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6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

8 NORMAND BERGERON,

9 Plaintiff,

10 v.

11 DEPARTMENT OF JUSTICE-BUREAU OF
ALCOHOL, TOBACCO, FIREARMS AND
12 EXPLOSIVES,

13 Defendant.

Case No. 3:13-cv-625-MMD-WGC

JOINT STATUS REPORT AND JOINT
REQUEST TO CONTINUE STATUS
CONFERENCE

14
15 In accordance with the Court's directive at the conclusion of the March 6, 2015, status
16 conference (#33), the parties submit the following joint status report. As described below, the parties
17 also request that the April 27 status conference be continued to a date in late May or early June, 2015.

18 1. At the March 6 status conference, the Court approved the parties' request that further
19 proceedings be deferred until after plaintiff identified specific redactions or withheld pages that
20 plaintiff intended to challenge and after defendant ATF had an opportunity to review those challenged
21 materials.

22 2. ATF has prepared a supplemental index describing in a page-by-page format the
23 redactions and withheld pages with respect to the additional materials identified by ATF as responsive
24 to plaintiff's FOIA requests. This supplemental index, together with the similar index attached to the

1 Boucher declaration (#28, Exhibit V (#28-22)), describe ATF's page-by-page determinations of the
2 FOIA exemptions which ATF believes support the redactions and withheld pages regarding all of
3 plaintiff's FOIA requests.

4 3. Plaintiff has reviewed the supplemental index prepared by ATF and has identified
5 approximately 18 pages of materials which were either withheld or which contain redactions based on
6 claimed FOIA exemptions. It is plaintiff's view that the claimed exemptions on those pages do not
7 support ATF's redactions or decision to withhold pages.

8 4. Plaintiff will provide ATF counsel with the specific pages which contain the redactions
9 being challenged by plaintiff, as described in paragraph 3, above. ATF counsel will review those pages
10 to ascertain whether 1) a supplemental index or declaration would be suitable and/or 2) an *in camera*
11 review of the challenged materials by the Court would be suitable in order to efficiently present the
12 remaining issues to the Court for adjudication.

13 5. As indicated in the prior status report (#32), no discovery is anticipated in this action.

14 6. The parties jointly propose that the April 27 status conference be continued to a date in late
15 May or early June, 2015, so that the parties may proceed with their respective actions described in
16 paragraph 4, above, and thereafter report to the Court regarding appropriate further proceedings.

17 /s/ Normand Bergeron
18 NORMAND BERGERON
19 Plaintiff

/s/ Greg Addington
GREG ADDINGTON
Assistant United States Attorney

IT IS SO ORDERED

20 Date: April 16, 2015.

21 William G. Cobb
UNITED STATES MAGISTRATE JUDGE