



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

June 23, 2021

By ECF

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *The New York Times Co. v. Federal Bureau of Prisons*, 20 Civ. 833 (PAE)

Dear Judge Engelmayer:

This Office represents defendant the Federal Bureau of Prisons (“BOP”) in this Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, action brought by plaintiff the New York Times Company (the “Times”) seeking the release of certain records related to Jeffrey Epstein. I write respectfully to request a one-week extension, from July 9, 2021, to July 16, 2021, of the parties’ deadline to submit a status report to the Court. This is the Government’s first request for an extension of this deadline. The Times consents to this request.

On May 25, 2021, consistent with the Government’s May 24, 2021, letter to the Court, ECF No. 59, Judge Torres entered deferred prosecution agreements as to both defendants in *United States v. Noel*, 19 Cr. 830 (AT). See Deferred Prosecution Agreement as to Michael Thomas, ECF No. 56, *United States v. Noel*, 19 Cr. 830 (AT); Deferred Prosecution Agreement as to Tova Noel, ECF No. 59, *United States v. Noel*, 19 Cr. 830 (AT). Pursuant to these agreements, the defendants agreed to be interviewed by the Department of Justice, Office of the Inspector-General (“DOJ-OIG”), and to “truthfully and completely disclose all information with respect to [certain] activities . . . related to [their] employment.” *Id.* DOJ-OIG completed its interviews of the defendants within the last week, with the interview of the second *Noel* defendant occurring yesterday, and some delay in scheduling both interviews occurred because of the need to conduct them in person. The Government needs some time to review the results of defendants’ interviews before it makes its revised production of records to the Times. The Government had intended to make this production by June 25, 2021, but now anticipates needing up to an additional week, until July 2, 2021, to complete its review of defendants’ compliance with the deferred prosecution agreements before making its revised production to the Times.

As set out in the Government’s May 24, 2021, letter, following the Government’s revised production, the Times will review the production. Thereafter, in the event the present request is granted, by July 16, 2021, the parties will inform the Court if any disputes remain and, if so, propose a schedule to the Court for *in camera* production of records still in dispute.

I thank the Court for its consideration of this submission.

Respectfully submitted,

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Granted.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

June 24, 2021