

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON,

Plaintiff,

v.

CONSUMER FINANCIAL PROTECTION
BUREAU, et al.,

Defendants.

Civil Action No. 25-1768 (ACR)

JOINT STATUS REPORT

Pursuant to Paragraph 5(d) of the Court’s Standing Order (ECF No. 11), the parties submit this joint status report in this Freedom of Information Act (“FOIA”) case. The parties report on the progress of their discussions.

Consumer Financial Protection Bureau

The parties are still negotiating search parameters. Thus far, CREW and CFPB have exchanged numerous emails in an attempt to identify reasonable search parameters that yield a manageable set for processing due to the large volume of potentially responsive records. The parties’ latest round of discussions has substantially reduced the number of potentially responsive pages, yielding a remainder of approximately 15,000 pages. CFPB has requested that CREW further narrow the scope of its request and CREW proposed an approach for doing so. CREW awaits CFPB’s response.

Department of Veterans Affairs

CREW and the VA have made progress but have not reached a final agreement on search parameters. CREW has requested the inclusion of specific custodians and search terms. VA currently is evaluating CREW's proposal.

Social Security Administration

The parties have been unable to reach an agreement on the parameters of the search and SSA believes that further discussions would be futile.

CREW's Position

CREW notes that, to its knowledge, SSA has not searched for records responsive to CREW's December 19, 2024, FOIA request and SSA has not disclosed to CREW responsive non-exempt records. CREW and SSA agree that CREW will file a motion for summary judgment on or before May 15, 2026. CREW believes the government's response (and cross-motion) should be due on or before June 15, 2026, which gives SSA ample time to respond. CREW's opposition and reply should be due June 29 and SSA's reply should be due July 13.

SSA's Position

SSA proposes that CREW files its motion (referenced in the paragraph below) on or before May 15, 2026, and the government's response (and cross-motion) be on or before July 16, 2026. Defendants submit that this schedule is preferable to that proposed by Plaintiff below. First, by delaying Plaintiff's filing to the mid-May, there will be additional time for CREW, the VA, and CFPB to conclude their discussions and attempt to reach an agreement (short of an agreement, the parties could incorporate arguments as to those agencies as well into the briefing).¹ That schedule

¹ For the avoidance of doubt, the government objects to CREW's scheduling any briefing that is solely specific to SSA to the extent the VA and CFPB have not reached an agreement with Plaintiff at the time of any summary judgment motion that Plaintiff may file. Should those parties

also will accommodate undersigned government counsel's schedule as he will be on parental leave from March 16, 2026, to June 8, 2026, and has already scheduled several briefings upon his return. Setting an earlier response would likely require undersigned counsel to seek extensions on those earlier-set briefing schedules, which would prejudice the plaintiffs in those cases. *Cf. Open America v. Watergate Special Prosecution Force*, 547 F.2d 605, 614 (D.C. Cir. 1976) ("We have no doubt that the Government officials would comply promptly and faithfully with any order this court issued giving preferential, expedited treatment to the request of Open America. They would, of course, given their finite human and financial resources, do so by taking personnel away from other prior requests which the FBI is now engaged in processing."). The government's potential cross-motion would address issues previously identified in Defendants' pre-motion conference submission (ECF No. 13).

Department of Education

CREW and the Department of Education (the "Department") agree that the Department will conduct the following searches in response to CREW's FOIA request to the Department. The date range of the search will be November 5, 2024, to July 7, 2025. The Department agrees to provide a signed declaration affirming that each of their searches was conducted using these search parameters.

CREW agrees not to seek attorney's fees with respect to this request unless (1) the Department files a motion for summary judgment on withholdings or redactions made in any disclosed records and loses that motion in whole or in part, or (2) CREW files a motion for relief

not reach an agreement with Plaintiff, the government may incorporate arguments for disposition of the requests as to those defendants. Such consolidated briefing would avoid piecemeal litigation, conserve the parties' and the Court's resources, and advance the purpose of the Rule for the "just, speedy, and inexpensive" resolution of litigation. Fed. R. Civ. P. 1.

arising from the Department's alleged failure to comply with the search agreement and prevails on that motion in whole or in part.

Search terms: "Elon" OR "Musk" OR "Antonio Gracias" OR "Will McGinley" OR "William McGinley" OR "Bill McGinley" OR "Steve Davis" OR "Department of Government Efficiency" OR "DOGE" OR "Katie Miller" OR "Brad Smith" OR "Matt Luby" OR "Joanna Wischer" OR "Rachel Riley" OR "Chris Gober" OR "Steve Roberts" OR "Emil Michael" OR "Baris Akis" OR "James Burnham" OR "James Fishback" OR "Marc Andreessen" OR "Jennifer Balajadia" OR "Brian Michael Burroughs"

As custodians, the Department will use the officials in the following individuals:

- Office of the Secretary: Secretary, Chief of Staff, Deputy Chief of Staff of Policy, and Deputy Chief of Staff of Operations
- White House Initiatives Director and Deputy Director
- Office of the Deputy Secretary: Deputy Secretary, Senior Advisor, and Chief of Staff
- Office of the Under Secretary: Under Secretary, Deputy Under Secretary, and Chief of Staff
- Office of Finance and Operations: Assistant Secretary, Principal Deputy Assistant Secretary
- Office of the Chief Information Office: Chief Information Officer and Deputy Chief Information Officer
- Office of Legislation and Congressional Affairs: Assistant Secretary, Deputy Assistant Secretary and Chief of Staff
- Office for Civil Rights: Assistant Secretary, Chief of Staff
- Office of Planning, Evaluation, and Policy Development: Assistant Secretary, Principal Deputy Assistant Secretary
- Office of the General Counsel: General Counsel, Principal Deputy General Counsel, and Chief of Staff

- Specific custodians: Adam Ramada, Brooks Morgan, Conor Fennessy, Edward Coristine, Luke Farritor, Ethan Shaotran, Alexandra Beynon, Jordan M. Wick, Akash Bobba

* * *

The government requests that the Court permit the parties to file another joint status report on or before June 30, 2026. Again, undersigned government counsel will be on leave from March 16, 2026, to June 8, 2026.

CREW requests that the Court order the parties to file the next Joint Status Report on April 10, to cover each agency except for SSA. The attorney covering for Mr. Georgiev should be able to handle this modest task. CREW expects that Education will provide the date on which the searches discussed above will begin in this Report.

Dated: March 13, 2026
Washington, DC

Respectfully submitted,

JEANINE FERRIS PIRRO
United States Attorney

By: Kayvan Farchadi
Kayvan Farchadi (D.C. Bar No. 1672753)
Jonathan E. Maier (D.C. Bar No. 1013857)
Citizens for Responsibility and Ethics in
Washington
P.O. Box 14596
Washington, D.C. 20004
Telephone: (202) 408-5565
Fax: (202) 588-5020
kfarchadi@citizensforethics.org
agoldstein@citizensforethics.org
jmaier@citizensforethics.org

By: Dimitar P. Georgiev
Dimitar P. Georgiev, D.C. Bar #1735756
Assistant United States Attorney
601 D Street, NW
Washington, DC 20530
(202) 252 – 7678

Attorneys for the United States of America

/s/ Jeffrey S. Gutman
Jeffrey S. Gutman, PLLC (D.C. Bar No.
416954)
1712 Hobart St., N.W.
Washington, D.C. 20009
(202) 631-5129
jsgutmandc@gmail.com

Counsel for Plaintiff