

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

ACCURACY IN MEDIA, INC. <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	Case No. 14-1589 (EGS)
DEPARTMENT OF DEFENSE <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

**DEFENDANT DEPARTMENT OF STATE’S UNOPPOSED MOTION FOR EXTENSION OF TIME**

Defendant Department of State (“State”), by and through undersigned counsel, hereby moves for a 39-day extension of time to complete its final production of documents in this case. Plaintiffs consent to the requested extension.

This is Defendant State’s first request for an extension of time in this case. Defendant State states that this unopposed motion is supported by good cause as follows:

1. Plaintiffs initiated this Freedom of Information Act (“FOIA”) lawsuit against Defendants on September 19, 2014, seeking disclosure of documents related to the September 11, 2012 attack on the American embassy in Benghazi, Libya. (ECF No. 1). After Defendants had filed their answer, Plaintiffs filed a Supplemental Complaint on January 7, 2015, and an Amended Complaint on June 25, 2015. (ECF Nos. 11 & 31).
  
2. In response to the Court’s Order dated January 26, 2015 (ECF No. 14), the parties filed a Joint Meet and Confer Statement on March 3, 2015 (ECF No. 17), and a proposed scheduling order on March 23, 2015 (ECF No. 20-1). In the Joint Meet and Confer Statement

and proposed order, the parties proposed that State would conclude its searches for records that are potentially responsive to Plaintiffs' FOIA requests no later than May 4, 2015, and that it would produce documents to Plaintiffs on a rolling basis at eight-week intervals, the first of which would occur on March 16, 2015, and the second of which would occur on May 11, 2015. The parties further proposed that State would file with the Court a Status Report on June 3, 2015. In accordance with this proposal, State made its first production of documents to Plaintiffs on March 16, 2015, and a second production on May 11, 2015.

3. On June 6, 2015, State filed a status report, proposing that it make its next production to Plaintiffs on July 6, 2015, with subsequent productions on August 31, 2015, and October 26, 2015. (ECF No. 28). State further proposed that it file with the Court a Second Status Report on October 30, 2015, in which State would provide the Court with an update on the status of the production of responsive, non-exempt documents to Plaintiffs.

4. By minute order dated June 23, 2015, the Court directed the parties to confer and file a joint status report setting forth the parties' competing proposals for a schedule for the production of documents in this case. In response to the Court's order, the parties filed a joint status report on July 3, 2015. (ECF No. 32). In that report, the parties jointly proposed that State would make rolling productions on July 6, 2015, and August 31, 2015, with the final production to occur on October 26, 2015. State proposed that it submit its *Vaughn* index with its dispositive motion, once all defendant agencies had finished producing responsive records. The Court has not entered the parties' proposed scheduling order, but State made productions on July 6, 2015, and August 31, 2015.

5. State has been working diligently to complete its review of documents responsive to Plaintiffs' requests and intends to make a production on October 26, 2015, in compliance with

the parties' proposed schedule. However, due to the broad scope of Plaintiffs' requests, the agency respectfully requests an extension of time until **December 4, 2015**, to make its final production in this case.

6. This is the first extension that Defendant State has requested in this case. The Court has not scheduled any other deadlines or hearings in this case, so the requested extension will have no other effects on the current schedule of this case. If granted the extension, Defendant State will make its final production of documents on or before December 4, 2015.

7. Plaintiffs consent to this motion.

8. A proposed order is attached.

Dated: October 16, 2015

Respectfully submitted,

BENJAMIN C. MIZER  
Acting Assistant Attorney General

ELIZABETH J. SHAPIRO  
Deputy Branch Director

s/ Megan A. Crowley  
MEGAN A. CROWLEY  
N.Y. Bar No. 4930376  
Trial Attorney  
United States Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Avenue NW, Room 7221  
Washington, D.C. 20001  
Email: [megan.a.crowley@usdoj.gov](mailto:megan.a.crowley@usdoj.gov)  
Telephone: (202) 305-0754  
Fax: (202) 616-8470

*Attorneys for Defendant Department of State*