



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, 3rd floor
New York, New York 10007

November 17, 2022

BY ECF

The Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Bonner v. Central Intelligence Agency*,
No. 21 Civ. 10673 (PAE)

Dear Judge Engelmayer:

This Office represents defendant the Central Intelligence Agency (“CIA”) in the above-referenced Freedom of Information Act (“FOIA”) matter. The parties’ current deadline to submit a joint status report is tomorrow, Friday, November 18, 2022. (ECF No. 24). Respectfully, we write to request a two-week extension of that deadline, to Friday, December 2, 2022. This is the CIA’s first request for an extension of this deadline, and plaintiff Raymond Bonner does not object to the request.

As the Court is aware from prior status reports, this matter concerns plaintiff’s FOIA request for “[a]ny diary, notes, notebooks, writings or drawings created by Abu Zubaydah . . . between March 28, 2002 and the date of his transfer to the United States military base at Guantanamo Bay, Cuba.” Processing the records that are potentially responsive to this request is exceptionally complex. Most of the records the CIA has identified are handwritten and appear to be in Arabic. In order to process these records, the CIA has been required to use linguists from other parts of the agency to review the records for responsiveness, assist with classification reviews in connection with assessing the potential applicability of FOIA exemption 1, 5 U.S.C. § 552(b), and assist with review for other potentially applicable FOIA exemptions. That has involved, among other things, translating the records into English for review by subject-matter experts, and then identifying the portions of the original handwritten Arabic records that correspond to the material deemed exempt.

The CIA made an initial, limited production of records that did not require translation on September 26, 2022. The parties' September 2022 status report (ECF No. 23) indicated that the agency intended to process a further tranche of handwritten material requiring translation by mid-November. Although the agency has made considerable progress in reviewing those records, it has encountered issues concerning translation and processing that has delayed any production.

The CIA is presently working to resolve those issues both for its initial production and its subsequent processing of records in this case. We respectfully request this extension to allow the agency to determine the best resolution, which in turn will allow the parties to provide a fuller picture of the status of the case, including the agency's anticipated timeframe for processing and production going forward.

We thank the Court for its consideration of this letter.

Respectfully submitted,


DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Christopher Connolly

SARAH S. NORMAND
CHRISTOPHER CONNOLLY
Assistant United States Attorneys
86 Chambers Street, 3rd Floor
New York, New York 10007
Telephone: (212) 637-2709/2761
Facsimile: (212) 637-2730
sarah.normand@usdoj.gov
christopher.connolly@usdoj.gov

cc: *Plaintiff's counsel* (by ECF)

Granted. SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge
November 18, 2022