

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

<hr/>)	
BRENNAN CENTER FOR JUSTICE)	
AT NYU SCHOOL OF LAW,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:20-cv-02674-TJK
)	
UNITED STATES DEPARTMENT OF)	
COMMERCE, <i>et al.</i> ,)	
)	
Defendants.)	
<hr/>)	

JOINT STATUS REPORT

Plaintiff and Defendants, by their counsel, respectfully submit this Joint Status Report pursuant to the Court’s Minute Order of April 19, 2021.

Joint Statement of the Parties

The parties jointly provide the following update:

1. In response to Plaintiff’s April 13, 2021 letter identifying a number of concerns with Defendants’ revised *Vaughn* indices, including entries in which Plaintiff alleges that the government was over-withholding responsive, segregable information under the deliberative process and the presidential communications privileges, Defendants Census Bureau and Commerce Department have released previously undisclosed portions of 60 records that these Defendants had previously withheld in full or in part.

2. On May 17, 2021, counsel for Plaintiff and Defendants met and conferred. Counsel for Defendants represented that his clients will produce 3 additional documents identified in Plaintiff’s April 13 letter with limited redactions and will continue to withhold in full 3 other records identified in that letter. The remaining 4 documents identified in Plaintiff’s April 13 letter

for which Defendants have not provided a response are subject to an ongoing inter-agency review process. Defendants will provide a response as to those documents when that review is complete

3. The parties jointly request to file another Joint Status Report in 30 days, on June 16, 2021, to permit Defendants to complete their inter-agency review process.

Dated: May 17, 2021

BRIAN D. NETTER
Deputy Assistant Attorney General

ELIZABETH J. SHAPIRO
Deputy Director, Federal Program Branch

/s/ Stephen M. Elliott
STEPHEN M. ELLIOTT
Senior Counsel (PA Bar No. 203986)
United State Department of Justice
Civil Division, Federal Programs Branch
1100 L St. NW
Washington, DC 20005
Tel: (202) 353-0889
Fax: (202) 616-8470
E-mail: stephen.m.elliott@usdoj.gov

Counsel for Defendants

Respectfully submitted,

/s/ Patrick J. Carome
Patrick J. Carome (D.C. Bar No. 385676)
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue NW
Washington, DC 20006
(202) 663-6000
Patrick.Carome@wilmerhale.com

Mikayla C. Foster*
Rieko H. Shepherd*
WILMER CUTLER PICKERING
HALE AND DORR LLP
60 State Street
Boston, MA 02109
(617) 526-6000
Mikayla.Foster@wilmerhale.com
Rieko.Shepherd@wilmerhale.com

Jared V. Grubow*
WILMER CUTLER PICKERING
HALE AND DORR LLP
7 World Trade Center
250 Greenwich Street
New York, NY 10007
(212) 230-8800
Jared.Grubow@wilmerhale.com

* *Pro hac vice*

*Counsel for Plaintiff the Brennan Center for
Justice at NYU School of Law*