

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

COMMITTEE ON THE JUDICIARY,
UNITED STATES HOUSE OF
REPRESENTATIVES,

Plaintiff,

v.

Case No. 1:24-cv-815-ACR

MARK DALY, *et al.*,

Defendants.

**JOINT STATUS REPORT AND
MOTION TO SET BRIEFING SCHEDULE**

Plaintiff Committee on the Judiciary of the United States House of Representatives (Committee) and Defendants Mark Daly and Jack Morgan jointly submit this status report and motion to set a briefing schedule.

1. The Committee filed this lawsuit to enforce deposition subpoenas that it issued to the Defendants. On March 24, 2024, the Court entered a schedule for briefing cross-motions for summary judgment. *See* ECF No. 13. On April 5, 2024, before either party filed a brief, the Court held a status conference and ordered the parties to meet and confer on Wednesday, April 10, 2024, to attempt to resolve the case. *See* Apr. 5, 2024 Minute Order.

2. On April 10, 2024, counsel for the parties met and conferred for over four hours. They did not reach a resolution that day, but they agreed that further negotiations would be appropriate. The Court ultimately vacated the briefing schedule for the parties' cross-motions for summary judgment to allow the parties to focus on pursuing a negotiated resolution. *See* Apr. 10, 2024 Minute Order.

3. Counsel for the parties have worked diligently and in good faith to seek a negotiated resolution of this case. Over the last four months, counsel for the parties exchanged numerous letters and emails, spoke by phone, and met in person at the U.S. Department of Justice's office. They thoroughly discussed different settlement options and explored resolutions in the hope that there would be a compromise acceptable to all parties.

4. Despite these extensive, good-faith efforts to resolve the case, the parties have been unable to agree on a negotiated resolution. Further negotiations are unlikely to produce a different result.

5. As a result, the parties have conferred about a briefing schedule to promote the orderly and expeditious restart of this litigation.

6. Under the parties' proposed briefing schedule,¹ the Committee will file its motion for summary judgment no later than August 23, 2024.

7. The Defendants will file a combined cross-motion for summary judgment and opposition no later than September 11, 2024.

8. The Committee will file a combined opposition to the Defendants' cross-motion and reply in support of its motion no later than September 30, 2024.

9. The Defendants will file a reply in support of their cross-motion no later than October 17, 2024.

10. A proposed order is submitted with this Motion.

¹ The parties' negotiated scheduled accounts for preplanned vacations, including the Committee's lead counsel's preplanned vacation from August 17 to August 28.

August 12, 2024

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