

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

| | | | |
|----------------------------------|-------------|---|--------------------------------|
| <hr/> | |) | |
| JASON LEOPOLD and | |) | |
| BUZZFEED, INC., | |) | |
| | Plaintiffs, |) | |
| | |) | |
| v. | |) | Civil Action No. 19-1278 (RBW) |
| | |) | |
| UNITED STATES DEPARTMENT OF | |) | |
| JUSTICE, <u>et al.</u> , | |) | |
| | Defendants. |) | |
| <hr/> | |) | |
| CABLE NEWS NETWORK, | |) | |
| | Plaintiff, |) | |
| | |) | |
| v. | |) | Civil Action No. 19-1626 (RBW) |
| | |) | |
| FEDERAL BUREAU OF INVESTIGATION, | |) | |
| | Defendant. |) | |
| <hr/> | |) | |

ORDER

In accordance with the oral rulings issued by the Court at the status conference held on November 25, 2019, it is hereby

ORDERED that, on or before December 2, 2019, the United States Department of Justice (the “Department”) shall produce to Jason Leopold and Buzzfeed, Inc. (collectively, the “Leopold plaintiffs”) and Cable News Network (“CNN”) the FD-302 forms, including any handwritten notes and attachments to the typewritten narrative, created by the Federal Bureau of

Investigation (the “FBI”), in accordance with the terms of the Court's October 3, 2019 Order, ECF No. 33.¹ It is further

ORDERED that the Plaintiffs’ Combined Motion for Preliminary Injunction and Memo in Support, ECF No. 43, is **GRANTED IN PART AND DENIED WITHOUT PREJUDICE IN PART**. It is **GRANTED** to the extent that it seeks the processing and production of the Leopold plaintiffs’ request for the summaries of the report regarding Special Counsel Robert Mueller’s investigation into Russian interference in the 2016 United States presidential election (the “Mueller Report”) prepared by the Office of Special Counsel Mueller (“Special Counsel Mueller’s Office”).² It is **DENIED WITHOUT PREJUDICE** in all other respects. It is further

ORDERED that Plaintiffs Leopold’s and BuzzFeed’s Motion to Reconsider Stay, ECF No. 44, is **GRANTED IN PART AND DENIED WITHOUT PREJUDICE IN PART**. It is **GRANTED** to the extent that it seeks the processing and production of the Leopold plaintiffs’ request for the summaries of the Mueller Report prepared by Special Counsel Mueller’s Office. It is **DENIED WITHOUT PREJUDICE** in all other respects. It is further

ORDERED that, until otherwise ordered by the Court, the Department shall, on a monthly basis, process at least five hundred (500) pages of records responsive to the Leopold

¹ The Department shall ensure that all productions made pursuant to this Order are delivered to the appropriate plaintiffs by the close of business on the date of production.

² The Leopold plaintiffs’ FOIA request for the summaries of the Mueller Report encompasses the following:

1. Any and all summaries of the final Mueller report written/drafted by investigators/prosecutors/attorneys working on Special Counsel Robert Mueller's investigation into any links and/or coordination between the Russian government and individuals associated with the campaign of President Donald Trump.
2. Any reports or documents that summarized Special Counsel Robert Mueller's final report into any links and/or coordination between the Russian government and individuals associated with the campaign of President Donald Trump. These summaries could have been written by any individual working on Special Counsel Robert Mueller's investigation.

plaintiffs' request for the summaries of the Mueller Report prepared by Special Counsel Mueller's Office (unless fewer than five hundred (500) pages remain, in which case the remaining balance shall be processed) and produce to the Leopold plaintiffs, on or before January 3, 2020, and thereafter on the first day of every month (or on the next business day if the first is not a business day or is a holiday) until production has been completed, the non-exempt portions of these records. It is further

ORDERED that the Department shall process the 750 pages of the typewritten narratives of FBI FD-302 forms that the Department made available to the United States House Committee on the Judiciary (the "House Judiciary Committee") and the United States House Permanent Select Committee on Intelligence (the "House Intelligence Committee") and produce to the Leopold plaintiffs and CNN, on or before January 2, 2020, the non-exempt portions of these records. It is further

ORDERED that the Department shall produce to the Leopold plaintiffs and CNN, on or before January 3, 2020, a list of all of the individuals who were interviewed by the FBI in relation to Special Counsel Mueller's investigation into Russian interference in the 2016 United States presidential election and for whom a FD-302 form was created. The list shall include the total volume of the typewritten narratives associated with these individuals' FD-302 forms. It is further

ORDERED that the parties shall appear before the Court for a status conference on January 8, 2020, at 11:30 a.m.

SO ORDERED this 28th day of November, 2019.³

REGGIE B. WALTON
United States District Judge

³ The Court notes that the Department's processing and production obligations set forth in this Order supersede the obligations set forth in the Court's prior Orders in this case.