



U.S. Department of Justice

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June 12, 2023

BY ECF

Honorable Ramon E. Reyes, Jr.
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *CLEAR, et al. v. United States Customs and Border Protection,*
Civil Action No. 19-CV-07079 (RER)

Dear Judge Reyes:

This letter is jointly submitted by the parties in accordance with Your Honor's Order dated May 12, 2023, in the above-referenced action pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

By letter dated February 17, 2023 (Dkt. #60), Plaintiffs advised the Court that the parties had been discussing issues related to Defendant's supplemental submissions concerning the disputed documents (Dkt. #57, #57-1, #57-2) and Defendant's recent productions to identify any remaining issues. At the March 7, 2023 conference, Plaintiffs reported that there were no further challenges to Defendant's responses but they would be seeking attorneys' fees and costs. The parties agreed that they would engage in negotiations and attempt to obviate the need for further motion practice. Your Honor directed the parties to submit either a status report or stipulation of dismissal on May 12, 2023.

As set forth in the May 12, 2023 status report, Plaintiffs provided Defendant with their proposal regarding attorneys' fees and costs, and the parties were continuing to discuss settlement. The discussions are taking longer than anticipated, but the parties would prefer to continue them rather than burden the Court with motion practice.

Therefore, the parties respectfully propose that they provide either a further status report or a proposed briefing schedule for a motion for attorneys' fees and costs in thirty days, *i.e.*, by July 12, 2023.

Thank you for Your Honor's consideration of this submission.

Respectfully submitted,

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