

public for academy participants” and instead “relied on existing community relationships to invite individuals to participate in the inaugural academies.” Pl. Ex. 5 at 6136A.

Response: Admit.

52. At 10:49 a.m., an ICE employee responded, “Of course our goal is to have key stakeholders, especially at first. But we also do want to give members of the public (not representing any organizations) an opportunity down the road.” Pl. Ex. 5 at 6134A.

Response: Admit.

53. Later that day, Cutrell wrote, “I know you mentioned you had concerns moving forward with the news release. We can reassess the plan, if necessary.” Pl. Ex. 5 at 6131A.

Response: Admit.

54. Among the documents ICE produced in response to plaintiffs’ FOIA requests is a letter regarding a planned Chicago Citizens Academy, signed by Field Office Director Robert Guadian but not addressed to any particular recipient. Pl. Ex. 6.

Response: Admit though ICE produced the letter only after Plaintiffs had initially provided the letter to ICE as one example of a document known to be in ICE’s possession that ICE had failed to uncover in its search. Sept. 30, 2022 Joint Status Report, [ECF No. 42](#) ¶ 9.

55. On January 3, 2023, a management and program analyst at ICE who at the relevant time was special assistant to ERO’s Chicago field office’s director searched for records responsive to plaintiffs’ FOIA request by searching the office’s shared drive and emails using the search terms “Citizens Academy,” “Citizens,” and “Academy.” Def. Ex. B (Suppl. Pineiro Decl.) ¶ 5.

Response: Plaintiffs do not dispute that the Suppl. Pineiro Decl. sets forth these assertions; however, this paragraph characterizes the internal actions of ICE, and accordingly, Plaintiffs are without knowledge to admit or deny.

56. ICE’s Office of the Chief Financial Officer was not involved in the citizens academy program. Def. Ex. B (Suppl. Pineiro Decl.) ¶ 6.

Response: Plaintiffs do not dispute that the Suppl. Pineiro Decl. sets forth these assertions; however, this paragraph characterizes the internal actions of ICE, and accordingly, Plaintiffs are without knowledge to admit or deny.

57. The citizens academy program was an initiative under the purview of ICE's Office of Public Affairs and Office of Public Engagement. Def. Ex. B (Suppl. Pineiro Decl.) ¶ 6.

Response: Plaintiffs do not dispute that the Suppl. Pineiro Decl. sets forth these assertions; however, this paragraph characterizes the internal actions of ICE, and accordingly, Plaintiffs are without knowledge to admit or deny.

58. The Office of the Chief Financial Officer is not reasonably likely to have records responsive to plaintiffs' FOIA request. Def. Ex. B (Suppl. Pineiro Decl.) ¶ 6.

Response: Plaintiffs do not dispute that the Suppl. Pineiro Decl. sets forth these assertions; however, this paragraph characterizes the internal actions of ICE, and accordingly, Plaintiffs are without knowledge to admit or deny.

59. ICE's search tool is not case-sensitive: a search for a particular word with the first letter capitalized would return the same result as a search for the same word with the first letter in lower case. Def. Ex. B (Suppl. Pineiro Decl.) ¶ 7.

Response: Plaintiffs do not dispute that the Suppl. Pineiro Decl. sets forth these assertions; however, this paragraph characterizes the internal actions of ICE, and accordingly, Plaintiffs are without knowledge to admit or deny.

60. Many of the citizens academy participants had notable and unique job titles with prominent employers, and that information combined with the geographic area and calendar year would likely lead to the discovery of particular individuals' identities. Def. Ex. B (Suppl. Pineiro Decl.) ¶ 10.

Response: Plaintiffs do not dispute that the Suppl. Pineiro Decl. sets forth these assertions. Plaintiffs lack knowledge regarding participants' employers and job titles, and accordingly, Plaintiffs are not in a position to admit or deny.

61. ICE conducted background checks on each citizens academy participant before allowing them to participate. Def. Ex. B (Suppl. Pineiro Decl.) ¶ 11.

Response: Plaintiffs do not dispute that the Suppl. Pineiro Decl. sets forth these assertions; however, this paragraph characterizes the internal actions of ICE, and accordingly, Plaintiffs are without knowledge to admit or deny.

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Respectfully submitted,

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**Admitted Pro Hac Vice*