U.S. Department of Justice

United States Attorney
Southern District of New York

MEMO ENDORSED

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DOCUMENT
ELECTRONICALLY FILED
DOC #:_____
DATE FILED: ___2/27/2017___

BY ECF
The Honorable Valerie E. Caproni
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: Center for Const. Rights, Inc. v. Dep't of Defense *et al.*, 11 Civ. 3533 (VEC)

Dear Judge Caproni:

Pursuant to the Court's order of December 5, 2016 [Docket No. 97], I write on behalf of both parties to inform the Court of the status of this matter. As prescribed by the Court's order, the U.S. Department of State completed its production in response to plaintiffs' supplemental inquiries on January 31, 2017. That production constitutes the Government's final agreed production in this case. (Plaintiff's request to make public the draft *Vaughn* index provided by the Department of State remains pending.)

The parties have agreed that there will be no litigation in this matter regarding the various agencies' searches or document withholdings. The only remaining issue in the case is thus plaintiffs' demand for attorneys' fees pursuant to 5 U.S.C. § 552(a)(4)(E). Given the time plaintiffs anticipate needing to put their request together owing to the length of this litigation, the numerous defendant agencies which will consider that request, and the need for discussions between the parties, the parties respectfully propose that they provide the Court with a status update in three months — on May 26, 2017 — regarding whether they have been able to reach an agreement on the fees to be paid.

We thank the Court for its consideration of this matter.

Application GRANTED.

SO ORDERED.

[signature]

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

2/27/2017

Respectfully,

PREET BHARARA
United States Attorney

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