

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ELECTRONIC PRIVACY)
INFORMATION CENTER)
Plaintiff,)
v.) Civil No. 15-cv-00289 CKK
DEPARTMENT OF HOMELAND SECURITY,)
Defendant.)

JOINT STATUS REPORT

Pursuant to this Court's order dated April 7, 2015, Plaintiff Electronic Privacy Information Center ("Plaintiff" or "EPIC"), and Defendant, the Department of Homeland Security ("DHS" or "the Department"), by and through their undersigned counsel, report as follows the status of this Freedom of Information Act ("FOIA") case:

(1) Status of Plaintiff's FOIA request: Plaintiff, EPIC, sent EPIC's FOIA request via facsimile on October 20, 2014, but the Department's Science and Technology Directorate ("S&T") did not receive Plaintiff's FOIA Request until February 6, 2015. On March 17, 2015, S&T sent Plaintiff a Predisclosure Notice notifying Plaintiff that in processing Plaintiff's request, S&T determined that responsive records submitted by Draper Laboratory and Deloitte (hereinafter, "business submitter")

contained information that S&T believed may be protected from disclosure under FOIA Exemption 4. Pursuant to law and regulation, S&T provided the business submitter ten (10) working days within which to provide S&T with a statement of objection to disclosure. S&T is still coordinating a final recommendation with the business submitter, who has until May 8, 2015, to provide a final response to DHS.

(2) Anticipated number of responsive documents: There are approximately 100 pages of responsive information.

(3) S&T anticipates being able to make a release of the information S&T has determined is not subject to a FOIA exemption by May 11, 2015.

(4) No motion will need to be filed under Open America.

(5) It is premature to know whether a *Vaughn* declaration will be needed. Plaintiff will need time to review the release made by S&T and determine how Plaintiff would like to proceed with the case.

Accordingly, the parties recommend that they file another joint status report on May 28, 2015, in which to suggest a proposed schedule for further proceedings in this case.

Respectfully submitted,

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