

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JUDICIAL WATCH, INC.,

Plaintiff,

v.

U.S. DEPARTMENT OF DEFENSE,

Defendant.

Civil Action No. 11-863 (JDB)

ORDER

Pursuant to the stipulation of the parties, it is hereby **ORDERED** that:

1. In its response to the Freedom of Information Act (FOIA) request that is the subject of this action, Defendant shall not be required to process drafts of documents that otherwise would have been responsive to that request. Defendant also shall not be required to process transcripts of interviews that otherwise would have been responsive to that request, with the exception of transcripts of interviews of the three individuals named in that FOIA request (Dr. Newton Howard, Mr. Robert Giesler, and Captain Scott J. Phillipott, USN).
2. Defendant shall make interim releases of material in response to Plaintiff's FOIA request and not exempt from production on or before the following dates: (a) July 22, 2011; (b) August 26, 2011; and (c) September 30, 2011. Defendant shall complete its production in response to Plaintiffs' FOIA request by not later than October 28, 2011.
3. Defendant shall provide a draft of a *Vaughn* index to Plaintiff with respect to

responsive documents subject to FOIA withheld in whole or in part by not later than November 15, 2011. The provision of this draft index by Defendant is solely for the purpose of facilitating a resolution of this case. Defendant shall not be bound by the content of that draft index. Defendant may supplement or alter the index in conjunction with the filing of its summary judgment motion as it deems necessary.

4. Plaintiff shall review the draft index provided pursuant to paragraph 3 above, and will inform Defendant by not later than November 30, 2011 as to which exemptions asserted by Defendant, if any, it intends to challenge.
5. Defendant shall file its motion for summary judgment by not later than December 16, 2011.
6. Plaintiff shall file its cross-motion for summary judgment and combined brief in support of its motion and in opposition to Defendant's motion, by not later than January 20, 2012.
7. Defendant shall file its combined reply in support of its motion and opposition to the cross-motion by not later than February 17, 2012.
8. Plaintiff shall file its reply in support of its cross-motion by not later than March 2, 2012.

SO ORDERED.

/s/
JOHN D. BATES
United States District Judge

Dated: July 1, 2011