



U.S. Department of Justice

United States Attorney
Southern District of New York

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

November 17, 2021

Application GRANTED. The initial conference scheduled for December 2, 2021, is adjourned to **January 5, 2022, at 4:20 p.m.** The parties shall file their joint letter and proposed case management plan by **December 29, 2021, at noon.**

BY ECF

Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Dated: November 18, 2021
New York, New York

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: *Goodman v. Department of Homeland Security*, No. 21-cv-7813 (LGS)

Dear Judge Schofield:

This Office represents Defendant in the above-captioned action, which Plaintiff brings pursuant to the Freedom of Information Act. I write on behalf of both parties to request an adjournment of the initial conference currently scheduled for December 2, 2021 (and, correspondingly, the date by which the parties must submit their joint letter in advance of that conference). This is the parties' first request for an adjournment of this conference.

By way of background, Plaintiff submitted a FOIA request on August 5, 2021, seeking records relating the events of January 6, 2020. Specifically, documents related to a meeting of "fusion centers" on January 4, 2020. As alleged in the FOIA request, fusion centers are "organized and operated by every state and territory. They gather information from a variety of sources, including the Department of Homeland Security's Office of Intelligence & Analysis." Plaintiff filed this action on September 17, 2021, and Defendant answered the complaint on October 25, 2021.

Since the filing of the complaint, Defendant has searched for and located responsive records. The parties have conferred and have agreed that Defendant will produce these records to Plaintiff on December 15, 2021. The parties believe that this production will inform how they intend to proceed with this case. Accordingly, the parties respectfully submit that adjourning the initial conference until a date after this production would promote efficiency because the parties will be in a better position to determine the next steps in this litigation. Specifically, the parties respectfully request that the initial conference be adjourned to January 6, 2021. This will provide Plaintiff with sufficient time to evaluate the produced records and then allow the parties to confer in order to propose next steps to the Court.¹

¹ The parties are also aware of the Court's rule requiring that a joint letter be submitted one week prior to the initial conference. However, the parties respectfully request that they be relieved of

The parties thank the Court for its attention to this matter.²

Respectfully,

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the further obligation to submit a proposed civil case management plan to the court. Given this is a FOIA action, the parties do not believe that such a plan is necessary in this case. Rather, the parties propose that they submit any proposed deadlines relevant to this action in the letter that they will submit to the Court in advance of the initial conference.

² To the extent the Court denies this request based upon the above-stated justification, then the undersigned respectfully requests that the conference nonetheless be adjourned to an alternative date in light of another conflicting court conference. Plaintiff consents to this request.