

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 STIPULATION OF DISMISSAL WITH PREJUDICE**

COMES NOW, Plaintiff Southeastern Legal Foundation, Inc. (Plaintiff) and Defendant Office of the Director of National Intelligence, by and through their respective counsel of record, and pursuant to Fed. R. Civ. P. 41(a)(1)(ii) and Rule 41.1 of the Local Rules for the Northern District of Georgia, file this Joint Stipulation of Voluntary Dismissal with Prejudice of all claims asserted in this action against Defendant.

The following is a brief recitation of the facts giving rise to the Complaint and the justifications for this Joint Stipulation of Voluntary Dismissal with Prejudice. On May 14, 2019, SLF submitted by certified mail, return receipt requested, a Freedom of Information Act (FOIA) request to ODNI seeking records “relating to

communications regarding the collection of memos known as the ‘Steele Dossier.’” (Doc. 1.) SLF sought a waiver of search, review and duplication fees pursuant to the FOIA. On May 28, 2019, SLF received correspondence from ODNI acknowledging receipt of the FOIA request. After receiving no further response from ODNI, SLF sued ODNI to compel it to comply with the FOIA request on July 10, 2019. (Id.)

Over the course of the next four months, ODNI sought three unopposed motions for extension of time to file an answer. In its third motion, ODNI stated that it was in the process of finalizing its search and providing SLF with responsive, non-exempt documents. Following the outbreak of COVID-19, ODNI notified SLF in April 2020 that it had located responsive records but was experiencing significant delays in its document review process. SLF agreed to ask this Court to stay the case until June 15, 2020. However, ODNI was still experiencing delays in June, so the parties asked this Court to defer entry of a briefing schedule for another month. When SLF contacted ODNI in July, the status was the same, so the parties again asked this Court to defer entry of a briefing schedule for thirty days. In August, ODNI’s response was the same. This time, the parties asked the Court for an additional sixty days to submit a status report.

By October 2020, ODNI indicated that it had located a single, two-page document in response to SLF’s request and was still reviewing it for exemptions.

The parties asked this Court to defer entry of a briefing schedule for another thirty days. In November, SLF again requested the status of ODNI's search, but ODNI failed to provide an answer. Thus, the parties did not provide an update to the Court in November. SLF resumed the conversation with ODNI following the holidays, but ODNI still did not have an answer. As such, pursuant to this Court's January 8, 2021 Order requiring the parties to file a status report or a motion for entry of a briefing schedule, SLF recommended the parties move for entry of a briefing schedule. The Court entered a briefing schedule on January 15, 2021, ordering the parties to submit their Motions for Summary Judgment by February 12, 2021.

On February 10, 2021, ODNI produced the single, two-page document to SLF. ODNI asserts that additional responsive records could not be located. As a result, the parties file this Joint Stipulation of Voluntary Dismissal with Prejudice of all claims asserted in this action against Defendant.

Respectfully submitted, this 11th day of February, 2021.

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**CERTIFICATE OF COMPLIANCE**

I hereby certify that the documents to which this certificate is attached have been prepared with one of the font and point selections approved by the Court in LR 5.1B for documents prepared by computer.

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

**CERTIFICATE OF SERVICE**

I hereby certify that on February 11, 2021, I filed the Joint Stipulation of Dismissal with Prejudice with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all registered CM/ECF users.

This 11th day of February, 2021.

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