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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 JENNIFER SIMATIC,

11 Plaintiff,

12 v.

13 COMMISSIONER OF SOCIAL
SECURITY,

14 Defendant.

CASE NO. 3:21-cv-05180-MJP-JRC

ORDER TO FILE PROPOSED
BRIEFING SCHEDULE

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16 The District Court has referred this case to the undersigned. Dkt. 19. The matter is
17 before the Court on the parties' joint status report (Dkt. 20) and plaintiff's amended complaint
18 (Dkt. 25).

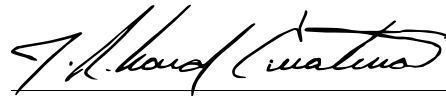
19 In the joint status report, plaintiff, who is *pro se*, states that she wishes to obtain
20 discovery on her Freedom of Information Act ("FOIA") claims. Dkt. 20, at 3–4. Defendant
21 takes the position that discovery is unavailable in this case. Dkt. 20, at 4. Defendant proposes
22 that the parties stipulate to a proposed summary judgment briefing schedule. Dkt. 20, at 6.
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1 Generally, in lieu of discovery, the defendant in a FOIA case will supply declarations
2 explaining the agency's search process, which documents were withheld, why the documents
3 were withheld, and why disclosure would damage the interest protected by a claimed statutory
4 exemption. *See Withey v. Fed. Bureau of Investigation*, No. C18-1635-JCC, 2020 WL 885974,
5 at *1 (W.D. Wash. Feb. 24, 2020) (citing authorities and explaining that “[i]n FOIA cases, the
6 general rule is that discovery is unavailable”). “Summary judgment is the procedural vehicle by
7 which nearly all FOIA cases are resolved.” *Shannahan v. I.R.S.*, 637 F. Supp. 2d 902, 912 (W.D.
8 Wash. 2009) (internal citation and quotation marks omitted).

9 Therefore, the Court directs the parties to confer and to provide this Court with a
10 proposed summary judgment briefing schedule. The parties shall provide a proposed briefing
11 schedule on or before August 13, 2021.

12 A copy of this Order shall be mailed to plaintiff.

13 Dated this 14th day of July, 2021.

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15 J. Richard Creatura
16 Chief United States Magistrate Judge