

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CRISTINA NICHOLE IGLESIAS)	
(a.k.a. CRISTIAN NOEL IGLESIAS),)	
)	
Plaintiff,)	
)	Case No. 19-cv-00415-RJN
v.)	
)	
IAN CONNORS, <i>et al.</i> ,)	
)	
Defendants.)	

DEFENDANTS’ STATUS REPORT

Pursuant to the Court’s October 19, 2021 minute order, ECF No. 159, Defendants hereby submit the following status report providing information concerning the following issues:

“defendants['] proposed deadline to [']comply with the Court[']s order on expedited discovery”; “Dr. Leukefeld[']s availability for [the] November 22, 2021 hearing”; and “any additional reasons or considerations as to why the preliminary injunction cannot be held by November 22, 2021.” *Id.*

I. Defendants’ Proposed Deadline to Comply with the Court’s Order on Expedited Discovery.

The Federal Bureau of Prisons was initially able to identify approximately 8,300 potentially responsive documents in the date range specified by the Court’s October 19 order. After deduplication, Defendants have identified 7,278 unique documents in that data set. The parties met and conferred on October 21, and had further communications on October 22, with regard to how that set could be further narrowed to facilitate review. The parties agreed that Defendants could exclude from their review set (1) documents identified as potentially responsive only because Plaintiff’s name or inmate registration number appear in spreadsheets or other similar documents containing lengthy lists of inmate names (such as a list of all inmates in Special Housing Units); (2) documents sent to, or received by, attorneys whose only involvement with the TEC is through

this litigation; and (3) non-responsive emails with previously produced agendas from Transgender Executive Council meetings attached. Defendants estimate that these agreements will reduce the review set to fewer than 5,200 documents. Defendants also notified Plaintiff that they will further reduce the review set by conducting a more sophisticated keyword search that should reduce documents in the review set only by virtue of false hits (*e.g.*, mentions of inmates who share Plaintiff's last name). Defendants anticipate the narrowed review set to be available early in the week of October 25, 2021. Defendants intend to provide Plaintiff responsive, non-privileged documents on a rolling basis and a privilege log shortly after the completion of the document review. Defendants will make their best efforts to complete their production of documents by November 22, 2021, but remain uncertain if this will be possible.¹ Defendants intend to file another status report with the Court next week regarding the status of the review efforts.

II. Dr. Leukefeld's Availability for the November 22, 2021 Hearing.

Dr. Leukefeld is available for the November 22, 2021 hearing, and can appear in person.

III. Any Additional Reasons or Considerations as to Why the Preliminary Injunction Hearing Cannot Be Held by November 22, 2021.

As discussed above, at this time Defendants are uncertain whether they can complete their production of the documents subject to the Court's Order by November 22, 2021. If the Court believes that completion of the document production is necessary before proceeding with the preliminary injunction hearing, it may make sense to finalize the preliminary injunction hearing schedule after Defendants report back to the Court with a more concrete schedule for production, which (as discussed above) they anticipate doing next week.

¹ Assuming an average processing rate (*i.e.*, review and redaction) of twenty-five documents per hour and eight-hour review days, it will take twenty-six full days to review the approximately 5,200 collected documents, absent further narrowing.

Dated: October 22, 2021

Respectfully submitted,

STEVEN D. WEINHOEFT
United States Attorney

BRIAN M. BOYNTON
Acting Assistant Attorney General
Civil Division

LAURA J. JONES
Assistant United States Attorney

ALEXANDER K. HAAS
Director, Federal Programs Branch

/s/ Joshua E. Gardner

JOSHUA E. GARDNER
Special Counsel

GARY D. FELDON

JOSHUA M. KOLSKY

Trial Attorneys

United States Department of Justice

Federal Programs Branch

1100 L St. NW, Room 11502

Washington, DC 20530

Tel: (202) 305-7583

Fax: (202) 616-8470

Email: joshua.e.gardner@usdoj.gov

Counsel for Defendants