

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

AMERICA FIRST LEGAL FOUNDATION,

*Plaintiff,*

v.

THE NATIONAL ARCHIVES AND  
RECORDS ADMINISTRATION,

*Defendant.*

Case No. 22-cv-02713 (CRC)

**JOINT STATUS REPORT**

Pursuant to the Court’s Minute Order dated June 20, 2023, Plaintiff America First Legal Foundation (“AFL”) and Defendant the National Archives and Records Administration (“NARA”) (collectively, the “Parties”), by and through undersigned counsel, respectfully submit this Joint Status Report.

1. This case involves three Freedom of Information Act (“FOIA”) requests that AFL submitted on August 9, 2022, seeking records regarding Hunter Biden and James Biden’s business dealings. Compl., ECF No. 1.

2. Because of the breadth of AFL’s FOIA requests and the significant quantity of potentially responsive communications and images, NARA originally estimated that, based on the Parties’ agreed-upon processing rate of 1,250 pages per month, production would not be completed until August 1, 2029.

3. Thus far, NARA has processed potentially responsive records in this case at a rate of at least 1,250 pages per month and has made several interim productions to AFL. NARA will continue processing at least 1,250 pages of potentially responsive records each month, make each

subsequent Presidential Records Act notification, and provide productions of any responsive, non-exempt records.

4. The Parties are committed to continuing to work together to create a workable production schedule. Since the filing of the last JSR, NARA made two additional interim responses over the summer so that AFL could better assess how to narrow the scope of processing. The Parties are actively discussing and negotiating a narrowing agreement.

5. Through those discussions, AFL has requested that NARA bypass one particularly large set of records awaiting review. AFL has also proposed narrowing Request 2022-0119-F through the use of specific search terms. In response to Request 2022-0119-F, NARA has found 4,243 emails to/from Hunter Biden; 19,335 emails to/from the domains [@rosemontseneca.com](mailto:rosemontseneca.com) and [@senecaga.com](mailto:senecaga.com); 1,751 emails to/from Jim Biden; and 3,738 emails to/from the domain [@lionhallgp.com](mailto:lionhallgp.com). At the current processing rate of 1,250 pages per month, it would take NARA more than 15 months to complete its processing of Request 2022-0119-F. Accordingly, on October 3, 2023, AFL provided NARA with a list of search terms to narrow Request 2022-0119-F. Additionally, AFL has requested that NARA increase its monthly processing rate.

6. NARA has reviewed AFL's narrowing search terms for Request 2022-0119-F and estimates that the narrowing search terms will reduce the number of records potentially responsive to Request 2022-0119-F by approximately 20,000 emails, shortening the processing timeline by years. NARA is still calculating the precise effect that the narrowing search terms will have on the production end date. NARA believes there is still significant room for narrowing AFL's requests and is open to any additional narrowing proposals that AFL may have. Because discussions remain ongoing, the Parties request an additional 45 days to continue to work together on potential ways to narrow AFL's requests and what effect those proposals would have on the estimated production end date.

7. The Parties propose filing another JSR by November 20, 2023, in which the Parties will update the Court about the status of their discussions about potential narrowing, along with an updated estimated date by which the production of documents will be completed.

Dated: October 6, 2023

/s/ Brian J. Field

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Respectfully submitted,

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