

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA

JUDICIAL WATCH, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:13-cv-1559-EGS-JMF
)	
INTERNAL REVENUE SERVICE,)	
)	
Defendant.)	
_____)	

STATUS REPORT OF INTERNAL REVENUE SERVICE

At issue in this case are four Freedom of Information Act requests that Judicial Watch, Inc., submitted to the Internal Revenue Service. This status report is being filed pursuant to this Court’s minute order of May 2, 2014. Since Judicial Watch filed suit, the Service has produced 6,033 pages of responsive documents. Since the Service’s last status update on April 30, 2014, the Service has produced 2,746 of responsive documents as follows: 315 pages on May 23, 2014, 205 pages on June 30, 2014, 865 pages on July 31, 2014, and 1,361 pages on August 27, 2014. The Service’s understanding is that Judicial Watch agrees that the Service has fully satisfied one of the four FOIA requests at issue by providing information about the number of applications for tax exempt status under 26 U.S.C. § 501(c)(4).

As the Court is aware, the Service is processing Judicial Watch’s remaining three FOIA requests based on a database compiled in response to the ongoing investigations by four Congressional committees. (8/11/14 Kane Decl., ¶ 9 (Docket No. 26-5).) Creating that database and producing documents to Congress has involved over 250 employees, 120,000 hours, and a direct cost of nearly \$10 million. (Pl.’s Mot. For Status Conf., Ex. 2 at 11 (Docket No. 20-2).) Because of the large number of potentially responsive documents and the broad scope of Judicial

Watch's remaining three requests, the Service is unable to provide the Court with an estimated date by which its production to Judicial Watch will be complete. The Service is continuing its rolling production and intends to make another monthly product to Judicial Watch by the end of September.

Counsel for the Service conferred with counsel for Judicial Watch prior to filing this Status Report. Judicial Watch takes the position that filing a status report is inappropriate at this juncture because the Court ordered the parties, on July 10, 2014, to file a status report and recommendation for further proceedings by September 24, 2014, at the close of the meet and confer period. Because it is not clear to the Service that the Court's order requiring such a status report obviates the Service's obligation to update the Court regarding the status of its rolling production, the Service submits this status report out of an abundance of caution.

Dated: August 29, 2014

Respectfully submitted,
/s/ Geoffrey J. Klimas
GEOFFREY J. KLIMAS
Counsel for the Internal Revenue Service
Trial Attorney, Tax Division
U. S. Department of Justice
Post Office Box 227
Washington, DC 20044
GJK Telephone: (202) 307-6346
Fax: (202) 514-6866
geoffrey.j.klimas@usdoj.gov

OF COUNSEL

United States Attorney
RONALD C. MACHEN, JR.

CERTIFICATE OF SERVICE

I certify that on August 29, 2014, I electronically filed the foregoing STATUS REPORT OF INTERNAL REVENUE SERVICE with the Clerk of the Court using the CM/ECF system, which shall send notification of that filing to all parties registered to receive such notice, including plaintiff's counsel.

/s/ Geoffrey J. Klimas
GEOFFREY J. KLIMAS