

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE,

Defendant.

Case No. 1:19-cv-1552 (ABJ)

JOINT STATUS REPORT

The parties to this Freedom of Information Act (“FOIA”) matter respectfully submit the following Joint Status Report in response to this Court’s March 20, 2020 Order.

1. The background to this case is provided in the parties’ March 20, 2020 Joint Status Report, ECF No. 12, and incorporated here by reference. On March 20, 2020, the Court issued an Order directing the parties to file a joint status report by June 5, 2020. *See* March 20, 2020 Minute Order.

2. The FOIA request, number FY19-131, submitted by plaintiff Citizens for Responsibility and Ethics in Washington (“CREW”) to the Office of Legal Counsel (“OLC”), U.S. Department of Justice (“DOJ”), seeks “documents pertaining to the views OLC provided Attorney General William Barr on whether the evidence developed by Special Counsel Robert Mueller is sufficient to establish that the President committed an obstruction-of-justice offense.” *See* ECF No. 5-2.

3. The status of the FOIA request submitted by CREW, designated by OLC as FOIA request number FY19-131, is as follows:

4. By and through counsel, on February 11, 2020, CREW agreed to limit the scope

of FOIA request number FY19-131 to “all material provided to the Attorney General or the Office of the Attorney General on the subject of whether the evidence developed by Special Counsel Mueller is sufficient to establish that the President committed an obstruction-of-justice offense.” CREW reserved its right to seek other records covered by the full scope of FOIA request number FY19-131 after reviewing the material provided by OLC under this limited scope of FOIA request number FY19-131.

5. On May 22, 2020, OLC provided to CREW all the non-exempt records responsive to the limited scope of FOIA request number FY19-131, that did not require referral to another office and entity. Additionally, on May 8, 2020, OLC referred one record to DOJ’s Office of Information Policy (“OIP”) for processing by OIP.

6. OIP expects to be able to provide CREW with a response regarding the referred record on or before June 17, 2020. However, OIP notes that processing of the referred record requires consultation with several offices within DOJ, and that unanticipated events outside of OIP’s control may occur in these offices that could delay OIP’s response. Accordingly, OIP respectfully submits that it cannot definitively guarantee that production will be completed by June 17, 2020. However, OIP will make its best efforts to provide CREW with a response regarding the referred record on or before June 17, 2020.

Accordingly, the parties believe it is premature to propose a briefing schedule for any dispositive motions at this time and, instead, respectfully request that they be permitted to submit a joint status report to the Court on or before June 24, 2020 as to whether the parties have resolved all disputes as to FOIA request FY19-131, or whether dispositive motions are anticipated and, if so, submit a briefing schedule for summary judgment.

Dated: June 5, 2020

/s/ Anne L. Weismann

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Respectfully submitted,

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