



John Eakin <johnjeakin@gmail.com>

Points of clarification re Eakin v. DOD, 16-cv-972

Parnham, Thomas (USATXW) <Thomas.Parnham@usdoj.gov>

Tue, Mar 23, 2021 at 4:33 PM

To: Mark Talley <Mark_Talley@dcd.uscourts.gov>

Cc: John Eakin <jeakin@airsafety.com>

Mr. Talley,

When I last spoke with DPAA about this issue on March 9, they informed me that digitization was still on track to be completed by the end of April. I have asked for an update on the status of that effort in response to your email below, and will relay that information to you as soon as I have it. I will also let Mr. Eakin know once digitization is complete so that he can quickly make another FOIA request. I anticipate the government, in order to preserve the arguments raised in ECF No. 61, will oppose another motion for leave to amend the complaint. But I recognize the Court did not find those arguments persuasive, and I do not intend to fully brief them a second time. With that caveat, I agree it makes sense for the Court to refrain from ruling on any pending motions until all the M-Z files can be addressed.

With respect to the discrepancies alleged by Mr. Eakin, the government has committed to re-review and re-produce the "F," "G," "I," and "J" IDPFs. The government intends to re-produce the "I" IDPFs this week. I have been informed by AHRC that they are currently processing the "J" IDPFs, and have reviewed (or re-reviewed) approximately 75% of those files. I hope that we will be able to provide them to Mr. Eakin within the next few weeks. AHRC will then process the "F" and "G" IDPFs and produce them to Mr. Eakin as quickly as possible. I intend to file an advisory outlining the government's position on the alleged discrepancies as well as status reports notifying the Court once each set of files are re-produced. I agree with Mr. Eakin that a motion to compel will not be necessary.

Thank you,

-TJ

Thomas A. Parnham, Jr.

Assistant United States Attorney

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John Eakin <johnjeakin@gmail.com>

Eakin v. DoD -

Parnham, Thomas (USATXW) <Thomas.Parnham@usdoj.gov>

Mon, Apr 12, 2021 at 3:57 PM

To: "Holton, Carl (USATXW)" <Carl.Holton@usdoj.gov>, John Eakin <jeakin@airsafety.com>

Mr. Eakin,

I just heard back from DPAA that the digitization of the WWII IDPFs is now complete. I will respond to the earlier email from the judge's law clerk to let him know as well. I will let the Army know that they should expect another FOIA request from you shortly.

Thanks,

-TJ

Thomas A. Parnham, Jr.

Assistant United States Attorney

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John Eakin <johnjeakin@gmail.com>

Points of clarification re Eakin v. DOD, 16-cv-972

Parnham, Thomas (USATXW) <Thomas.Parnham@usdoj.gov>

Mon, Apr 12, 2021 at 4:00 PM

To: Mark Talley <Mark_Talley@dcd.uscourts.gov>

Cc: John Eakin <jeakin@airsafety.com>

Mr. Talley and Mr. Eakin,

I was just informed by DPAA that the digitization of the WWII IDPFs is complete. Mr. Eakin has indicated that he will be moving quickly to send a new FOIA request, and I have let the DOD know to expect it shortly.

Thanks,

-TJ

Thomas A. Parnham, Jr.

Assistant United States Attorney

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