

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATIONAL ASSOCIATION OF CRIMINAL
DEFENSE LAWYERS,

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS

and

DEPARTMENT OF JUSTICE,

Defendants.

Civil Action No. 18-2399 (KBJ)

TWELFTH JOINT STATUS REPORT

Per the Court’s order, Plaintiff National Association of Criminal Defense Lawyers (“NACDL”) and Defendants Federal Bureau of Prisons (“BOP”) and Department of Justice (“DOJ”) respectfully submit this Twelfth Joint Status Report. *See* Minute Order, Feb. 11, 2020.

Overview

1. At issue in this case are three Freedom of Information Act (“FOIA”) requests filed by NACDL with various of Defendants’ component offices, which the parties have called “the BOP Request,” “the Main Justice Request,” and “the EOUSA Request.” *See* Ex. A to Am. Compl., ECF No. 9-2; Ex. B to Am. Compl., ECF No. 9-3; Ex. C to Am. Compl., ECF No. 9-4; *see also* 8th Joint Status Report (“8th JSR”) ¶¶ 2–6, ECF No. 31 (describing requests and parties’ previous litigation).

2. The parties have filed eleven previous Joint Status Reports that provide more detail about their negotiations and the agencies’ productions to date. *See* Joint Status Report, ECF

No. 20; Joint Status Report, ECF No. 22; 3d Joint Status Report, ECF No. 23; 4th Joint Status Report, ECF No. 24; 5th Joint Status Report, ECF No. 25; 6th Joint Status Report, ECF No. 26; 7th Joint Status Report, ECF No. 30; 8th JSR; 9th Joint Status Report, ECF No. 32; 10th Joint Status Report, ECF No. 33; 11th Joint Status Report (“11th JSR”), ECF No. 35.

The Criminal Division’s Search

3. As discussed in the parties’ 11th Joint Status Report, DOJ’s Criminal Division was conducting a responsiveness and de-duplication review of the remaining records from the Criminal Division’s search for records responsive to the Main Justice Request. *See* 11th JSR ¶¶ 3-4.

4. On February 28, 2020, the Criminal Division informed NACDL that it has completed its responsiveness review and de-duplication process of the outstanding records and that there were no responsive records in that group of documents.

Proposed Next Step

5. The parties propose filing on or before on April 7, 2020, another joint status report with a recommendation on how to further proceed.

Dated: March 3, 2020

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Respectfully submitted,

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