

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

ELECTRONIC FRONTIER FOUNDATION)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 06-1708 (CKK)
)	
DEPARTMENT OF JUSTICE)	
)	
Defendant.)	
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JOINT STATUS REPORT

Pursuant to the Court’s August 7, 2008 minute order, Plaintiff Electronic Frontier Foundation (“EFF”) and Defendant Department of Justice (“DOJ”) submit the following joint status report in this Freedom of Information Act (“FOIA”) matter.

1. As ordered by the Court on August 7, 2008, the DOJ has produced a new package of all previously released documents with Bates numbers added to the documents and provided EFF with a list of all documents withheld in whole or in part.
2. The parties have conferred, and have reached the following agreement on to how to proceed in this case.
3. The FBI will produce a Vaughn declaration based on a representative sample of the material at issue in this case. Each party will select 400 pages to comprise a representative sample of pages withheld in full or in part, which will cover approximately 10% of the disputed material.
4. The FBI will provide Plaintiff with a Vaughn declaration on the basis of the representative sample by January 30, 2009. The parties will then meet and confer to discuss the possibility of narrowing the litigation further and determine a mutually

acceptable schedule for dispositive briefing. The parties will file a joint status report to inform the Court of the outcome of these discussions no later than February 13, 2009.

5. Given the parties' agreement on a manner in which to proceed in this case, the parties jointly request that the Court vacate the status conference scheduled for October 6, 2008.

DATED: September 29, 2008

Respectfully submitted,

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