

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

EUGENE B. McDANIEL, *et al.*,)
)
 Plaintiffs,)
)
 v.)
) Civil Action No. 20-1735 (RCL)
 NATIONAL ARCHIVES AND)
 RECORDS ADMINISTRATION,)
)
 Defendant.)
 _____)

JOINT STATUS REPORT

Plaintiff and Defendant National Archives and Records Administration (“NARA”), hereby provide the Court with the following Status Report pursuant to the Court’s Minute Order dated October 6, 2023.

Plaintiffs filed an amended complaint on September 1, 2021, adding a second FOIA request submitted to NARA on May 21, 2021 and adding two additional FOIA requesters as Plaintiffs. Defendant answered the amended complaint on September 15, 2021.

Part of the records responsive to Plaintiff’s first request involve records containing national security or other sensitive information (requests 28-48) which required consultation with the equity holding agencies. NARA completed processing all of the 16 documents that were sent out for consultation and made these records available to the plaintiff, with portions withheld under applicable FOIA exemptions.

NARA completed its searches in response to the Plaintiff’s second request. Two portions of the second request deal with archival records. Plaintiff has received final responses with respect to those portions of the request. The remaining portions of the second request seek operational records. NARA previously provided 16,989 pages and 14 spreadsheets in full and 307 pages in part in response to this portion of the request. Since the last status report dated December 30, 2024 (ECF No. 50), NARA has provided additional releases, totaling 915 pages in full and 17

pages in part. In total, NARA has provided 17,904 pages in full, 14 spreadsheets in full, and 324 pages in part in response to the request for operational records. Defendant will continue with the processing of Plaintiff's request.

Based on the foregoing, the parties at this time do not see the need for court intervention or the setting of a briefing schedule for dispositive motions. Pursuant to the October 6, 2023, order of the Court, the parties will file a joint status report on or before February 28, 2025, to update the Court on the status of the FOIA requests.

Dated: January 29, 2025

Respectfully submitted,

/s/ John H. Clarke
JOHN H. CLARKE
Bar No. 388599 1
629 K Street, N.W.
Suite 300
Washington, D.C. 20006
(202) 344-0776
john@johnhclarkelaw.com
Counsel for Plaintiffs

EDWARD R. MARTIN, JR.
D.C. BAR NO. 481866
United States Attorney

BRIAN P. HUDAK
Chief, Civil Division

By: /s/ Thomas W. Duffey
THOMAS W. DUFFEY
Assistant United States Attorney
601 D Street, N.W.
Washington, D.C. 20530
(202) 252-2510
Thomas.duffey@usdoj.gov
Counsel for the United States