

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RAHINAH IBRAHIM,

No. C 06-00545 WHA

Plaintiff,

v.

**ORDER REGARDING *IN*
CAMERA SUBMISSIONS OF
WITHHELD DOCUMENTS**

DEPARTMENT OF HOMELAND
SECURITY, et al.,

Defendants.

Plaintiff has filed a motion to compel the government to produce documents it has refused to produce on the basis of various asserted privileges. The government shall lodge copies of the following documents with the Court for *in camera* review by **APRIL 2 AT NOON**:

- NCTC001–13 from the NCTC Privilege Log
- Documents 1–2, 4–36 from the Amended Department of State Privilege Log
- Documents 3, 10, 13–14, 33–34, 36, and 54 from the FBI/TSC First Amended Privilege Log
- Documents 55–68 from the FBI/TSC LES Privilege Log
- The documents identified by the following descriptions on the FBI 2009 Privilege Log:
 - Electronic communication – to provide background and direction regarding the Terrorist Screening Center's proposed Concept of Operations
 - Electronic communication – operational role of counter-terrorism watch
 - Electronic communication – startup of the TSC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


- Report: Terrorist Related Screening Procedures Strategy Report
- Eight (8) letters to various persons requesting additional time to complete a report
- Letter w/ attached report to Congress

The documents should be Bates-stamped and lodged with the Court in a digital, word-searchable format on discs, drives, or similar storage medium. The government shall lodge two copies of each disc or drive.

In addition to lodging the documents at issue, the government should file under seal any further declarations it believes are necessary to support the privileges asserted over those documents, as well as sworn declarations certifying that the government has made a diligent search for documents responsive to plaintiff's requests and that no other responsive documents were found. If additional responsive documents have been found, the government shall produce such documents to plaintiff; or, as necessary, log any such documents withheld on the basis of a privilege and explain in sworn declaration why the government did not timely update its privilege logs. All such declarations shall likewise be served on plaintiff's counsel subject to the operative protective order.

IT IS SO ORDERED.

Dated: March 28, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE