

**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.)	
)	

FOURTH 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. The CIA previously made interim releases of records on March 1, 2024 and May 23, 2024, and the parties provided their first status report to the Court on June 14, 2024. *See generally* Dkt. No. 27. The CIA made an interim release of records on July 16, 2024, and the parties provided their second status report to the Court on August 13, 2024. *See generally* Dkt. No. 28. The CIA made an interim release of records on September 26, 2024, and the parties provided their third status report to the Court on October 15, 2024. *See generally* Dkt. 29.

3. Consistent with this agreed upon schedule, the CIA sent its interim release of records via FedEx on November 26, 2024. Per FedEx's tracking system, the records were successfully delivered to Plaintiffs' counsel on November 27, 2024. In that interim release, the CIA completed review and processing of seven additional documents. The CIA released the two documents, comprising 107 pages in total, in segregable form with redactions made pursuant to the FOIA's exemptions.

4. On December 3, 2024, the CIA made another interim release of records to Plaintiff. In that interim release, the CIA completed review and processing of four additional documents. The CIA released four documents, comprising 244 pages in total, in segregable form with redactions made pursuant to the FOIA's exemptions.

5. The CIA continues to review and process the potentially responsive records as part of its search in response to Plaintiffs' FOIA request. As indicated in its recent consent motion for enlargement, all that remains in its production process is the result of the CIA's coordination efforts with respect to two other government entities, *see generally* 32 C.F.R. § 1900.22(b). The CIA continues to diligently contact these two agencies to ensure that the entire of the reviewing and processing for Plaintiffs' request is completed by January 10, 2025. *See generally* Dkt. 31.

6. 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. However, the parties are trying to determine, considering the number of pages that CIA has released, whether there are any redaction or search challenges that Plaintiffs wish to make. Counsel for Plaintiffs continues to assess the matter and will keep Defendant's counsel apprised of their litigation positions.

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Dated: December 16, 2024

Respectfully Submitted,

JESSICA D. ABER
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