

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMERICAN CIVIL LIBERTIES UNION OF
WASHINGTON, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY, et al.,

Defendants.

No. C17-00562-MJP

ORDER

This matter came before the Court for a Status Conference on October 17, 2017. Plaintiffs were represented by Eric M. Stahl and Defendants were represented by Jason Lee.

The Court orders as follows:

1. By no later than **October 25, 2017**, Plaintiffs shall provide Defendants with their suggested search terms to assist Defendants in identifying records responsive to Plaintiffs' FOIA request from the approximately 4,700 email records Defendants have identified to date from the four custodians in the U.S. Customs and Border Protection Seattle Field Office (the "Records").

2. By no later than **November 18, 2017**, Defendants shall have (i) reviewed for responsiveness and for information exempt from disclosure under the FOIA the first 1,000 pages of the Records identified as potentially responsive to Plaintiffs' FOIA request, located

1 through Defendants' search of email records from custodians in the Customs and Border
2 Protection ("CBP") Seattle Field Office, and (ii) produced to Plaintiffs responsive, non-exempt
3 records identified in this review and identified any asserted exemptions.

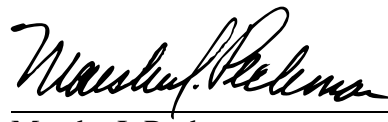
4 3. By no later than **December 18, 2017**, Defendants shall have (i) reviewed for
5 responsiveness and for information exempt from disclosure under the FOIA the next 1,000
6 pages of the Records identified as potentially responsive to Plaintiffs' FOIA request, located
7 through Defendants' search of email records from custodians in the CBP Seattle Field Office,
8 and (ii) produced to Plaintiffs responsive, non-exempt records identified in this review and
9 identified any asserted exemptions.

10 4. By no later than **January 16, 2018**, Defendants shall have (i) reviewed for
11 responsiveness and for information exempt from disclosure under the FOIA any remaining
12 pages of the Records identified as potentially responsive to Plaintiffs' FOIA request, located
13 through Defendants' search of email records from custodians in the CBP Seattle Field Office,
14 and (ii) produced to Plaintiffs responsive, non-exempt records identified in this review and
15 identified any asserted exemptions..

16 5. By **January 31, 2018**, the parties shall submit a joint status report and proposed
17 case schedule to the Court, addressing (without limitation):

- 18 a. The status of Defendants' response to Plaintiffs' FOIA request, and
19 b. A proposed briefing schedule for dispositive motions, if appropriate.

20 Dated this 20th day of October 2017.

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24 Marsha J. Pechman
25 United States District Judge
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Presented by:

Davis Wright Tremaine LLP

United States Department of Justice

By /s/Eric M. Stahl

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By /s/Jason Lee

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U.S. Department of Homeland Security and U.S.
Customs and Border Protection*

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on October 19th, 2017, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the attorneys of record registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

DATED this 19th day of October, 2017.

/s/Eric M. Stahl

Eric M. Stahl, WSBA #27619