

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

NATIONAL IMMIGRATION PROJECT)	
OF THE NATIONAL LAWYERS GUILD,)	
)	
MIJENTE SUPPORT COMMITTEE)	
)	
and)	
)	
DETENTION WATCH NETWORK)	Civil Action No. 17-cv-2448 (APM)
)	
	Plaintiffs,)
)
v.)	
)	
IMMIGRATION AND CUSTOMS)	
ENFORCEMENT)	
	Defendant.)
)

JOINT STATUS REPORT

Pursuant to the Court’s order dated December 18, 2017, the parties, by and through undersigned counsel, respectfully submit the following status report.

1. This is an action under the Freedom of Information Act (“FOIA”) involving twenty-four FOIA requests submitted to Defendant U.S. Immigration and Customs Enforcement (“ICE” or the “Defendant”). As described in the Complaint, the requests seek records related to “Operation Mega or related operations” (Compl. ¶ 12) and Plaintiff subsequently requested that the requests be interpreted to encompass “Operation Safe City.” (Compl. ¶ 16) Although ICE does not consider “Operation Safe City” to be an operation “related” to “Operation Mega,” ICE is including “Operation Safe City” within the search it is conducting in the interest of minimizing issues to be litigated.

2. Defendant reports as follows. Responding to the FOIA requests involves a search of numerous offices within ICE, including 40 field offices. That search is not yet completed and, to date, ICE has identified approximately 3,400 potentially responsive documents. ICE anticipates that this number will increase once the search is completed but, at this time, does not have an estimate as to the total number of potentially responsive documents that will be located. ICE expects to complete the search within the next 30 days and expects to be in a position to provide an estimate of the total number of potentially responsive pages in the next status report.

3. At this time, ICE expects to be in a position to produce the first 500 responsive pages by February 20, 2018. Once ICE completes the search and provides an estimated total number of responsive pages to Plaintiffs, the parties will confer regarding an appropriate production schedule for subsequent rolling monthly productions. The parties will confer as rolling productions are made to attempt to narrow the request and/or prioritize the production to the extent feasible.

4. Defendant does not anticipate at this time the need to file a motion for an *Open America* stay.

5. In light of the above, the parties propose that they provide a further status report to the Court on or before March 6, 2018, and that the Court defer setting a briefing schedule at this time.

6. Plaintiffs propose that the following deadlines be included in an order entered by the Court: (a) Defendant shall produce at least the first 500 responsive pages to Plaintiffs by February 20, 2018; (b) Defendant shall disclose to Plaintiffs the estimated total number of potentially responsive pages as soon as feasible but at least prior to March 6, 2018; (c) the parties shall file a further joint status report by March 6, 2018, and shall include in their joint status

report a proposed production schedule. Defendant does not agree that these deadlines should be included in an order of the Court, except the deadline for the parties to provide a further joint status report by March 6, 2018.

Respectfully submitted,

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