

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

ACCURACY IN MEDIA, <i>et al.</i>)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 14-1589 (EGS)
)	
UNITED STATES DEPARTMENT OF)	
DEFENSE, <i>et al.</i>)	
)	
Defendants.)	
)	

**JOINT STATUS REPORT AND JOINT
MOTION TO AMEND BRIEFING SCHEDULE**

Pursuant to this Court’s Order on March 22, 2017 Minute Order, the parties to this Freedom of Information Act (“FOIA”) suit¹ submit this Joint Status Report to advise the Court on the status of this litigation.

Since the Court’s March 22 Order, counsel for Plaintiffs and counsel for Defendants have continued discussions aimed at determining whether the issues in this action may be narrowed and in what manner. Those discussions have been productive and have greatly assisted the parties in narrowing the issues that are being challenged in this FOIA litigation, which seeks records related to the September 11, 2012 attack on the American embassy in Benghazi, Libya from several four different Defendant agencies and several of their respective components. The parties believe that with additional time and continued

¹ Plaintiffs brought this FOIA action against Defendants, the Central Intelligence Agency (“CIA”), the United States Department of Defense and several of its component departments, the Department of State, and the United States Department of Justice and its component, the Federal Bureau of Investigation (collectively, “Defendants”). *See generally* Compl., ECF No. 1 (Sept. 19, 2014).

discussions, they may be able to further narrow the issues that are being challenged in this litigation.

To that end, the parties respectfully request that the Court amend the briefing schedule to allow the parties to additional time to focus on further narrowing the issues involved in this FOIA action. For example, with this additional time, Plaintiffs have agreed to provide Defendants with a list of records the withholdings of which Plaintiffs may seek to challenge; in turn, Defendants have agreed to provide Plaintiffs with draft *Vaughn* indices to explain the bases for the agencies' decisions related to the withholding of those records. In addition, the entry of an amended briefing schedule will allow the parties time to determine whether some (or all) of these issues may be resolved outside of litigation. Accordingly, the parties respectfully propose to amend the briefing schedule as follows, which takes into consideration: (1) the time that Plaintiffs need to compile their list of documents the withholdings of which Plaintiffs may challenge and Defendants' review of the same; (2) the time that Defendants need to draft *Vaughn* indices and Plaintiffs' review of the same; and (3) previously scheduled summer vacations and holidays:

- June 16, 2017: Plaintiffs provide Defendants with a list of documents the withholdings of which Plaintiffs may seek to challenge;
- July 28, 2017: Defendants provide Plaintiffs with sample draft *Vaughn* indices;
- September 15, 2017: Defendants file their motion for summary judgment;
- October 13, 2017: Plaintiffs file their cross-motion for summary judgment
- November 3, 2017: Defendants file their reply in support of their motion for summary judgment and in opposition to Plaintiffs' cross-motion for summary judgment; and
- December 17, 2017: Plaintiffs file their reply in support of their cross-motion for summary judgment.

Dated: May 12, 2017

Respectfully submitted,

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