



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

October 5, 2022

BY ECF

Hon. Lorna G. Schofield
United States District Judge
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *American Civil Liberties Union et al. v. Office of the Director of National Intelligence, et al.*, 18 Civ. 12131 (LGS)

Dear Judge Schofield:

I write on behalf of both parties in the above-captioned FOIA lawsuit to provide a status report, as required by the Court's January 19, 2022 order, ECF No. 85.

The parties have continued to discuss certain questions that Plaintiffs have raised about the agencies' productions. The government has answered some of Plaintiffs' questions, but is still working on coordinating among the relevant agencies to provide responses to others. The government may not be able to provide substantive answers to all of Plaintiffs' questions, because in some instances, a substantive response may necessarily implicate classified information. The government plans to either respond or inform Plaintiffs that it cannot provide a substantive response to the remaining questions by October 19, so that the parties can seek to resolve those open issues prior to the next status report.

Neither side requests any relief from the Court at this time. Both sides believe it would be most efficient for the parties to continue their discussions to determine whether further litigation will be necessary. We respectfully request that the Court maintain, for the time being, the requirement of a monthly status report on the fifth of each month, ECF No. 85.¹

¹ The January 19 Order does not specify an end date for this requirement.

I thank the Court for its consideration of this matter.

Respectfully,

DAMIAN WILLIAMS
United States Attorney

By: /s/ Peter Aronoff
PETER ARONOFF
Assistant United States Attorney
Telephone: (212) 637-2697
Email: peter.aronoff@usdoj.gov

cc: Counsel for Plaintiffs (by ECF)