

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN CIVIL LIBERTIES UNION,
and AMERICAN CIVIL LIBERTIES
UNION FOUNDATION,

Plaintiffs,

v.

CENTRAL INTELLIGENCE AGENCY,

Defendant.

Civil Action No. 1:13-cv-01870 (JEB)

JOINT STATUS REPORT

The parties write to apprise the Court of the status of this Freedom of Information Act (“FOIA”) lawsuit in advance of the status conference scheduled for May 29, 2014 at 9:30 a.m., and also to respectfully suggest to the Court that the pending issues may be resolved without the need for the conference.

Briefly, this lawsuit concerns FOIA requests filed by Plaintiffs seeking three documents: (1) a report by the Senate Select Committee on Intelligence (“SSCI”) concerning the Central Intelligence Agency’s former detention and interrogation program (the “Report”), (2) the CIA’s response to that Report (“CIA Response”), and (3) a report by the CIA concerning its detention and interrogation program that was commissioned by former CIA Director Panetta (“Panetta Report”).

On April 14, 2014, the Court held a status conference to determine the effect on this litigation of the SSCI’s decision to submit an updated version of the Report to the White House for declassification review. After that conference, the Court entered a minute order that held the

motions in this case in abeyance pending a further status conference, which the Court scheduled for May 29, 2014 at 9:30 a.m.

There are two issues that the parties anticipate raising at the status conference: the government's motion for an extension of time to process the CIA Response and what Plaintiffs refer to as the Panetta Report, which the government filed on May 15, 2014; and the status of Plaintiffs' intended motion to amend their complaint to encompass their FOIA request for the updated version of the Report approved by the SSCI (as discussed during the April 14 status conference). The government's motion for a processing deadline extension currently awaits the Court's decision. Plaintiffs expect to file their motion to amend their complaint on June 5, 2014; the CIA is considering whether to consent to that motion, and will inform Plaintiffs of its decision before June 5. Plaintiffs anticipate that their proposed amended complaint will seek processing and release of the updated SSCI Report, and not the version of the Report that is currently the subject of the CIA's pending motion to dismiss.

The parties respectfully suggest that these issues may be resolved without the need for a status conference, but will of course appear for that conference unless the Court notifies the parties otherwise.

Dated: May 27, 2014

Respectfully submitted,

/s/ Hina Shamsi
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