

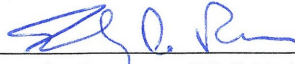
September 28, 2020

BY ECF

The Honorable Judge Edgardo Ramos
United States District Judge
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007
Courtroom 619

The parties' request is granted. The initial pretrial conference is adjourned until March 5, 2021 at 11:30 a.m. The parties are also directed to submit a status report to the Court on February 22, 2021.

It is SO ORDERED.



Edgardo Ramos, U.S.D.J.
Dated: 9/28/2020
New York, New York

Re: *American Civil Liberties Union v. United States
Department of Health and Human Services*, 1:19-civ-
00903-ER.



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Meagan Burrows
Staff Attorney
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Dear Judge Ramos:

I write respectfully on behalf of both parties in response to this Court's June 2, 2020 Order granting the parties' previous letter motion to adjourn the initial pretrial conference in the above-captioned case to October 1, 2020. For the reasons discussed below, the parties seek further adjournment of that conference to March 3, 2021, or such other date as may be convenient to the Court. This is the parties' fourth request for an adjournment of the initial pretrial conference.

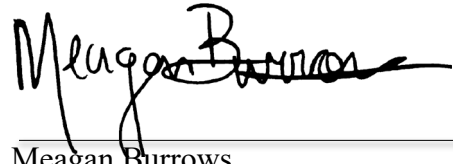
The above-referenced action, filed January 30, 2019, is brought by the American Civil Liberties Union ("ACLU") pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. The ACLU seeks from the Department of Health and Human Services ("HHS") the release of documents relating to changes to the Title X family planning program since November 9, 2016, including but not limited to the Notice of Proposed Rulemaking ("NPRM") published on June 1, 2018, titled, "Compliance with Statutory Program Integrity Requirements," (RIN 0937-ZA00, Dkt. No. HHS-OS-2018-0008). *See* Ex. A to Compl., Doc. 1-1. The ACLU also seeks waiver of fees incurred in the Government's processing of the FOIA request, as well as costs and attorneys' fees.

As detailed the parties' previous Letter Motions, *see* Docs. 12, 14, 16, since the Government filed its Answer in this case in March 2019, the parties have been negotiating in good-faith regarding the ACLU's FOIA request and have made significant progress towards a mutually satisfactory resolution.

The requested adjournment of the initial case conference to March 3, 2021 will allow the parties sufficient time to determine whether further litigation is necessary and, if so, what steps must be taken. The parties propose to submit a joint status report on February 22, 2021, updating the Court on progress of their negotiations and notifying the Court whether further litigation in this case is required.

The parties thank the Court for its consideration of this matter.

Respectfully



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