

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

AMERICAN CENTER FOR LAW AND JUSTICE,)	
)	
Plaintiff,)	
)	
vs.)	Case Action No. 16-cv-1751-CKK
)	
UNITED STATES DEPARTMENT OF STATE,)	
)	
Defendant.)	

JOINT STATUS REPORT

On October 3, 2016, the Court ordered the parties to meet and confer and file a Joint Status Report by October 31, 2016, addressing the following items:

- A. A proposed schedule for proceeding in this matter;
- B. The status of Plaintiff’s FOIA request;
- C. The anticipated number of documents responsive to Plaintiff’s FOIA request;
- D. The anticipated date(s) for release of the documents requested by Plaintiff;
- E. Whether a motion for an *Open America* stay is likely in this case; and,
- F. Whether a *Vaughn* index will be required in this case, etc.

[Doc. # 17]. Pursuant to the Court’s Order of October 3, 2016, the parties have conferred for the purpose of proposing a schedule for proceeding in this matter.

Plaintiff American Center for Law and Justice (“Plaintiff”) and Defendant United States Department of State (“Defendant”), by and through undersigned counsel respectfully submit this joint proposed schedule. This action arises under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, and involves a multi-part FOIA request seeking, *inter alia*, records concerning discussion, actions to respond to, counter or otherwise oppose, or even acknowledgment of, the genocide committed by ISIS against Christians in Iraq or Syria.

The parties provide the following report and propose the following schedule in this matter:

1. After the filing of this lawsuit, Defendant requested that Plaintiff consider narrowing its FOIA request due to its breadth. As a result, the parties have agreed on a narrowed construction of Plaintiff's FOIA request to be used for initial record searches. Defendant anticipates that the first production of any responsive, non-exempt records will take place by December 28, 2016, and the parties will provide a joint status report to this Court on December 30, 2016, including the anticipated number of documents potentially responsive to the narrowed FOIA request in addition to records produced on December 28, 2016. Thereafter, the parties propose a rolling production schedule, whereby Defendant will produce to Plaintiff any responsive, non-exempt records every six weeks.

2. The parties further propose filing Joint Status Reports every 90 days, informing the Court as to the status of document processing and production and any issues which may arise during the interim. The first such Joint Status Report will be filed December 30, 2016, and thereafter on an ongoing basis every 90 days.

3. Defendant does not anticipate that a motion for an *Open America* stay is likely in this case. Defendant will compile a *Vaughn* index if necessary.

4. The issue of the adequacy of Defendant's response to the agreed narrowed search is reserved and Plaintiff reserves the ability to present additional narrowed searches or revert to searches as stated in its underlying FOIA request, all depending on the response received pursuant to the agreed narrowed search. In the event Defendant claims any exemptions, Plaintiff also reserves the right to raise any argument or issue connected therewith. Defendant reserves the right to argue that Plaintiff's FOIA request or other additional searches are unreasonably broad and burdensome.

5. Both parties reserve the right to file any dispositive motion(s).

6. The issue of attorney fees and costs is reserved.

Dated: October 31, 2016.

Respectfully submitted,

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Principal Deputy Assistant Attorney General

/s/ Jay Alan Sekulow
JAY ALAN SEKULOW

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