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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RYAN KARNOSKI, et al.,

Plaintiffs,

v.

DONALD J TRUMP, et al.,

Defendants.

CASE NO. C17-1297 MJP

ORDER RE: OCTOBER 28, 2020
STATUS CONFERENCE;

OUTLINING PRODUCTION
SCHEDULE FOR DPP-MARKED
DOCUMENTS FROM THE TIME
PERIODS JULY 13, 2015
THROUGH JUNE 30, 2016 AND
SEPTEMBER 14, 2017 THROUGH
JANUARY 11, 2018

THIS MATTER comes before the Court upon the Parties' October Joint Status Report (Dkt. No. 627), and the Court's October 28, 2020 Status Conference. Having reviewed the Joint Status Report and having heard from the Parties, the Court notes the Parties' agreement that Defendants will produce documents withheld solely on the basis of the Deliberative Process Privilege from the time periods July 13, 2015 through June 30, 2016 and September 14, 2017 through January 11, 2018, or will submit the documents from these time periods for *in camera* review. The Court therefore ADOPTS Plaintiffs' proposed production dates (Dkt. No. 627 at

1 2-3), with one modification as listed below, and ORDERS Defendants to produce documents
2 according to the following schedule:

- 3 • **By November 20, 2020**: Production of documents dated November 18, 2017 to January
4 11, 2018 to Plaintiffs;
- 5 • **December 1, 2020**: Documents dated November 18, 2017 to January 11, 2018
6 submitted for *in camera* review along with any accompanying declarations. This date
7 was modified by consent of the Parties during the October 28, 2020 Status Conference;
- 8 • **December 7, 2020**: Production of documents dated September 14, 2017 to November
9 17, 2017 to Plaintiffs;
- 10 • **December 11, 2020**: Documents dated September 14, 2017 to November 17, 2017
11 submitted for *in camera* review along with any accompanying declarations;
- 12 • **December 18, 2020**: Production of documents dated July 13, 2015 to June 30, 2016 to
13 Plaintiffs;
- 14 • **December 23, 2020**: Documents dated July 13, 2015 to June 30, 2016 submitted for *in*
15 *camera* review along with any accompanying declarations.

16 Each of the Government's submissions for *in camera* review must include: (1) a
17 declaration certifying that at least one of the Government attorneys who have entered an
18 appearance in this matter has personally reviewed each submitted document; (2) a privilege log
19 that identifies the document, date, DoD number, and PrivWithhold number for each document
20 submitted for *in camera* review. The privilege log must be filed on the docket, produced to
21 Plaintiffs, and submitted to the Court as an Excel Spreadsheet; (3) courtesy copies of the
22 documents submitted to the Court in labelled binders by the date the documents are due.

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The clerk is ordered to provide copies of this order to all counsel.

Dated October 28, 2020.



Marsha J. Pechman
United States Senior District Judge