

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

ELECTRONIC PRIVACY
INFORMATION CENTER,

Plaintiff,

v.

U.S. NATIONAL ARCHIVES AND
RECORDS ADMINISTRATION,

Defendant.

Case No. 18-cv-2150 (ABJ)

JOINT STATUS REPORT

In accordance with the Court's September 28, 2018 Order, ECF No. 11, counsel for the parties, who have conferred, jointly notify the Court of the status of Defendant United States National Archives and Records Administration's ("NARA") efforts with respect to Phase I of the schedule agreed upon by the parties and adopted by the Court.

On or before October 3, 2018, NARA conducted a series of searches within the set of records that has already been reviewed by NARA and noticed for potential release, pursuant to 44 U.S.C. § 2208, in response to the Senate Judiciary Committee's pending Special Access Request (and numerous FOIA requests) for certain records relating to Judge Kavanaugh's time working in the White House. On October 3, 2018, counsel for NARA informed counsel for EPIC how many records were located in response to each of the five agreed-upon searches.

Phase I of the schedule agreed upon by the parties and adopted by the Court is therefore complete, with the exception of NARA's obligation to make certain records available to EPIC "once the agency is legally permitted to do so under 44 U.S.C. § 2208." Sept. 28, 2018 Order at 2.

NARA is not yet legally permitted to release any of the records in question because of ongoing consultations, but counsel for NARA will inform counsel for EPIC when that changes.

The parties jointly and respectfully request that they be permitted to file another joint status report on or before October 12, 2018, informing the Court about (1) the status of the efforts outlined in Phase II of the schedule agreed upon by the parties and adopted by the Court, and (2) any significant updates with respect to Phase I.

Dated: October 4, 2018

Respectfully submitted,

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/s/ Stephen M. Pezzi

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