

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

NATIONAL ASSOCIATION OF  
REALTORS,

*Petitioner,*

v.

UNITED STATES OF AMERICA, et. al.,

*Respondents.*

Case No. 1:21-cv-02406-TJK

**JOINT STATUS REPORT**

Pursuant to the Court's Minute Order dated July 30, 2024, Petitioner, National Association of Realtors, and Respondents, United States of America, et. al., respectfully submit this Joint Status Report to the Court. The parties met and conferred on August 25, 2024.

Although there are no issues for the Court to resolve at this time, the parties provide the following updates for the Court's awareness:

1. NAR currently intends to file a petition for a writ of certiorari to the Supreme Court by October 10, 2024.
2. The United States has agreed to significantly narrow the documents it seeks in response to CID 30729, to seek only the non-privileged documents:
  - a. produced by NAR in *Moehrl v. NAR*, 19-cv-1610 (N.D. Ill.), and *Burnett v. NAR*, 19-cv-332 (W.D. Mo.) (formerly *Sitzer v. NAR*) from NAR's own files (NAR will have no obligation to produce documents it obtained in the litigation from third parties or other litigation documents citing those materials, which are subject to a protective order); and

- b. in NAR's possession, custody, and control related to the proposal, adoption, and implementation of the Clear Cooperation Policy that were created on or before July 6, 2021.
3. The United States has agreed to stay NAR's obligation to produce documents related to Item 2.b above until the Supreme Court rules on NAR's forthcoming cert. petition, or if certiorari is granted, the Supreme Court issues a ruling that is adverse to NAR.
4. In return, NAR has agreed that it will:
  - a. produce documents responsive to Item 2.a by September 30, 2024; and
  - b. produce documents responsive to Item 2.b by the later of (i) 30 days after denial of its cert. petition; or (ii) 30 days after a ruling by the Supreme Court that is adverse to NAR.
5. If NAR does not file a cert. petition, it will produce documents responsive to Item 2.b by November 12, 2024.
6. The parties' agreement applies only to CID 30729.

Dated: August 29, 2024

Respectfully submitted,

/s/ CURTIS W. STRONG

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*Attorneys for Petitioner National Association  
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**CERTIFICATE OF SERVICE**

I certify that on August 29, 2024, I served the foregoing upon all counsel of record via the Court's CM/ECF system.

/s/ CURTIS W. STRONG

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