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September 27, 2012

By Hand

Hon. William H. Pauley
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

RECEIVED
SEP 28 2012
CLERK OF
WILLIAM H. PAULEY
U.S.D.J.

Re: ACLU et al. v. FBI et al.; 11 Civ. 7562 (WHP)

Dear Judge Pauley:

Q /

We write on behalf of both parties pursuant to Your Honor's July 10, 2012 scheduling order to submit a joint status report on the above-captioned matter. In light of the following, we also write to respectfully request a one-month adjournment of the parties' status conference that is currently scheduled for October 5, 2012 at 10:00 a.m. Both sides consent to this adjournment.

On July 20, the parties proposed a schedule to the Court for the Government to provide certain information to Plaintiffs regarding documents responsive to Plaintiffs' Freedom of Information Act ("FOIA") requests but withheld in full by the Government pursuant to various claimed exemptions under FOIA. Your Honor so ordered that schedule on July 24.

Consistent with that schedule, on July 25 the Government provided to Plaintiffs descriptions of two responsive, withheld-in-full documents located by the Office of Legal Counsel. Similarly, on October 1, the Federal Bureau of Investigation ("FBI"), the Department of Justice National Security Division ("NSD") and the Department of Justice Office of Information Policy ("OIP") are scheduled to produce draft indices / summaries of the responsive documents withheld in full by those agencies and the exemptions relied upon for those withholdings.

Following the Government's production of this information it is anticipated that Plaintiffs will require a few weeks to review the descriptions provided by the FBI, NSD and OIP and to determine what, if any challenges, they intend to raise. It is unlikely, therefore, that Plaintiffs will have been able to identify their potential challenges in advance of the currently scheduled October 5 status conference. Thus, to preserve Your Honor's valuable time, the parties jointly request a one-month adjournment of the October 5 conference. This adjournment should afford

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the parties ample time to finalize the direction of this matter such that we can provide a substantive update to Your Honor when we appear before you next.

Respectfully submitted,



Stuart A. Youngs

Cc (by email): Alexander Abdo, Esq.
John Clopper, Esq.
Emily Daughtry, Esq.

Application granted. The conference
is rescheduled from October 5,
2012 to November 9, 2012 at 12:00 p.m.
SO ORDERED:


WILLIAM H. PAULEY III U.S.D.J.

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