

February 13, 2020

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)

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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) to provide the Court with a status report on the productions of defendants Office of the Director of National Intelligence, National Security Agency, Central Intelligence Agency, and Department of Justice in response to Plaintiffs’ FOIA requests.

Since the last status report to the Court on December 17, 2019 (ECF No. 39), the Department of Justice’s National Security Division (“NSD”) provided an interim response on February 3, 2020. NSD has withheld portions of the produced documents pursuant to various FOIA exemptions and statutory authorities, and Plaintiffs reserve their right to challenge these claimed exemptions.

As provided by the schedule set by the Court, NSD was to complete production of all records responsive to Category 2 of the FOIA request by February 3, 2020. *See* ECF No. 35. NSD stated that it is continuing to coordinate the processing of these records and intends to produce them on April 3, 2020. The parties are continuing to confer regarding this matter. We will inform the Court if the parties’ discussions result in a dispute that requires the Court’s intervention.

In addition to the outstanding Category 2 records, the only remaining production is that of the Department of Justice’s National Security Division, which is scheduled to occur on April 3, 2020. After this final production, and no later than April 17, 2020, the parties will submit a status report describing how they intend to proceed in this case. *See* ECF No. 35.

We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/ Noor Zafar

Noor Zafar

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