

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

SOUTHEASTERN LEGAL  
FOUNDATION, INC.

Plaintiff,

V.

OFFICE OF THE DIRECTOR OF  
NATIONAL INTELLIGENCE,

Defendant.

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## CIVIL ACTION

FILE NO. 1:19-cv-03144-JPB

## JOINT MOTION FOR ENTRY OF BRIEFING SCHEDULE

Plaintiff and Defendant hereby file this Joint Motion requesting the Court to enter a briefing schedule for their motions of summary judgment. In support of this Motion, the parties state the following:

On May 14, 2019, Plaintiff submitted by certified mail, return receipt requested, a FOIA request to Defendant seeking records relating to communications regarding the collection of memos known as the “Steele Dossier.” Plaintiff sought a waiver of search, review, and duplication fees pursuant to the FOIA. On May 28, 2019, Defendant acknowledged receipt of the FOIA request by signing the certified mail return receipt. Plaintiff received no further response from Defendant until, on July 10, 2019, Plaintiff sued Defendant to compel Defendant to comply with the

FOIA request. After filing two unopposed motions for extension, Defendant still had not produced any records responsive to Plaintiff's request. On January 16, 2020, this Court determined there would be no discovery in this case and required the parties to propose deadlines for dispositive motions in their status update. In March 2020, Defendant informed Plaintiff that it had located responsive records, but that it needed additional time to review those records for exemptions and privilege. Due to the outbreak of COVID-19, Defendant asked Plaintiff to consent to a stay. On April 16, 2020, the Court stayed the case until June 15, 2020. The parties submitted four more status reports on June 15, 2020, July 15, 2020, August 17, 2020, and October 16, 2020, indicating that Defendant was still reviewing the responsive records for exemptions and privilege. On October 19, 2020, Defendant notified Plaintiff that it identified one two-page document that is responsive to Plaintiff's request. However, to date, Defendant still has not produced that or any other documents responsive to Plaintiff's request.

In response to each of the parties' above-mentioned status reports, this Court repeatedly deferred entry of a briefing schedule. However, this Court noted in its October 20, 2020 Order that future deferrals were unlikely. The Court also ordered the parties to submit another status report no later than November 15, 2020. Although Plaintiff requested updates on the status of Defendant's review of the

records several times throughout November, Defendant never provided a meaningful answer. The parties accordingly failed to provide an update to the Court. Following the holidays, Plaintiff reinitiated the conversation with Defendant about the status of its review, but Defendant again had no answer. The Court then issued an order on January 8, 2021, requiring the parties to either file a status report or a motion for entry of a briefing schedule by January 15, 2021.

Because Plaintiff has yet to receive a response from Defendant regarding the status of its review, the parties ask the Court to set the following briefing schedule:

Motions for Summary Judgment	February 12, 2021
Responses to Motions for Summary Judgment	March 5, 2021
Replies in Support of Motions for Summary Judgment	March 19, 2021

Respectfully submitted, this 14th day of January, 2021.

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*Acting United States Attorney*

/s/ Lisa D. Cooper

/s/ Celia Howard O'Leary  
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**CERTIFICATE OF SERVICE**

I hereby certify that on January 14, 2021, a copy of the foregoing Joint Motion for Entry of Briefing Schedule was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

/s/ Celia Howard O'Leary  
CELIA HOWARD O'LEARY