

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA

CAUSE OF ACTION,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:13-cv-1225-ABJ
)	
TREASURY INSPECTOR GENERAL FOR)	
TAX ADMINISTRATION,)	
)	
Defendant.)	
_____)	

JOINT STATUS REPORT AND PROPOSED SCHEDULE

In accordance with the Court’s Minute Order of November 10, 2014, Plaintiff Cause of Action and Defendant Treasury Inspector General for Tax Administration, jointly by and through respective undersigned counsel, hereby file this status report and proposed schedule to govern this action.

On December 1, 2014, in response to the Court’s Order dated September 29, 2014, Defendant indicated that it was withholding in full 2,043 pages of responsive records pursuant to Exemption 3 of the Freedom of Information Act, 5 U.S.C. § 552(b)(3), in conjunction with Section 6103 of the Internal Revenue Code. Additionally, Defendant informed Plaintiff that it was still evaluating 466 additional pages that were potentially responsive to Plaintiff’s request. Defendant’s deadline to issue a determination on these 466 pages is December 15, 2014.

Plaintiff disputes Defendant’s ground for withholding all responsive documents. The parties have discussed this dispute, and agree that there is no prospect of a settlement of this issue. And, although Defendant has an impending deadline with regard to the remaining 466 pages, the parties agree that obtaining a schedule need not wait for this production (as it will not resolve the existing dispute). Thus, the parties respectfully submit that it would be in the interest

of economy to establish a briefing schedule forthwith. Accordingly, the parties hereby propose the following schedule:

January 30, 2015: Defendant's motion for summary judgment.

February 24, 2015: Plaintiff's opposition and, if any, cross-motion for summary judgment.

March 13, 2015: Defendant's reply and, if any, opposition to Plaintiff's cross-motion for summary judgment.

April 1, 2015: Plaintiff's reply, if any.

Respectfully submitted,

DATE: December 5, 2014

TAMARA W. ASHFORD
Acting Assistant Attorney General

/s/ Yonatan Gelblum
YONATAN GELBLUM
Trial Attorney, Tax Division
U.S. Department of Justice
Post Office Box 227
Washington, D.C. 20044
Phone/Fax: (202) 305-3136/514-6866
Email: Yonatan.Gelblum@usdoj.gov

OF COUNSEL:
RONALD C. MACHEN, JR.
Attorneys for Defendant

/s/ Prashant K. Khetan
Prashant K. Khetan
D.C. Bar No. 477636
Allan Blutstein
D.C. Bar No. 486156
CAUSE OF ACTION
1919 Pennsylvania Ave., N.W., Suite 650
Washington, D.C. 20006
(202) 499-4232 (telephone)
(202) 330-5842 (fax)
prashant.khetan@causeofaction.org
Attorneys for Plaintiff