UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

DEMOCRACY FORWARD FOUNDATION,)	
Plaintiff,	
v.)	
	Case No. 17-cv-1297 (TNM)
U.S. DEPARTMENT OF TRANSPORTATION,)	
)	
Defendant.	
)	

JOINT STATUS REPORT

Pursuant to the Court's order dated November 22, 2017, the parties, by and through undersigned counsel, report to the Court as follows.

- The Complaint in this action was filed under the Freedom of Information Act
 ("FOIA"). Defendant answered the Complaint on September 7, 2017.
- This lawsuit involves two FOIA requests directed to the U.S. Department of Transportation.
- 3. The Department of Transportation states that it has completed its search for records responsive to the FOIA requests and located a total of four pages of documents in connection with that search. By letter dated November 20, 2017, Department of Transportation provided a final response to Plaintiff that enclosed the four pages of documents, which were released in full with the exception of limited redactions under Exemption (b)(6) of FOIA. To the extent Plaintiff challenges these withholdings, the Department will provide a *Vaughn* Index at the time it files its motion for summary judgment.

- 4. Plaintiff disputes whether Defendant has conducted an adequate search as required by FOIA. Plaintiff will meet and confer with counsel for Defendant to raise questions about the parameters of the search and custodians searched in an effort to resolve the matter without further litigation. If that meet and confer is unsuccessful, the parties have agreed upon a briefing schedule as laid out below.
- 5. The parties propose the following schedule for the briefing of cross-motions for summary judgment:

Defendant's Motion for Summary Judgment: January 31, 2018

Plaintiff's Cross-Motion and Opposition: March 2, 2018

Defendant's Reply and Opposition to Cross-Motion: March 28, 2018

Plaintiff's Reply in Support of Cross-Motion: April 25, 2018

Respectfully submitted,

JESSIE K. LIU, D.C. BAR # 472845 United States Attorney

DANIEL F. VAN HORN, D.C. BAR # 924092 Civil Chief

By: _____/s/__ JEREMY S. SIMON, D.C. BAR #447956 Assistant United States Attorney Civil Division 555 4th Street, N.W. Washington, D.C. 20530 (202) 252-2528 Jeremy.Simon@usdoj.gov

Counsel for Defendant

AND

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Counsel for Plaintiff

*Admitted in the State of Minnesota; practicing under the supervisions of D.C. bar members while her D.C. bar application is pending.