

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JACQUELINE STEVENS,)	
)	
Plaintiff,)	
)	
v.)	No. 17 C 2494
)	
UNITED STATES DEPARTMENT OF)	Judge Lee
STATE,)	
)	
Defendant.)	

JOINT INITIAL STATUS REPORT

Plaintiff Jacqueline Stevens, *pro se*, and defendant United States Department of State, by Joel R. Levin, Acting United States Attorney for the Northern District of Illinois, submit the following joint status report:

I. Nature of the Case

A. Plaintiff Jacqueline Stevens is acting *pro se*. Defendant United States Department of State is represented by Assistant U.S. Attorney Alex Hartzler.

B. Federal jurisdiction exists under 28 U.S.C. § 1331 and 5 U.S.C. § 552(a)(4)(B).

C. Stevens asserts claims relating to the release and disclosure of records she has requested under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. There are no counterclaims.

D. The parties agree that the Department received three FOIA requests from Stevens in 2015. The parties also agree that the Department has produced records in response to the first request, though the Department’s search for responsive records is ongoing for all three requests. The Department disputes that it has improperly withheld records; rather, the Department has been processing Stevens’s FOIA requests but was unable to complete its search for responsive records

in the timeframe provided for by FOIA. The Department asserts that it continues to search for responsive records, that it will review any records it finds to ensure that the records are not exempt from disclosure, that it will make any necessary redactions, and that it will release to Stevens any non-exempt, responsive records.

Stevens asserts that the redactions for the production of the FOIA request ending in -03180 to date are excessive.

E. Stevens seeks injunctive relief relating to the release and disclosure of records she has requested under FOIA.

II. Pending Motions and Case Plan

A. The initial status hearing is Wednesday, May 24, 2017.

B. There are no pending motions.

C. Discovery is not needed in this FOIA case. Rather, the Department proposes making a production of non-exempt records responsive to the FOIA request on June 9, 2017, with further rolling productions following every 30 days. The parties suggest that a status hearing be set for late August 2017. Stevens suggests that no later than one week prior to this hearing, the Department provide her a complete list of components queried and the number and pages of responsive documents for each request. Stevens is not requesting a Vaughn Index, but simply a list of the Department's actions that have been undertaken and the number of documents and total number of pages received responsive to those actions. The Department agrees to provide a list of Department components searched and the number of documents produced to date, and the Department offers to provide an estimate of the number of potentially responsive documents still under review.

D. The parties will work together to settle the case. FOIA cases are usually resolved on summary judgment, but Stevens asserts that she reserves her right to a trial if responsive documents are not produced in a fashion consistent with the FOIA statute as interpreted in the Seventh Circuit.

III. Consent to Proceed Before a Magistrate Judge

The parties do not unanimously consent to proceed before a magistrate judge.

IV. Status of Settlement Discussions

A. The parties have been working together to resolve several issues relating to Stevens's FOIA requests.

B. The parties have agreed to modify the FOIA request described in Count II (Request No. F-2015-03181) to read as follows:

Documents publicly available indicate that Department of State has coordinated with U.S. Universities and the Qatar Foundation to establish campuses in "Education City," Qatar. I am requesting all *policy and planning materials* pertaining to *establishing U.S. university campuses in Qatar, Abu Dhabi, South Korea, China, and Singapore. This includes but is not limited to memorandums, cables or email, notes, reports, correspondence with other agencies, members of Congress (or staff), and private firms or individuals. Please consult in particular the following components: Policy Planning Staff, Bureau of Administration, Bureau of Diplomatic Security, Office of Management Policy, Rightsizing, and Innovation, Office of White House Liaison, Bureau of Intelligence and Research, and Office of the Chief of Protocol, as well as all other components that may contain responsive information. The time period of my request is from 01/01/2003 to present.

The parties have also agreed to modify the request described in Count III (Request No. F-2015-03575) to read as follows:

All contracts, memoranda, reports, notes, email, documents/correspondence sent to and from USAID and any other material in any medium produced, received or maintained by the Middle East Partnership Initiative and its components from January 1, 2004 to present concerning U.S. Government funds transferred to the Independent Center of Journalists. 2) All contracts, memoranda, reports, notes, email, documents/correspondence sent to and from USAID and any other material

in any medium produced, received or maintained by the Middle East Partnership Initiative and its components from January 1, 2004 to present concerning Northwestern University and its components, including but not limited to the Medill School of Journalism. 3) All contracts, memoranda, reports, notes, email, documents/correspondence sent to and from USAID and any other material in any medium produced, received or maintained by the Middle East Partnership Initiative and its components from January 1, 2004 to present concerning Center(s) of Journalism Excellence.

Stevens asserts that the Department refuses to negotiate about redactions and rejected Stevens' proposal that the Department withhold or redact only information revealing details on individual foreign government officials, military logistics, and specific counter-terrorism initiatives, while releasing all portions of documents referencing corporations, contracts, and trade, including foreign military sales.

The Department asserts that the parties have not conducted substantive settlement discussions regarding the scope of the redactions on the records produced to date. The Department does not negotiate with FOIA litigants regarding the scope of redactions.

C. The parties do not anticipate a need for a settlement conference at this time. The Department continues to process Stevens's FOIA requests.

Respectfully submitted,

JACQUELINE STEVENS
Plaintiff, *pro se*

By: s/ Jacqueline Stevens
JACQUELINE STEVENS
Political Science Department
Northwestern University
Evanston, Illinois 60208
(847) 467-2093
jackiestevens@protonmail.com

JOEL R. LEVIN
Acting United States Attorney

By: s/ Alex Hartzler
ALEX HARTZLER
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
(312) 886-1390
alex.hartzler@usdoj.gov