintiffs reserve their right to challenge these claimed exemptions.

Plaintiffs have raised questions concerning some of the agencies’ productions and the agencies have provided some supplemental information in response, as the parties endeavor to resolve these outstanding matters. As a result of these discussions, the Office of the Director of National Intelligence has agreed to reprocess a classified Inspector General report it withheld in full, and the Federal Bureau of Investigation is providing additional information regarding its searches and processing of certain documents. The parties are continuing to confer regarding these matters. We will inform the Court if any of the

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parties' discussions result in a dispute that requires the Court's intervention.

We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/ Noor Zafar

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