

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN FRANCISCO DIVISION

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5 COMMUNITY JUSTICE EXCHANGE,  
6 JUST FUTURES LAW,  
MIJENTE SUPPORT COMMITTEE,

7 Plaintiffs,

8 v.

9 U.S. IMMIGRATION & CUSTOMS  
10 ENFORCEMENT and U.S. DEPARTMENT  
OF HOMELAND SECURITY,

11 Defendants.

) Case No. 3:22-cv-02328-LB

) **FOURTEENTH JOINT STATUS  
REPORT & [PROPOSED] ORDER**

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13 Pursuant to this Court’s Order dated December 1, 2023, the parties submit this Fourteenth  
14 Joint Status Report to update the Court on the status of the litigation and their proposed next  
15 steps. Order, ECF No. 54.

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 As of January 2023, ICE had completed production of responsive records. Fourth Joint  
25 Status Report, ECF No. 31. Plaintiffs have indicated the subset of records for which they plan to  
26 challenge withholdings of information, as well as the exemptions at issue. Fifth Joint Status  
27 Report, ECF No. 34. In March and May 2023, Plaintiffs sought additional information from  
28 Defendants to help Plaintiffs determine the adequacy of Defendants’ search for responsive

1 records. On August 22, Defendants provided a response to Plaintiffs' questions as well as an  
2 additional record, and continue to search for one record. Plaintiffs have reviewed Defendants'  
3 responses and, on September 22, 2023, followed up with additional questions and requests.  
4 Defendants provided a response on November 22, 2023. Plaintiffs and Defendants are continuing  
5 their efforts to resolve this matter without further litigation and believe these efforts continue to  
6 be productive.

7 **Next Steps**

8 The parties propose that this Court vacate the January 25, 2024, Case Management  
9 Conference and order the parties to submit another joint status report on February 14, 2024,  
10 identifying what, if anything, is left to litigate.

11  
12 Dated: January 18, 2024

Respectfully submitted,

13 s/ Catherine Crump  
14 Catherine Crump  
15 Samuelson Law, Technology &  
16 Public Policy Clinic  
17 UC Berkeley School of Law  
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*Attorney for Plaintiffs*

22 Dated: January 18, 2024

Respectfully submitted,

23 ISMAIL J. RAMSEY  
24 United States Attorney

25 s/ Kelsey J. Helland  
26 KELSEY J. HELLAND  
27 Assistant United States Attorney

*Attorneys for Defendants*

**ECF ATTESTATION**

In accordance with Civil Local Rule 5-1(i)(3), I, Catherine Crump, attest that I have obtained concurrence in the filing of this document from all other signatories listed here.

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**[PROPOSED] CASE MANAGEMENT ORDER**

The January 25, 2024 Case Management Conference is VACATED. In addition, the parties are to file a Joint Status Report on February 14, 2024, informing the Court of what, if anything, is left to litigate.

IT IS SO ORDERED.

Dated:

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LAUREL BEELER  
UNITED STATES MAGISTRATE JUDGE

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