

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

PRO PUBLICA, INC.,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF STATE,

Defendant.

No. 25 Civ. 4302 (MMG)

**STIPULATION AND ORDER OF SETTLEMENT AND DISMISSAL**

WHEREAS, on or about March 28, 2025, Plaintiff Pro Publica, Inc. (“Plaintiff”) submitted a request (the “Request”) pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, to the U.S. Department of State (“State”);

WHEREAS, on May 21, 2025, Plaintiff filed a complaint in this action, seeking the production of responsive records from State;

WHEREAS, State has since produced responsive records to Plaintiff; and

WHEREAS, the only outstanding issue in this case is Plaintiff’s claim for attorneys’ fees and costs, and the parties wish to resolve that claim and dispose of this matter without further litigation,

NOW, THEREFORE, it is hereby STIPULATED and AGREED between the parties as follows:

1. As soon as reasonably practicable, State shall pay Plaintiff the sum of twenty thousand dollars (\$20,000.00) in full and final satisfaction of any claim by Plaintiff for attorneys’ fees and litigation costs in this matter. Payment shall be made by electronic funds transfer, and

Plaintiff's counsel will provide the necessary information to counsel for State to effectuate the transfer.

2. Plaintiff releases and discharges State and the United States of America, including its agencies, departments (including State), officers, employees, servants, and agents, from any and all claims and causes of action that Plaintiff asserted, or could have asserted, in this litigation arising out of the Request.

3. This action is accordingly dismissed with prejudice and without costs or fees other than as provided in paragraph 1 of this Stipulation and Order, provided that the Court shall retain jurisdiction for the purpose of enforcing this Stipulation and Order and resolving any issues that might arise relating to such enforcement.

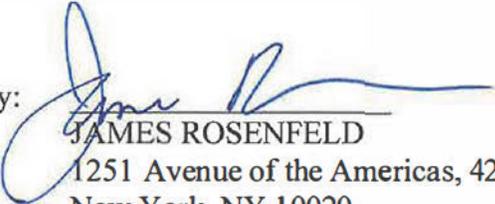
4. Nothing in this Stipulation and Order shall constitute an admission that State is liable for any attorneys' fees or litigation costs. This Stipulation and Order is entered into by the parties solely for the purpose of compromising disputed claims in this case and avoiding the expenses and risks of further litigation concerning Plaintiff's claim for attorneys' fees and litigation costs. This Stipulation and Order is non-precedential with respect to any other proceeding involving the parties, including, but not limited to, any other FOIA action or administrative proceeding, and shall have no effect or bearing on any pending or future request for records made by Plaintiff under FOIA.

5. This Stipulation and Order contains the entire agreement between the parties, and no statement, representation, promise, or agreement, oral or otherwise, between the parties or their counsel that is not included herein shall have any force or effect.

6. This Stipulation and Order may be executed in counterparts. Facsimile or pdf signatures shall constitute originals.

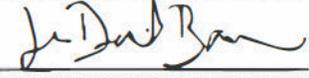
Dated: New York, New York  
February 27, 2026

DAVIS WRIGHT TREMAINE LLP

By:   
JAMES ROSENFELD  
1251 Avenue of the Americas, 42nd Floor  
New York, NY 10020  
Tel. (212) 603-6455  
E-mail: jamesrosenfeld@dwt.com

JAY CLAYTON

United States Attorney for the  
Southern District of New York

By:   
JEAN-DAVID BARNEA  
Assistant United States Attorney  
86 Chambers Street, Third Floor  
New York, New York 10007  
Tel.: (212) 637-2679  
E-mail: jean-david.barnea@usdoj.gov

SO ORDERED:

\_\_\_\_\_  
HON. MARGARET M. GARNETT  
U.S. District Judge

Date

SO ORDERED. Dated March 2, 2026.

  
HON. MARGARET M. GARNETT  
UNITED STATES DISTRICT JUDGE

