

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MICHAEL DRIGGS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 1:23-cv-1124 (DJN)
)	
CENTRAL INTELLIGENCE AGENCY)	
)	
Defendant.)	
)	

FIRST JOINT STATUS REPORT

The parties, through their respective counsel, hereby provide this joint status report in this case in response to the Court’s Order of May 23, 2024 (Dkt. No. 26). The Court ordered the parties “to regularly update the Court on the progress of this action towards summary judgment.” Dkt. No. 26. The parties provide the following update:

1. On May 10, 2024, the parties agreed to a production schedule that enabled the Central Intelligence Agency (“CIA”) to make rolling productions of records every sixty (60) days until all potentially responsive records have been reviewed and fully processed. The parties agreed that production would be made on or about May 28, 2024; July 28, 2024; September 28, 2024, and November 28, 2024. *See generally* Dkt. No. 24 at 1.

2. Consistent with this agreed upon schedule, the CIA sent its interim release of records via FedEx on May 23, 2024. Per FedEx’s tracking system, the records were successfully delivered to Plaintiffs’ counsel on May 24, 2024. In that interim release, the CIA released three additional documents. The CIA released one record in full and two records in segregable form with redactions made pursuant to the FOIA’s exemptions. The CIA also reissued one record from

its March 1, 2024 release. The CIA reissued this one record because it identified additional releasable material.

3. The CIA continues to review and process the potentially responsive records as part of its search in response to Plaintiffs' FOIA request. The CIA also continues to coordinate with other government agencies who must review the potentially responsive records for their own equities. *See generally* 32 C.F.R. § 190.22(b). The CIA is on target for its next interim release deadline of July 28, 2024.

4. Because the CIA's review and processing of potentially responsive records is still ongoing, the parties cannot determine whether summary judgment briefing will be necessary. As the parties jointly represented on May 10, 2024, "[o]nce the CIA has completed its review and production, the parties will meet and confer to see if Plaintiffs intend to challenge the adequacy of the CIA's search or any of the withholdings or redactions that CIA made." Dkt. No. 24 at 2. Should Plaintiffs make any such challenge, the parties will move for entry of a summary judgment briefing schedule for the Court.

5. Pursuant to the Court's Order (Dkt. No. 26), the parties will submit their next joint status report on August 13, 2024, which is sixty days from the date of this filing.

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Dated: June 14, 2024

Respectfully Submitted,

JESSICA D. ABER
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