

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)	
FIX THE COURT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 23-0133 (TJK)
	)	
DEPARTMENT OF JUSTICE,	)	
	)	
Defendant.	)	
_____	)	

**JOINT STATUS REPORT**

Pursuant to the Court’s Minute Order dated July 27, 2023, the parties provide the following Joint Status Report in this Freedom of Information Act (“FOIA”) action regarding Plaintiff’s request to the U.S. Marshals Service (“USMS”) for “Request for Special Assignment Resources” reports prepared for travel taken and events attended by U.S. Supreme Court Justices in which they were accompanied by USMS personnel between January 1, 2018, and September 30, 2022. *See* Compl. ¶ 5, ECF No. 1.

As previously reported, the USMS made an interim release of records on July 21, 2023. Although USMS had anticipated making its final production on or before December 31, 2023, the USMS anticipates making its final release of all nonexempt portions of responsive Forms USM 535, *Requests for Special Assignment Resources* dated January 1, 2018, through May 31, 2022, on or before December 31, 2023.

As of May 2022, the USMS no longer generates and maintains Form USM 535 – *Request for Special Assignment Resources*. Accordingly, to provide records to Plaintiff evidencing USMS assistance to SCOTUS personnel for the timeframe of June 1, 2022, to September 30, 2022, the USMS commenced a search for responsive email records. The USMS search for responsive

emails, to the extent they exist in the Agency systems, is ongoing. While the USMS hopes to produce as many nonexempt portions of records resulting from this additional search on or before December 31, 2023, the USMS may require additional time to process any responsive emails dated June 1, 2022, through September 30, 2022, that may be located and expects to have more information on its processing and production in connection with this additional search by the parties' next Joint Status Report. Plaintiff reserves the right to object to any extension of time beyond December 31, 2023, in which to complete the processing of all responsive material.

Given this status, the parties believe that summary judgment briefing and the filing of a *Vaughn* index is premature at this time. The parties propose filing another status report on or before December 20, 2023, to update the Court on the USMS's production. The parties will continue to meet and confer regarding any issues that may arise.

Dated: November 27, 2023

/s/

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Respectfully submitted,

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By: /s/

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