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Subject: Activity in Case 1:17-cv-00615-EGS JUDICIAL WATCH, INC. v. INTERNAL REVENUE SERVICE et al Order
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U.S. District Court

District of Columbia

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The following transaction was entered on 6/23/2017 at 5:02 PM and filed on 6/23/2017

Case Name: JUDICIAL WATCH, INC. v. INTERNAL REVENUE SERVICE et al

Case Number: [1:17-cv-00615-EGS](#)

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Docket Text:

MINUTE ORDER. In view of [10] the parties' proposed briefing schedule, the Court directs the parties to submit a joint status report by no later than August 24, 2017 with a recommendation for further proceedings and, if appropriate, a proposed briefing schedule. Signed by Judge Emmet G. Sullivan on June 23, 2017. (lcegs2)

1:17-cv-00615-EGS Notice has been electronically mailed to:

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1:17-cv-00615-EGS Notice will be delivered by other means to::

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JUDICIAL WATCH, INC.,)
)
)
 Plaintiff,)
)
 v.) Civil Action No. 17-615 (EGS)
)
 INTERNAL REVENUE SERVICE,)
 et al.,)
)
 Defendants.)

STANDING FOIA ORDER

The above captioned case has been assigned to Judge Emmet G. Sullivan for resolution.

Plaintiff brings this action pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. The parties are directed to meet and confer and propose a joint scheduling order for further proceedings in this case by no later than June 23, 2017. The parties' joint proposed scheduling order shall address the following:

- (1) The status of plaintiff's FOIA request;
- (2) The anticipated number of documents responsive to plaintiff's FOIA request;
- (3) The anticipated date(s) for release of documents responsive to plaintiff's FOIA request;
- (4) Whether a motion for an *Open America* stay is likely in this case;
- (5) Whether a *Vaughn* index will be required in this case;

- (6) Whether this case would benefit from referral to a magistrate judge or the District Court Mediation Program for purposes of settlement; and
- (7) A proposed briefing schedule for dispositive motions, if applicable.

If the parties are unable to agree on a joint recommendation, the joint proposed scheduling order shall include each party's individual recommendations.

Extensions or enlargements of time will only be granted upon motion, and not upon stipulation by the parties. Motions for a continuance or other scheduling changes must be filed no later than three business days prior to the scheduled hearing or deadline and must include alternative dates that have been agreed to by all parties. Requests that do not include an alternative date acceptable to all parties will be denied.

Parties are to communicate with the Court by motion, opposition, and reply, not by letter or telephone.

SO ORDERED.

**Signed: Emmet G. Sullivan
United States District Judge
June 5, 2017**

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

JUDICIAL WATCH, INC.,)	
)	Case No. 17-615 (EGS)
Plaintiff,)	
)	
v.)	
)	
U.S. INTERNAL REVENUE SERVICE and)	
U.S. DEPARTMENT OF HEALTH AND)	
HUMAN SERVICES,)	
)	
Defendants.)	
_____)	

JOINT STATUS REPORT

In accordance with this Court's order of June 23, 2017, the parties jointly advise the Court as follows:

1. Status of Plaintiff's FOIA request:

- a. Several IRS divisions have completed their search for responsive records, and several more are still in the process of searching for records responsive to Plaintiff's request.
- b. HHS has completed its search for responsive records.

2. Scope of Judicial Watch's Request

- a. After conferring with IRS, and being informed of the broad categories of responsive records each agency has located and anticipates locating in the future, Judicial Watch has declined to narrow the scope of its requests.

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3. Number of Responsive Records

- a. IRS has thus far located approximately 6000 responsive records, but anticipates finding more once it completes its search.
- b. HHS estimates the number of responsive records it has located to be between approximately 200.

4. Anticipated Dates of Release of Responsive Records

- a. IRS will make the first release of approximately 100 responsive records to Judicial Watch on August 24, 2017. IRS will continue to make additional releases of responsive records on a rolling, monthly basis, with each release occurring on or around the 24th of each month, until all responsive records have been released. The parties estimate that IRS' final production of documents already found will occur on or around January 24, 2017; however, if IRS finds additional responsive documents, the final document production date may be extended.
- b. HHS anticipates releasing approximately 500 to 600 records to Judicial Watch on September 25, 2017, which represents the totality of responsive records in HHS' possession.

5. Future Status Reports to the Court

- a. The parties propose to file another status report with the Court 60 days from the date of this filing, and to continue to file status reports with the Court every 60 days until both IRS and HHS have completed their searches for responsive records and released all non-exempt records to Judicial Watch.

- b. Future status reports will continue to inform the Court of the status of the defendants' search for responsive records, the number of responsive records already released to Judicial Watch, and the number of responsive records the defendants anticipate releasing in the future.

Dated: August 24, 2017

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