

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

JOHN EAKIN,)	
)	
Plaintiff,)	
)	
v.)	Civil Case No. 5:16-972
)	
UNITED STATES)	
DEPARTMENT OF DEFENSE,)	
)	
Defendant.)	

ORDER

In accordance with the accompanying Memorandum Opinion, the Court **GRANTS-IN-PART** and **DENIES-IN-PART** John Eakin’s motion [31] for clarification and to compel. Specifically, the Court **ORDERS** the government to immediately release any documents ready for release, whether they were processed for this case, for another FOIA requester, or for inclusion in the Defense Department’s reading room. The Court further **ORDERS** the government to produce documents as searchable PDFs going forward. But the Court **DENIES** Eakin’s motion in all other respects.

If Eakin wishes to challenge the adequacy of the government’s rolling production, he must move for partial summary judgment. Any motion shall include a composite *Vaughn* index teeing-up the precise legal questions for decision by sampling representative examples of the withholdings and redactions Eakin wishes to challenge more broadly. The Court **ORDERS** the parties to meet and confer within thirty days to compile that *Vaughn* index and to agree on a briefing schedule, and to jointly file a proposed scheduling order within ten days thereafter.

June 5, 2019



Royce C. Lamberth
United States District Judge