

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

DEMOCRACY FORWARD FOUNDATION,

Plaintiff,

v.

DEPARTMENT OF DEFENSE,

Defendant.

Case No. 1:17-cv-01921-KJB

**JOINT REPORT TO THE COURT**

Pursuant to the Court's Minute Order of November 14, 2017, the parties present this Joint Report to the Court.

The search by the Department of Defense ("DOD") for records responsive to plaintiffs' FOIA request is ongoing. Based on the volume of potentially responsive records identified so far, DOD anticipates that it will complete its search by the end of December and produce any responsive, non-exempt records to plaintiff on or about February 15, 2018. DOD reserves the right to seek additional time if necessary, and Democracy Forward Foundation reserves the right to contest the adequacy of the search.

The parties propose that they file a supplemental Joint Report to the Court on February 28. That Report would set forth a schedule for further proceedings in this litigation, including, if necessary, a briefing schedule for cross motions for summary judgment.

Dated: December 4, 2017

Respectfully Submitted,

CHAD A. READLER  
Principal Deputy Assistant Attorney  
General

MARCIA BERMAN  
Assistant Director  
Federal Programs Branch

/s/ Daniel Bensing  
DANIEL BENSING  
Senior Trial Counsel  
D.C. Bar. No 334268  
United States Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Avenue NW  
Washington, DC 20530  
Telephone: (202) 305-0693  
Facsimile: (202) 616-8460  
Daniel.Bensing@usdoj.gov

*Counsel for Defendant*

/s/ Jeffrey B. Dubner  
JEFFREY B. DUBNER  
D.C. Bar No. 1013399  
Democracy Forward Foundation  
P.O. Box 34553  
Washington, D.C. 20043  
(202) 448-9090  
jdubner@democracyforward.org

*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 4, 2017, I electronically filed a copy of the foregoing Joint Report to the Court which will be sent via email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ Daniel Bensing