

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

**ACCURACY IN MEDIA, INC., et al.,**

*Plaintiffs,*

v.

**DEPARTMENT OF DEFENSE, et al.,**

*Defendants.*

Civil Action No. 14-1589 (EGS/DAR)

**JOINT STATUS REPORT**

Pursuant to the Court’s November 28, 2022 Order, Plaintiffs Accuracy in Media, Inc., *et al.*, and Defendants Department of Defense, *et al.*, hereby submit this Joint Status Report in this Freedom of Information Act (“FOIA”) case.

**I. Ongoing Disputes**

On November 28, 2022, the Court adopted Magistrate Judge Robinson’s Report and Recommendation, granted in part and denied in part Defendants’ motion for summary judgment, and denied Plaintiffs’ motion to propound an interrogatory to the Department of Defense. ECF No. 93 (order); *see also* ECF No. 92 (opinion). Specifically, the Court granted summary judgment in favor of Defendants on all issues except as to the status of certain FD-302s. *See* ECF No. 92. With respect to the FD-302s, Defendants had initially issued a *Glomar* response, but later withdrew that *Glomar* response and informed the Court that Defendants would search for and process the documents. *See id.* at 27-28. In its Order, the Court required “that the parties shall submit, by no later than January 20, 2023, a Joint Status Report explaining whether any dispute remains regarding the FD-302s.” ECF No. 93.

Defendants report that they processed the relevant documents and determined that they should be withheld in full. Counsel for Defendants conferred with counsel for Plaintiffs, who indicated that Plaintiffs would challenge Defendants' withholdings of the FD-302s. Defendants are currently in the process of determining the amount of time necessary to compile the declarations that Defendants expect to file in support of their anticipated motion for summary judgment relating to this final category of documents.

## II. Next Steps

The parties intend to meet and confer about a briefing schedule, and respectfully propose that they file a joint status report no later than February 16, 2023, in which the parties will set out their proposed briefing schedule.

DATED: January 20, 2023

Respectfully submitted,

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