UNITED STATES DISTRICT COURT 1 2 NORTHERN DISTRICT OF CALIFORNIA 3 SAN FRANCISCO DIVISION 4 5 COMMUNITY JUSTICE EXCHANGE, Case No. 3:22-cv-02328-LB JUST FUTURES LAW, 6 MIJENTE SUPPORT COMMITTEE, EIGHTH JOINT STATUS REPORT & 7 Plaintiffs, [PROPOSED] ORDER 8 v. 9 U.S. IMMIGRATION & CUSTOMS ENFORCEMENT and U.S. DEPARTMENT 10 OF HOMELAND SECURITY, 11 Defendants. 12 13 Pursuant to this Court's Order dated May 5, 2023, the parties submit this eighth Joint 14 Status Report to update the Court on the status of the litigation and their proposed next steps. 15 Order, ECF No. 40. 16 **Background** 17 Plaintiffs brought this action under the Freedom of Information Act ("FOIA"), 5 U.S.C. 18 § 552 et seq. They seek nine categories of records related to Defendant U.S. Immigration and 19 Customs Enforcement's ("ICE") use of BI, Incorporated's SmartLINK App as part of its 20 Intensive Supervision and Appearance Program ("ISAP"). Plaintiffs filed this lawsuit against 21 ICE and the U.S. Department of Homeland Security (collectively, "Defendants") on April 14, 22 2022. ECF No. 1. Defendants filed an Answer on May 23, 2022. ECF No. 10. 23 **Status of Litigation** 24 Since the updates presented in the parties' Seventh Joint Status Report, ECF No. 39, the 25 parties have continued negotiating about the scope of future summary judgment briefing. The 26 parties are still discussing Plaintiffs' questions regarding the search, as well as a proposed 27 briefing schedule. 28

1 Next Steps 2 The parties propose that this Court vacate the June 15, 2023 Case Management 3 Conference and order the parties to file a Joint Status Report on July 27, 2023 informing the 4 Court of what, if anything, is left to litigate. 5 6 Dated: June 7, 2023 Respectfully submitted, 7 s/ Megan Graham Megan Graham 8 Erik Stallman Areeba Jibril 9 Samuelson Law, Technology & 10 Public Policy Clinic UC Berkeley School of Law 11 353 Law Building, Clinical Program Berkeley, CA 94720-7200 12 (510) 664-4381 mgraham@clinical.law.berkeley.edu 13 14 Attorneys for Plaintiffs 15 Dated: June 7, 2023 Respectfully submitted, 16 ISMAIL J. RAMSEY 17 United States Attorney 18 s/ Kelsey J. Helland 19 KELSEY J. HELLAND Assistant United States Attorney 20 Attorneys for Defendants 21 22 ECF ATTESTATION 23 In accordance with Civil Local Rule 5-1(h)(3), I, Kelsey J. Helland, attest that I have 24 obtained concurrence in the filing of this document from all other signatories listed here. 25 26 27 28

[PROPOSED] CASE MANAGEMENT ORDER The June 15, 2023 Case Management Conference is VACATED. The parties are ORDERED to file a Joint Status Report on or before July 27, 2023. IT IS SO ORDERED. Dated: LAUREL BEELER UNITED STATES MAGISTRATE JUDGE