

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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NATIONAL ASSOCIATION OF)		
CRIMINAL DEFENSE LAWYERS,)		
)		
Plaintiff,)		
)		
v.)	No. 18-cv-2399 (KBJ)	
)		
FEDERAL BUREAU OF PRISONS, <i>et</i>)		
<i>al.</i> ,)		
)		
Defendants.)		
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ORDER

On June 28, 2019, the parties submitted a Joint Status Report (ECF No. 26) detailing their dispute regarding the schedule for the Criminal Division of defendant Department of Justice (“DOJ”) to process and produce records responsive to a FOIA request that Plaintiff submitted to it. The Criminal Division has proposed “ a processing schedule of 300 pages per month with an interim response letter being sent to Plaintiff at the end of each 3-month period, with the first interim response letter being sent to Plaintiff on December 31, 2019.” (*Id.* at 7.) Plaintiff, on the other hand, “requests that the Criminal Division be ordered to process 800 pages per month of records . . . and that the Criminal Division be directed to make monthly productions.” (*Id.* at 8.)

This Court has determined that it needs additional information to resolve the parties’ dispute regarding the schedule for processing and production. Accordingly, it is hereby

ORDERED that, on or before **July 22, 2019**, DOJ shall file a memorandum that addresses the Criminal Division's FOIA-processing capacity and the specific reasons underlying its proposed processing and production schedule in this case. The memorandum must include one or more declarations by DOJ representatives with personal knowledge of the following, as of the date of the declaration:

- (1) the number of FOIA requests that the Criminal Division is processing (broken down by original requests and consultation requests);
- (2) the number of pending FOIA requests which the Criminal Division has agreed to expedite;
- (3) the number of pending FOIA requests submitted prior to Plaintiff's request in this case;
- (4) the number of cases pending in federal court in which a production schedule has been entered that requires the Criminal Division to process documents and in which the production is outstanding; and
- (5) the number of the Criminal Division's FOIA processing staff, and any efforts the Criminal Division is undertaking to hire additional processing staff.

Plaintiff shall file any response to DOJ's memorandum and declaration(s) on or before **August 5, 2019**.

DATE: July 8, 2019

Ketanji Brown Jackson
KETANJI BROWN JACKSON
United States District Judge