

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

ELECTRONIC PRIVACY INFORMATION CENTER,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:17-cv-121 (RCL)
)	
FEDERAL BUREAU OF INVESTIGATION,)	
)	
Defendant.)	
)	

CONSENT MOTION TO MODIFY ORDER

Defendant, the Federal Bureau of Investigation (“FBI”), with Plaintiff’s consent, respectfully moves the Court to modify its March 9, 2017 Order, ECF No. 9, which directed the Defendant to file dispositive motions within ten days of the entry date of the Order. For good cause shown, Defendant seeks a one-week extension of time to submit a joint status report outlining further action in this matter.

Since the commencement of this FOIA lawsuit, the parties have conferred and discussed a schedule for further proceedings. Generally, Plaintiff’s request seeks “records about the Russian interference with the 2016 Presidential Election.” Compl. for Injunctive Relief ¶ 23. On the morning of March 20, 2017, FBI Director James Comey testified publicly before the United States House of Representatives Permanent Select Committee on Intelligence. Among other things, Director Comey publicly confirmed for the first time that the FBI is investigating the Russian government’s efforts to interfere in the 2016 Presidential Election.

As a result of Director Comey’s remarks, the FBI and its counsel at the Department of Justice are in the process of reevaluating the FBI’s position in this FOIA action. In the interests

of efficiency and judicial economy, Defendant requests (with Plaintiff's consent) that the Court's March 9, 2017 Order be modified to allow the FBI and its counsel a brief period to determine its position in light of Director Comey's testimony, and to allow the parties a brief period to discuss the appropriate next steps in resolving this matter as efficiently as possible. Defendant further proposes (also with Plaintiff's consent) that the parties submit a joint status report, on or before March 27, 2017, regarding the next steps in this matter.

Before filing this motion, pursuant to Local Civil Rule 7(m), undersigned counsel for the Defendant conferred with counsel for the Plaintiff, who reported that Plaintiff consents to the relief requested in this motion.

Dated: March 20, 2017

Respectfully submitted,

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United States Attorney

MARCIA BERMAN
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Counsel for the Defendant

CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2017, a copy of the foregoing pleading was filed electronically via the Court's ECF system which sent notification of such filing to counsel of record.

/s/ R. Charlie Merritt
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