UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JUDICIAL WATCH, INC., Plaintiff,	
vs.	CASE NO. 1:25-cv-02623-RBW
U.S. AFRICAN DEVELOPMENT FOUNDATION, Defendant.	

TRANSCRIPT OF REMOTE PROCEEDINGS VIA TELECONFERENCE
STATUS CONFERENCE
BEFORE THE HONORABLE REGGIE B. WALTON, DISTRICT JUDGE
Thursday - January 29, 2026
10:31 a.m. - 10:37 a.m.
Washington, DC

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Transcript Produced from the Stenographic Record

(Call to Order of the Court at 10:31 a.m.)

DEPUTY CLERK: This is Civil Action 25-2623, *Judicial Watch, Inc. versus the United States African Development Foundation*.

May I have counsel identify yourselves for the record, beginning with plaintiff's counsel.

MR. O'DONNELL: Good morning, Your Honor. Sean O'Donnell for Judicial Watch.

THE COURT: Good morning.

MR. BARDO: Good morning, Your Honor. John Bardo, Assistant U.S. Attorney on behalf of the government.

THE COURT: Good morning.

This matter is here for a status hearing. The government had recommended that the parties meet and consult and that a joint report be submitted indicating how the parties wanted to proceed, but apparently the plaintiff disagrees with that proposal; is that right?

MR. O'DONNELL: Yes, Your Honor. This is Sean O'Donnell with Judicial Watch.

THE COURT: What's the basis for the disagreement with that?

MR. O'DONNELL: Thank you, Your Honor. We filed this FOIA request over six months ago. We sat on our right to sue, if you will, so we waited -- we filed this complaint 170 days ago. And as we sit here today, I can't tell you what the

defendant's plan is to even start telling us how they are going to review or what they are going to review.

I understand, and I am sympathetic to the defendant's counsel, that there is a great deal of uncertainty and flux. I won't characterize it any more than that, let him do it, but there is a great deal of uncertainty. And so at this point, I wouldn't even know what we would be agreeing to with respect to additional time.

MR. BARDO: Your Honor, this case is complicated by the fact that there is an ongoing criminal investigation, which makes -- which a lot of these documents are relevant to. But we have -- there is a small subset of documents that the Foundation has determined that it can release. And I just spoke with them earlier this morning, and they do plan to make a partial release later today with redactions for personally identifiable information.

But the fact that there is an ongoing criminal investigation, and a lot of these requests are pretty broad, made it difficult. But what I would propose, Your Honor, is we'll send that production today and we'll work with plaintiff from there to put together a production schedule.

And if we need to withhold some of the records under Exemption 7(a), then we'll do that.

THE COURT: Any response from plaintiff's counsel?

MR. O'DONNELL: Thank you, Your Honor. I'm very

excited to hear that documents will be produced today. I guess good news. Whatever comes is good news.

So as far as my client is concerned, I think that the defendants and I can work out a schedule for release short of, at this point, maybe a joint proposed briefing schedule, if that's agreeable to the United States.

THE COURT: How far out should we set the next hearing when hopefully something productive would have occurred?

MR. BARDO: We would ask for 60 days, Your Honor, to ensure that the hearing is as productive as possible.

THE COURT: Very well. Hopefully during that period an assessment can be made as to which documents would be subject to the criminal prosecution, and, therefore, there might be a problem releasing those documents at that time.

And also, again, I don't know how many documents we're talking about, but if you could assess or get an assessment as to approximately how many documents we're talking about and conceivably how long it's going to take to do the processing.

Obviously, as far as those records that may be subject to the criminal prosecution, it may be difficult to predict how long it would take for conceivably those documents to be available for production if production is appropriate.

Otherwise, in reference to those documents that are not subject to the criminal prosecution, I think it would be helpful to find out how many documents we're talking about and

conceivably how long it would take to assess those documents and see whether production would be appropriate.

MR. BARDO: That makes sense.

THE COURT: I think a 60-day continuance is reasonable, so that would take us to March.

What about March 26th at 10 o'clock?

MR. BARDO: That works for the government, Your Honor.

MR. O'DONNELL: That works for the plaintiffs, Your Honor. Thank you.

DEPUTY CLERK: Your Honor, we already have a hearing set for March 26th at 10 o'clock. We put it in the last hearing that we had.

THE COURT: We could set this one for 11:00?

DEPUTY CLERK: Yes, that's fine.

THE COURT: Is that good for both counsel?

MR. BARDO: Works for the government, Your Honor.

MR. O'DONNELL: Works for Judicial Watch, Your Honor.

THE COURT: We'll talk to you at that time. We'll do it again by phone. Thank you.

(Proceedings concluded at 10:37 a.m.)

CERTIFICATE

I, Sonja L. Reeves, Federal Official Court Reporter in and for the United States District Court of the District of Columbia, do hereby certify that the foregoing transcript is a true and accurate transcript from the original stenographic record in the above-entitled matter and that the transcript page format is in conformance with the regulations of the Judicial Conference of the United States.

Dated this 29th day of January, 2026.

/s/ Sonja L. Reeves
SONJA L. REEVES, RDR-CRR
FEDERAL OFFICIAL COURT REPORTER