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17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA  
 19 SAN FRANCISCO DIVISION

20 THE AMERICAN CIVIL LIBERTIES UNION  
 21 OF NORTHERN CALIFORNIA, ASIAN LAW  
 22 CAUCUS, SAN FRANCISCO BAY  
 GUARDIAN

23 Plaintiffs,

24 v.

25 FEDERAL BUREAU OF INVESTIGATION,  
 26 DEPARTMENT OF JUSTICE,

27 Defendants.

Case No. 3:10-cv-03759-RS

**JOINT STIPULATION  
 REGARDING DOCUMENT  
 PRODUCTION SCHEDULE**

Judge: Hon. Magistrate Judge Laurel  
 Beeler

1 The parties to this action, through their attorneys of record listed below, hereby stipulate  
2 as follows:

3 WHEREAS the parties conferred with Magistrate Judge Laurel Beeler on April 4, 2011 as  
4 ordered by Judge Richard Seeborg to address their disputes regarding the production of  
5 documents in response to the expedited March 9, 2010 Request and the non-expedited July 27,  
6 2011 FOIA Request (which was added to this case on February 11, 2011);

7 WHEREAS the defendants have thus far identified approximately 35,000 pages of  
8 potentially responsive documents to the FOIA Requests;

9 WHEREAS the defendants have processed a total of 3,835 pages in response to both  
10 FOIA Requests;

11 WHEREAS Magistrate Judge Beeler, pursuant to Local Rule 72-1, agreed to issue an  
12 Order pursuant to a stipulation detailing the schedule and procedure for further document  
13 processing and production in this action;

14 IT IS HEREBY AGREED AND STIPULATED THAT:

15 1. The defendants shall complete production of documents responsive to the March  
16 9th and July 27th FOIA Requests, subject to any claimed exemptions, within eight months of the  
17 date of this order, absent a further order from the Court.

18 2. The defendants produce the responsive information, subject to any claimed  
19 exemptions, to plaintiffs' requests for aggregate data as defined in the March 9, 2010 FOIA  
20 Request at subheading I. (3) (at Pages 3-4) within thirty days of the date of this order or state in  
21 writing that there are no documents responsive to that portion of Plaintiffs' request.

22 3. The FBI shall initially review and process all FBI generated documents as defined  
23 in the March 9, 2010 FOIA Request at subheading I. (1) a, b, d, e, and h (at Pages 2-3) within  
24 thirty days of this order. The FBI will complete further review and the defendants will produce  
25 responsive documents, subject to any claimed exemptions, to this portion of the request within  
26 two weeks thereafter.

27 4. The defendants shall review and process the remaining requests in the March 9,  
28 2010 and July 27, 2010 FOIA Requests at a rate of 2,500 pages per month or more and in a

1 manner sufficient to meet the eight month deadline as set forth in Paragraph 1 above. With  
2 regard to remaining requests, the defendants' processing and production of information shall be  
3 prioritized as follows: FBI generated documents regarding domain management, assessments, and  
4 investigations as described in the March 9, 2010 FOIA Request at subheading I. (2) a and c (at  
5 Page 2) shall be prioritized over the remaining materials in the FOIA requests; responsive  
6 documents not generated by the FBI as well as the Virtual Academy online training courses shall  
7 be given secondary priority, including textbook-related materials not generated by the FBI. The  
8 defendants shall produce to the plaintiffs a list of the Virtual Academy online courses identified  
9 by the defendants as responsive and the plaintiffs will promptly let the defendants know what  
10 course materials they would like the defendants to process. With respect to the Virtual Academy  
11 online courses, the defendants will be obligated to process only the material from those courses  
12 identified by the plaintiffs.

13 5. The defendants shall provide status reports with each document production  
14 detailing how many processors are working on the request, how many pages are in the processing  
15 system and, for each of the work folders in the processing system, at what stage the work folders  
16 are within in the processing system.

17 6. To address document processing and production issues, the parties shall  
18 telephonically participate in status conferences regarding the pace and content of document  
19 production at least every sixty days with the Court, Magistrate Judge Beeler presiding, as  
20 scheduled by the Court. The parties will address the production of a *Vaughn* Index, a search  
21 affidavit, and other issues in this action during subsequent status conferences.

22 7. Any party may seek review of any subsequent order by the Magistrate Judge under  
23 Local Rule 72-2.

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Dated: April 13, 2011

By: /s/ Tamara Ulrich  
TAMARA ULRICH

By: /s/ Somnath Raj Chatterjee  
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UNION OF NORTHERN CALIFORNIA,  
ASIAN LAW CAUCUS, AND THE SAN  
FRANCISCO BAY GUARDIAN

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**ATTESTATION OF E-FILED SIGNATURE**

I, Katherine Nolan-Stevaux, am the ECF User whose ID and Password are being used to file this Joint Stipulation Regarding Amended Complaint. In compliance with General Order 45, X.B., I hereby attest that Somnath Raj Chatterjee and Tamara Ulrich have concurred in this filing.

Dated: April 13, 2011

By: /s/ Katherine Nolan-Stevaux

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**~~PROPOSED~~ ORDER**

Having reviewed the parties' joint stipulation,

It is so ORDERED this 13th day of April, 2011.

Status Conferences set as follows:

June 23, 2011 at 10:30 a.m., August 25, 2011 at 10:30 a.m. and  
October 27, 2011 at 10:30 a.m.



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Honorable Laurel Beeler  
United States Magistrate Judge