Knight First Amend. Inst. at Columbia Univ. v. Dep't of Homeland Sec.
No. 1:17-cv-00548-TSC

Defendants' Motion for Summary Judgment

Ex. I

Glass, David (CIV)

[redacted]

From: Wilkens, Scott B. [mailto:SWilkens@jenner.com]
Sent: Thursday, December 07, 2017 12:02 PM
To: Glass, David (CIV) <DGlass@CIV.USDOJ.GOV>
Subject: RE: Knight: ICE & Item 2(b)

David,

Yes, the proposal is acceptable to Plaintiff.

Thanks,
Scott

From: Glass, David (CIV) [mailto:David.Glass@usdoj.gov]
Sent: Thursday, December 07, 2017 11:36 AM
To: Wilkens, Scott B. <SWilkens@jenner.com>
Subject: FW: Knight: ICE & Item 2(b)

Scott –

Is the proposal contained in my email dated November 21, 2017, concerning ICE and Item 2(b) acceptable to plaintiff? The email appears below. I assume the proposal is acceptable because it didn't come up in our discussions last week about the fourth joint status report but I wanted to make sure.

David

From: Glass, David (CIV)
Sent: Tuesday, November 21, 2017 3:23 PM
To: Wilkens Scott (swilkens@jenner.com) <swilkens@jenner.com>
Subject: Knight: ICE & Item 2(b)

Scott:

ICE proposes in response to your email dated November 16, 2017, to do the following: (1) process for release all ROIs in ICM generated during the last 18 months that are part of a closed case and contain the term "border search" and one or more of the following terms: "computer," "cell phone," "cellular device," "laptop," "electronic device," "tablet," "iPad," "mobile phone," "mobile device," "hand-held phone," "hand-held device," or "PDA"; (2) process for release all ROIs in ICM generated during the last 18 months that are part of an open case and contain the term "border search" and one or

more of the above terms if the case becomes a closed case prior to the date of ICE's final production in this action; and (3) produce the non-exempt portions of all of the ROIs that it processes except those that do not relate to the government's search, review, retention, or sharing of information on travelers' electronic devices.

Please advise me whether plaintiff will consider ICE to have complied in full with Item 2(b) of its request if it does the foregoing. ICE advises for your information that it anticipates being able to download all of the ROIs contained in the 144 closed cases by December 15, 2017; that it plans to upload the downloaded ROIs to Relativity; and that it then plans to use the above search terms to search the uploaded ROIs. ICE thus advises that it expects to have a better idea by the beginning of next year how long it will take its FOIA Office to begin reviewing the ROIs containing the search terms for possible release.

I will be out the rest of the week but be available by email. Have a good holiday.

David

Scott B. Wilkens

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