

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

_____)
CITIZEN FOR RESPONSIBILITY AND)
ETHICS IN WASHINGTON)
)
Plaintiff,)
)
v.)
)
OFFICE OF ADMINISTRATION)
)
Defendant.)
)
_____)

Civil Action No: 1:07-CV-00964 (CKK)

**DEFENDANT’S UNOPPOSED MOTION FOR
CLARIFICATION OF THE COURT’S JUNE 4, 2007 ORDER**

Defendant Office of Administration (“OA”) hereby moves this Court for clarification of the Court’s June 4, 2007 Order. In support of this motion, OA states as follows:

1. On June 4, 2007, this Court issued an Order setting forth the schedule for OA’s response to the FOIA requests of plaintiff Citizens for Responsibility and Ethics in Washington (“CREW”), particularly the six categories of documents defined in CREW’s letter to counsel for OA on May 29, 2007.

2. On page 3, paragraph 4, of the Order, the Court stated that “[c]ounsel for CREW shall work to craft a list of search terms that CREW believes will lead to the identification of documents responsive to Category 4, and dated between February 3, 2006 and February 28, 2006.” Based on the parties’ agreement during the telephone conference call with the Court on June 1, 2007, OA believes that the time frame of February 3 to February 28, 2006 is in error. The correct time frame should be “between March 1, 2006 and the present.”

3. The June 4, 2007 Order consistently referred to OA's obligation with respect to the schedule set forth in that Order as one of production of documents. See, e.g., Order at 2-3 ("On or before June 21, 2007, OA . . . "shall produce to CREW all documents that are responsive to Categories 1 through 4, described above."); Order at 3 (With respect to Category 5, "OA has indicated that "the responsive documents shall be reviewed and ready for production no later than August 24, 2006."). OA respectfully seeks this Court's clarification that OA's obligation under the June 4, 2007 Order is to process and respond to CREW's FOIA requests (as the requests are defined in CREW's May 29, 2007 letter to counsel for OA) by the applicable deadlines, which would include the production of any responsive, non-exempt documents. If OA withholds responsive documents pursuant to a FOIA exemption, OA would explain in its response to CREW what those documents are in categorical terms, the exemption(s) OA is claiming, and the basis for the exemption(s).

4. Pursuant to Local Civil Rule 7(m), on June 5, 2007 counsel for OA contacted counsel for CREW regarding the above requested clarifications. Counsel for CREW agrees that there is an error on page 3, paragraph 4 of the June 4, 2007 Order as discussed above. She also agrees that OA's obligation is to process and produce non-exempt documents.

WHEREFORE, OA respectfully requests that this Court clarify its June 4, 2007 Order to reflect that (1) the correct time frame for paragraph 4, page 3, regarding Category 4 of CREW's May 29, 2007 letter is "between March 1, 2006 and the present"; and (2) OA's obligation under the Order is to process and respond to CREW's FOIA requests (as defined in CREW's May 29, 2007 letter) by the applicable deadlines, which includes the production of any responsive, non-exempt documents.

Dated: June 6, 2007

Respectfully submitted,

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