

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

<hr/>)	
ELECTRONIC PRIVACY INFORMATION)	
CENTER,)	
)	
	Plaintiff,)	
)	Civil No: 1:14-cv-01217 (RBW)
v.)	
)	
CUSTOMS AND BORDER PROTECTION,)	
)	
	Defendant.)	
<hr/>)	

JOINT STATUS REPORT

Pursuant to the Court’s November 18, 2014 Minute Order, Plaintiff Electronic Privacy Information Center (“EPIC”) and Defendant U.S. Customs and Border Protection (“CBP”) by and through undersigned counsel, respectfully submit this Joint Status Report setting forth their recommendations for further proceedings in this case.

Plaintiff filed this action on July 18, 2014, seeking injunctive and other appropriate relief under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, including the release of agency records EPIC requested on April 8, 2014 (“EPIC FOIA Request”).

Pursuant to the Court’s General Order and Guidelines for Civil Cases, the parties submitted a Joint Status Report, in which Defendant CBP agreed to disclose non-exempt records responsive to EPIC’s FOIA Request and complete document production by February 5, 2015. The parties also proposed filing a Joint Status Report with the Court by February 27, 2015 to schedule further briefing, if necessary.

In response to the Joint Status Report, on November 18, 2014, the Court ordered CBP to disclose all non-exempt records responsive to EPIC’s FOIA Request by February 5, 2015. The Court also ordered the parties to file another Joint Status Report by February 27, 2015.

On February 5, 2015, EPIC received from CBP 358 pages of records. After having reviewed the documents, EPIC has agreed not to challenge CBP's withholdings claimed under FOIA Exemptions (b)(6) and (b)(7)(C). At this time, EPIC does, however, intend to challenge CBP's withholdings claimed under FOIA Exemptions (b)(3), (b)(4), (b)(5), and (b)(7)(E).

The parties agree that these issues are appropriate for resolution by dispositive motion, and respectfully propose the following briefing schedule:

Defendant's <i>Vaughn</i> Index:	April 30, 2015
Defendant's Motion for Summary Judgment:	May 15, 2015
Plaintiff's Opposition and Cross-Motion for Summary Judgment:	June 15, 2015
Defendant's Opposition and Reply:	July 13, 2015
Plaintiff's Reply:	July 27, 2015

Date: February 27, 2015

Respectfully submitted,

MARC ROTENBERG, D.C. Bar # 422825

RONALD C. MACHEN JR, D.C. Bar # 447889

GINGER MCCALL, D.C. Bar # 1001104

United States Attorney for the District of Columbia

/s/ Khaliah Barnes

KHALIAH BARNES, D.C. Bar # 1013978

DANIEL F. VAN HORN, D.C. Bar # 924092
Chief, Civil Division

ELECTRONIC PRIVACY

INFORMATION CENTER

1718 Connecticut Avenue, N.W.

Suite 200

Washington, D.C. 20009

(202) 483-1140 (telephone)

(202) 483-1248 (facsimile)

Email: barnes@epic.org

/s/John G. Interrante

JOHN G. INTERRANTE, PA Bar # 61373

Assistant United States Attorney

Civil Division

555 4th Street, NW, Room E-4808

Washington, DC 20530

Tel: 202.252.2519

Fax: 202.252.2599

Email: John.Interrante@usdoj.gov

Attorneys for Plaintiff

Attorneys for Defendant