

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JUDICIAL WATCH, INC.,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE,

Defendant.

Civil Action No. 25-4047 (DLF)

JOINT STATUS REPORT

Pursuant to the Court’s Minute order (Feb. 13, 2026), Plaintiff Judicial Watch, Inc. and Defendant U.S. Department of Justice, by and through their undersigned counsel, respectfully submit this Joint Status Report (“JSR”) in this case under Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). Plaintiff submitted the FOIA request to FBI on June 2, 2025, and FBI acknowledged it on June 17, 2025. Plaintiff filed this suit on November 19, 2025, and Defendant filed its answer December 22, 2025.

Defendant’s Update

The Complaint (ECF No. 1) in this action asks for three items of records.

For item 1, Plaintiff seeks “[*a*]ll documents referenced by Deputy Director Dan Bongino” (emphasis added) concerning a room located in FBI Headquarters. The room referenced is a Sensitive Compartmented Information Facility (SCIF) that houses records related to both closed and open investigations. The FBI continues to assess the contents of the room and the total volume of records in the room. The FBI continues to determine what records, if any, are responsive to the request.

Until all documents have been digitized and reviewed, the Defendant cannot identify the anticipated number of documents responsive to the request or the anticipated date(s) for release of the requested documents. The FBI can provide the following update about the status of this process. Specifically, the FBI has assessed that the room presently contains the following records that require digitization before they can be scoped for responsiveness and processed for production: several five-drawer filing cabinets (safes) that the FBI estimates to include approximately, between 950,000 and 1,900,000 pages (which may fluctuate depending on whether there is material on both the front and back of the pages). The FBI estimates that volume of records will take between 10 to 12 months to process.

The records appear to include the following:

Legacy Files: These records consist of older legacy records, the majority of which relate to two closed, historical investigations. These records belong to the DOJ Office of Inspector General (OIG), and prior to release, must be sent to the DOJ OIG for consultation on its equities in the records.

Other files: These records consist of more recent records related to various investigations, including, for example, active investigations and prior Special Counsel investigative records, many of which are likely to require consultation with other government agencies prior to release.

Following the digitization of the records described above, the FBI must scope the records for responsiveness and then process the records and complete consultations with other government agencies. Given the records' subject matters and storage in a SCIF, it is also likely the records will need to be reviewed for classification issues.

To reduce the workload associated with this process, the parties will confer to determine whether it's possible to reduce the scope of the records at issue for item 1. The parties will report on the result of those discussions in the next joint status report.

Items 2 and 3 seek the following records:

“All internal FBI communications among officials in the offices of FBI Director Kash Patel and FBI Deputy Director Dan Bongino related to the discovery of these documents.”

“All directives sent to officials from the offices of the Director and/or Deputy Director regarding the handling and disposition of the documents referenced in Bullet 1.”

For items 2 and 3, the FBI continues its search for responsive records located in any database systems, SharePoint sites, as well as paper or manual files. The parties will provide an update on the status of the search for records potentially responsive to Items 2 and 3 in the next joint status report.

Defendant requests the next status report be filed on May 12, 2026.

PLAINTIFF’S POSITION

Plaintiff respectfully renews its request that Defendant provide, at minimum, dates for completion of its records search and the estimated number of records responsive to items 2 and 3, above. Plaintiff requested this information in the latest joint status report (ECF No. 11) to accord with the Court’s Minute Order of December 23, 2025, and here again, to accord with the Court’s most recent Minute Order of February 13, 2026.

Nine months have passed since the FBI formally acknowledged the request and four months have passed since this suit was initiated, yet Defendant still cannot tell Plaintiff when the FBI’s search will be complete. Defendant blithely fails to indicate this information will be included two months from now in its proposed May 12 status report.

Plaintiff must object to this protracted uncertainty. Plaintiff requests Defendant provide substantial search details for items 2 and 3, including estimated number of records and release dates, by the next joint status report. Further, Plaintiff respectfully requests the Court order

Defendant to complete its search for records responsive to items 2 and 3 within 60 days, or by May 12, 2026, and confer with Plaintiff to establish a production schedule by that date.

Because the information above remains elusive, Plaintiff requests the next joint status report be due in 30 days, on or before April 12, 2026.

Dated: March 12, 2026

/s/ Philumina Johanni
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Respectfully submitted,

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