

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

WILDERNESS WORKSHOP,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
AGRICULTURE, et al.,

Defendants.

Civil Action No. 21-2108 (JMC)

ORDER

For the reasons stated in the accompanying Memorandum Opinion, the Court **ORDERS** the following:

Defendants' Motion for Summary Judgment, ECF 19, is **GRANTED IN PART** and **DENIED IN PART**. The Court finds that Defendants properly withheld all the materials they withheld pursuant to Exemptions 5 and 6, except for those that were withheld exclusively pursuant to the deliberative process privilege. Next, the Court further finds that Defendants disclosed the records in an appropriate format. Finally, the Court finds that the Forest Service has not established that it conducted an adequate search for responsive records.

The Court **ORDERS** Defendants to either disclose to Wilderness Workshop all records withheld under the deliberative process privilege or to provide revised declarations and Vaughn indices to better explain why the relevant communications were deliberative, and what specific harm would result from their release. The Court further **ORDERS** the Forest Service to provide Plaintiffs with a supplemental declaration describing the process through which it selected the custodians whose records were searched, as well as information about the identities and/or roles of those custodians. Finally, the Court **ORDERS** the parties to jointly file, within thirty days of

this decision: (1) a status report that sets forth a list of the records that remain in dispute; and (2) a proposed schedule for further proceedings, including deadlines for the submission of any renewed dispositive motions, supplementary Vaughn indices, or supplementary declarations.

Plaintiffs' Cross-Motion for Summary Judgment, ECF 22, is **DENIED**.

SO ORDERED.

Dated: September 1, 2023

Jia M. Cobb
U.S. District Court Judge