

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ELECTRONIC FRONTIER FOUNDATION,

Plaintiff,

v.

DEPARTMENT OF JUSTICE,

Defendant.

No. 06-1708 (CKK)

JOINT STATUS REPORT

Pursuant to the Court's Minute Order dated January 22, 2009, Plaintiff Electronic Frontier Foundation ("EFF") and Defendant Department of Justice ("DOJ") submit the following joint status report in this matter:

1. Counsel for both parties conferred on January 15, 2009, regarding the FBI's completion of the Vaughn declaration in this case (based on a representative sample of pages), and agreed that FBI would have until and including March 31, 2009, within which to furnish the Vaughn declaration.

2. On March 19, 2009, Attorney General Holder issued his Memorandum for Heads of Executive Departments and Agencies regarding the Freedom of Information Act. The FBI and DOJ are operating in compliance with this Memorandum in this case.

3. On March 31, 2009, FBI, through the DOJ, provided EFF with the Vaughn material for this case, which consists of a detailed Vaughn declaration as well as copies of the 762 Vaughn-coded pages selected by EFF as the representative sample in this case (hereinafter "Vaughn material").

4. On April 3, 2009, the parties conferred regarding the appropriate next steps, and

have reached the following agreement on how to further proceed in this case.

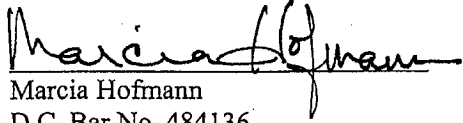
5. EFF needs additional time to review the Vaughn material in this case, after which time the parties will continue to confer regarding the removal of particular records and legal issues from the scope of the litigation. The parties have agreed that EFF will have until May 4, 2009, within which to conduct its further review of the Vaughn material in this case.

6. Because additional time is needed for the above-mentioned review and conference, the parties agree that it is premature at this juncture to determine and propose a mutually acceptable schedule for dispositive briefing.

7. Accordingly, the parties agree to file a joint status report no later than May 18, 2009, informing the Court of the results of any agreements reached by the parties to limit the scope of the litigation and proposing a schedule for dispositive briefing in this matter.

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DATED: April 13, 2009



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Respectfully submitted,

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