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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

COMMUNITY JUSTICE EXCHANGE,  
JUST FUTURES LAW,  
MIJENTE SUPPORT COMMITTEE,

Plaintiffs,

v.

U.S. IMMIGRATION & CUSTOMS  
ENFORCEMENT and U.S. DEPARTMENT  
OF HOMELAND SECURITY,

Defendants.

) Case No. 3:22-cv-02328-LB

) **JOINT STATUS REPORT &**  
) **[PROPOSED] ORDER**

Pursuant to this Court’s Order dated August 25, 2022, the parties submit this Joint Status Report to update the Court on the status of the litigation and their proposed next steps. Order, ECF No. 20.

Background

Plaintiffs brought this action under the Freedom of Information Act (FOIA), 5 U.S.C. § 552 *et seq.* They seek nine categories of records related to ICE’s use of BI, Incorporated’s SmartLINK App as part of its Intensive Supervision and Appearance Program (“ISAP”). Plaintiffs filed this lawsuit against ICE and the U.S. Department of Homeland Security (“DHS”) (collectively “defendants”) on April 14, 2022. Defendants filed an Answer on May 23, 2022. This Court held an Initial Case Management Conference on August 25, 2022. That same day, the Court issued the following Order:

The Government with agency counsel, will come up with a firm proposal for production and communicate it with Ms. Crump no later than September 22, 2022. Counsel to confer thereafter by September 22 and file an update with the court by September 29 with the further CMC set for October 6.

1           Status of Litigation

2           Consistent with the Court’s Order, the Government did convey a proposal for production  
3 to Ms. Crump, and the parties subsequently conferred. As a result, the parties have agreed to a  
4 production schedule.

5           By October 14, 2022, defendants will complete production of records responsive to eight  
6 of the nine categories of records plaintiffs seek. By October 21, 2022, defendants will provide an  
7 initial production of records responsive to the remaining category, if any such records exist. The  
8 parties have agreed that, if there are records responsive to the remaining category and they are  
9 substantial in quantity, they will confer regarding a production schedule shortly after the October  
10 21, 2022 deadline.

11           Next steps

12           The parties propose that this Court vacate the October 6, 2022 Case Management  
13 Conference and order the parties to file a Joint Status Report thirty days after defendants’  
14 October 21, 2022 deadline informing the Court of what, if anything, is left to litigate.

15  
16 Dated: September 29, 2022

Respectfully Submitted

17  
18           Catherine Crump.  
19 Catherine Crump  
20 Samuelson Law, Technology and Public Policy  
21 Clinic  
22 UC Berkeley School of Law  
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27           *Attorney for Plaintiffs*

28 Dated: September 29, 2022

Respectfully Submitted

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Assistant United States Attorney

*Attorneys for Defendants*

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**[PROPOSED] CASE MANAGEMENT ORDER**

The October 6, 2022 Case Management Conference is VACATED. The parties are ORDERED to file a Joint Status Report on or before November 21, 2022. IT IS SO ORDERED.

Dated:

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LAUREL BEELER  
UNITED STATES MAGISTRATE JUDGE