

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

LAURA POITRAS,

Plaintiff,

v.

**U.S. DEPARTMENT OF HOMELAND SECURITY,
ET AL.,**

Defendants.

Case No. 1:15-cv-1091 (KBJ)

JOINT STATUS REPORT

Pursuant to the Court's February 18, 2016 minute order, the parties have conferred and hereby submit this Joint Status Report.

1. This is an action for injunctive relief under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. On July 13, 2015, Plaintiff Laura Poitras filed a Complaint against Defendants the Department of Homeland Security (DHS), the Department of Justice (DOJ), and the Office of the Director of National Intelligence (ODNI). The Complaint relates to FOIA requests Plaintiff submitted to DHS and its components U.S. Customs and Border Protection ("CBP"), U.S. Citizenship and Immigration Services ("CIS"), U.S. Immigration and Customs Enforcement ("ICE"), and Transportation Security Administration ("TSA"); DOJ and its component Federal Bureau of Investigation ("FBI"); and ODNI.

2. Consistent with the production schedule described in the parties' third joint status report, FBI and CBP have completed production of all non-exempt responsive records.

Accordingly, Plaintiff has now received final responses to her FOIA request from each Defendant agency or department.¹

3. The parties have discussed the possibility of resolving the case without further litigation but have not been able to reach a resolution and are prepared to proceed with substantive briefing. Plaintiff has advised that she intends to challenge the adequacy of each Defendant's search and the propriety of any of their exemptions or withholdings, with the exception of privacy-related exemptions asserted under 5 U.S.C. § 552(b)(6) or (b)(7)(C). Due to the number of agencies involved, the volume of records processed, and the complexity of the issues presented, Defendants anticipate that it will take at least two months to prepare the numerous declarations and Vaughn indexes required to support their summary judgment submissions. Accordingly, the parties have agreed to the following briefing schedule:

- June 6, 2016 – Defendants' motion for summary judgment
- July 18, 2016 – Plaintiff's opposition and cross-motion for summary judgment
- August 8, 2016 – Defendants' opposition and reply
- August 29, 2016 – Plaintiff's reply

¹ Although ODNI has provided a final response to Plaintiff's administrative appeal insofar as it relates to the agency's classified systems, ODNI is continuing to process the public source materials sought by Plaintiff in her supplemental FOIA request, which it has determined are voluminous. ODNI will produce non-exempt responsive records on a rolling basis. The parties have agreed that ODNI's processing and production of public source materials will progress in parallel with the parties' cross-motions for summary judgment, and that any disputes that arise in relation to ODNI's processing of the public source materials will be resolved in this litigation.

March 15, 2016

Respectfully submitted,

/s/ David L. Sobel

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