



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*86 Chambers Street, 3rd Floor  
New York, New York 10007*

February 28, 2020

**BY ECF**

Hon. Paul G. Gardephe  
United States District Judge  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *New York Immigration Coalition v. U.S. Immigration & Customs Enforcement, et al.*, No. 18 Civ. 4376 (PGG)

Dear Judge Gardephe:

I write on behalf of defendants U.S. Immigration and Customs Enforcement (“ICE”) and U.S. Customs and Border Protection (“CBP”) (collectively, the “Government”) and plaintiff New York Immigration Coalition (“NYIC”), the parties in the above-referenced Freedom of Information Act (“FOIA”) case, to provide the joint letter due today under the schedule the parties proposed in their letter dated January 31, 2020. Dkt. No. 29 (memo endorsed). In that letter, the parties informed the Court that they were discussing a process by which the Government would provide more detailed explanations of its claimed exemptions in an effort to resolve all or part of this case consensually.<sup>1</sup>

The parties have since conferred and jointly propose the following next steps in this case. By April 28, 2020, the Government will provide NYIC with a draft *Vaughn* index of 40 CBP documents identified by NYIC, 15 ICE documents identified by NYIC, five documents that were withheld in full by CBP (to be identified by the Government), and five documents that were withheld in full by ICE (to be identified by the Government). To allow time for the Government to complete this index, for NYIC to review it, and for the parties to confer as to its contents, the parties respectfully propose that they submit a status letter to the Court by May 15, 2020.

The parties thank the Court for its consideration of this submission.

RECORDED:

*Paul G. Gardephe*

Paul G. Gardephe, U.S.D.J.

*March 3, 2020*

<sup>1</sup> At this time, NYIC does not intend to challenge the adequacy of ICE’s or CBP’s searches for records responsive to NYIC’s FOIA requests.

Respectfully,

GEOFFREY S. BERMAN  
United States Attorney

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