

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

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JUDICIAL WATCH, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 13-CV-1363 (EGS)
	)	
UNITED STATES DEPARTMENT OF	)	
STATE,	)	
	)	
Defendant.	)	
_____	)	

**DEFENDANT’S STATUS REPORT**

Defendant United States Department of State (“State”), in accordance with the Court’s order at the motions hearing held on July 18, 2016, respectfully submits the following status report concerning the transmission of documents from the FBI to State and State’s work to search those documents.

1. On Thursday, July 21, 2016, the FBI delivered to the State Department a disc containing thousands of documents recovered by the FBI in the course of its investigation. State understands that the documents consist of e-mails and attachments that were sent directly to or from former Secretary Clinton, or e-mails that were sent to or from the former Secretary at a point in time in an e-mail chain, and were not included in the materials provided to the State Department by former Secretary Clinton in December 2014.<sup>1</sup> State has not yet determined how many of these e-mails are personal versus agency records.

<sup>1</sup> A second disc containing classified documents was also transferred to State. State proposes to inform the Court in a further status report, *see infra* ¶ 5, either (1) that State has confirmed the documents are duplicative of others already searched in this case, or (2) that the documents are not entirely duplicative and State will conduct an additional search of these documents.

2. After receiving the disc described in paragraph 1, the State Department began loading the documents into a document management system and preparing them to be searched. As State indicated at the July 18, 2016 hearing, State will search these materials for documents potentially responsive to Plaintiff's FOIA request. If potentially responsive documents are identified by this search, State will assess whether the identified documents are agency records and, if they are, review them for release to Plaintiff pursuant to the FOIA. State anticipates completing a search of these documents, using the search terms and date range previously agreed upon by the parties (*see* July 30, 2015, Defendant's Status Report at 2, Dkt. No. 17), no later than Wednesday, August 3, 2016.

3. The FBI has informed State that it plans to make a second and final transmission of documents to State no later than Friday, August 5, 2016. The FBI has informed State that it needs this additional time to forensically collect the documents from the various electronic sources in which they are located, convert them to the format that will best facilitate State's use of these documents, and conduct quality control testing to ensure reliability. State understands that this transmission will consist primarily of materials from custodians other than former Secretary Clinton that were retrieved during the course of the FBI's investigation, including materials from Ms. Abedin's clintonemail.com account.

4. Upon receipt, State will load these additional documents into a document management system, prepare them to be searched, and perform a search using the search terms and date range previously agreed upon by the parties. As with the first transmission of documents, State will search for potentially responsive documents, and if potentially responsive documents are identified by this search, State will assess whether the documents are agency records and, if they are, review them for release to Plaintiff pursuant to the FOIA. Considering

State's experience with the first transmission, State estimates that it will be able to complete a search of these documents by no later than August 12, 2016, assuming unforeseen technical or other challenges do not arise.

5. State proposes submitting a further status report on Monday, August 15, 2016.

Dated: July 29, 2016

Respectfully submitted,

BENJAMIN C. MIZER  
Principal Deputy Assistant Attorney General

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Assistant Director

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