IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY, *et al.*	)	
Plaintiffs,	)	Civil Action No. 18-1129 (EGS)
v.	)	
DEPARTMENT OF DEFENSE, *et al.*	)	
Defendants.	)	

JOINT STATUS REPORT

Plaintiffs, Knight First Amendment Institute at Columbia University ("KFIA"), American Civil Liberties Union, and the American Civil Liberties Union Foundation (collectively, "ACLU"), and Defendants Department of Defense ("DOD"), Department of the Army ("Army"), Central Intelligence Agency ("CIA"), Department of Justice ("DOJ"), DOJ, Office of Legal Counsel ("OLC"), DOJ, National Security Division ("NSD"), Federal Bureau of Investigation ("FBI"), Department of State ("State"), Office of the Director of National Intelligence ("ODNI"), Department of the Air Force ("Air Force"), United States Coast Guard ("Coast Guard"), Drug Enforcement Administration ("DEA"), Department of Homeland Security ("DHS"), Defense Intelligence Agency ("DIA"), Department of Energy ("DOE"), Department of the Treasury ("Treasury"), Marine Corps, Department of the Navy ("Navy"), National Geospatial-Intelligence Agency ("NGIA"), National Reconnaissance Office ("NRO"), and National Security Agency ("NSA") (collectively, "Defendants") respectfully submit this initial Joint Status Report.

Pursuant to the Court's Standing Order in FOIA Cases, *see* Minute Order (Oct. 2, 2018), the parties are required to submit seven categories of information:

I-III. The Status of the FOIA Requests, the Anticipated Number of Responsive Records, and the Anticipated Dates by which Responsive Information Will Be Produced

The parties anticipate proposing an agreed-upon schedule for the processing and production of responsive records in this matter in the parties' next Joint Status Report, *see infra* Part VII.

VI. Whether a motion for an Open America stay is likely in this case

The parties do not believe that a motion for an Open America stay is likely in this case.

V. Whether a Vaughn index will be required in this case

At this juncture, it is unclear whether *Vaughn* indices will be required in this case.

VI. Whether this case would benefit from referral to a magistrate judge or the District Court Mediation Program for purposes of settlement

The parties have worked cooperatively in this matter and are committed to continuing to work to resolve this case without further Court involvement. They do not, therefore, believe that the case would benefit from referral to a magistrate judge or the District Court's Mediation Program for purposes of settlement.

VII. A proposed briefing schedule for dispositive motions, if applicable

Given the relatively early stage of this litigation, the parties are not yet in a position to know whether a briefing schedule will be necessary. The parties, through their counsel, are currently are working toward developing an agreed-upon processing and production schedule for the records at issue in this case. The parties respectfully request that the Court grant them additional time to confer and file another Joint Status Report by January 25,

2019, that sets forth an agreed-upon processing and production schedule. If, at that time, they are unable to reach agreement, the Joint Status Report will contain the parties' respective proposals regarding a schedule.

Dated: December 21, 2018 Respectfully submitted,

/s/ Brett Max Kaufman Brett Max Kaufman American Civil Liberties Union 125 Broad Street—18th Floor New York, NY 10004 T: 212.549.2500 F: 212.549.2654 bkaufman@aclu.org Arthur B. Spitzer (D.C. Bar No. 235960) American Civil Liberties Union of the Nation's Capital 4301 Pennsylvania Avenue, NW, Suite 434 Washington, D.C. 20008 T: 202.457.0800 F: 202.457.0805 artspitzer@aclu-nca.org Alex Abdo (admitted *pro hac vice*) Jameel Jaffer (D.C. Bar No. MI0067) Knight First Amendment Institute at Columbia University 475 Riverside Drive, Suite 302 New York, NY 10115 (646) 745-10115 alex.abdo@knightcolumbia.org *Counsel for Plaintiffs*	JOSEPH H. HUNT Assistant Attorney General, Civil Division MARCIA BERMAN Assistant Branch Director */s/ Tamra T. Moore* TAMRA MOORE United States Department of Justice Civil Division, Federal Programs Branch Tel: (202) 305-8628 Fax: (202) 305-8517 Tamra.Moore@usdoj.gov *Counsel for Defendants*

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served to all counsel of record via the Court's CM/ECF system on this 21st day of December, 2018.

/s/ Tamra T. Moore
TAMRA T. MOORE