IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

DAVID CHARLES GRUSCH, Plaintiff, v. UNITED STATES DEPARTMENT OF DEFENSE, Defendant.	No. 1:26-cv-607 (LMB/WEF)

FOURTH JOINT STATUS REPORT

On March 2, 2026, Plaintiff initiated this action under the Freedom of Information Act ("FOIA") against the Department of Defense ("DoD") to obtain records requested from a September 30, 2024 FOIA request. *See generally* Dkt. 2. Plaintiff generally seeks records submitted to the Office of the Senior Intelligence Oversight Official during the period between April 1, 2023 through December 31, 2023, regarding any "unauthorized disclosure complaint" concerning: (1) Mr. David Charles Grusch; and (2) "unauthorized disclosures" that include the key terms "'unidentified aerial phenomenon', 'unidentified anomalous phenomenon', and/or the acronyms 'UAP' or 'UFO.'" *See generally* Dkt. 9-1.

To provide DoD with additional time to complete the processing of Plaintiff's FOIA request, the parties jointly moved for a 90-day stay of the proceedings on April 7, 2026. Dkt. 21. The Court granted that motion on the same day and also ordered the parties to submit joint status reports every thirty days from the date of the Order. Dkt. 22. The stay in this matter, absent any enlargement, is set to expire on July 6, 2026. Consistent with this Court's Order, the parties provided their first status report on May 5, 2026 (Dkt. 23); their second status report on June 8,

2026 (Dkt. 24); and their third joint status report on July 1, 2025 (Dkt. 25). That the parties' request, the Court also stayed the action for an additional thirty days and required the parties to submit another joint status report on August 5, 2026. Dkt. 26. The parties now provide the following report on the status of the matter:

After the DoD responded to Plaintiff's June 16, 2026 letter on June 26, 2026, Plaintiff wrote DoD on July 28, 2026. In that letter, Plaintiff raised a concern regarding DoD's search. Plaintiff also separately confirmed via email two days later, on July 31, 2026, that Plaintiff was not challenging any of the redactions or withholdings that DoD made to the records that were released on May 18, 2026. DoD responded to Plaintiff's July 28, 2026 letter on August 1, 2026 via email, and in response, Plaintiff indicates that the parties were at an impasse regarding the search for records in this case. Specifically, Plaintiff maintains an impasse based on search adequacy. Accordingly, the parties agree that the sole matter for this Court's resolution on summary judgment is whether DoD conducted a legally adequate search in response to Plaintiff's FOIA that led to this lawsuit.

To resolve this matter, the parties propose the following schedule:

A. Defendant shall file its motion for summary judgment on or before September 21, 2026;

B. Plaintiff shall file his opposition brief any and combined cross-motion for summary judgment on or before October 12, 2026;

C. Defendant shall file its reply brief and any combined opposition to Plaintiff's cross-motion for summary judgment on or before October 26, 2026;

D. If Plaintiff cross moves for summary judgment, any reply brief in support of Plaintiff's motion shall be filed on or before November 9, 2026.

The parties will confer as to a mutually agreeable date for a hearing on DoD's motion and file the appropriate paper with the Court noticing such a hearing at the time Defendant moves for summary judgment.

Dated: August 5, 2026

/s/
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Respectfully Submitted,

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