

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ABDIQAFAR WAGAFE, *et al.*, on behalf
of themselves and others similarly situated,

Plaintiffs,

v.

DONALD TRUMP, President of the
United States, *et al.*,

Defendants.

No. 2:17-cv-00094-RAJ

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION TO COMPEL
RE LAW ENFORCEMENT PRIVILEGE**

**[PROPOSED] ORDER GRANTING PLAINTIFFS'
MOTION TO COMPEL RE LAW
ENFORCEMENT PRIVILEGE (No. 2:17-cv-00094-**

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1 THE COURT, having considered Defendants' Motion to Compel Law Enforcement
2 Documents (Dkt. # __), the papers submitted by the parties in support of and in opposition to the
3 motion, the files and pleadings in this case, and being fully advised in the premises, now,
4 therefore, it is hereby

5 ORDERED that Defendants' Motion to Compel is GRANTED. For every document that
6 Defendants assert the law enforcement privilege, Defendants must provide Plaintiffs with an
7 affidavit or declaration from the head of the department (1) affirming that the agency generated
8 or collected the materials at issue and maintained its confidentiality; (2) stating that the official
9 has personally reviewed the materials in question; (3) identifying specific government interests
10 that would be threatened by disclosure to plaintiff and/or plaintiffs' counsel; and (4) describing
11 how disclosure subject to the parties' Stipulated Protective Order would create a substantial risk
12 of harm to government interests. Within 21 days from the issuance of this order, Defendants
13 shall either produce such affidavits or declarations for any documents to which Defendants have
14 already asserted the law enforcement privilege, or produce unredacted versions of the
15 documents.

16 It is further ORDERED that within 21 days of this order, Defendants must produce
17 revised privilege logs that clearly identify the agency official who has personally reviewed the
18 material and invoked the privilege, and which explain in detail how disclosure of the requested
19 information, subject to the Stipulated Protective Order, would implicate a specific law
20 enforcement interest.

21 DATED this _____ day of _____, 2018.

22
23 _____
24 HONORABLE RICHARD A. JONES
25 UNITED STATES DISTRICT JUDGE
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**[PROPOSED] ORDER GRANTING PLAINTIFFS'
MOTION TO COMPEL RE LAW ENFORCEMENT
PRIVILEGE (No. 2:17-cv-00094-RAJ) – 2**

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1 DATED this 8th day of February 2018.

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**[PROPOSED] ORDER GRANTING PLAINTIFFS’
MOTION TO COMPEL RE LAW ENFORCEMENT
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CERTIFICATE OF SERVICE

The undersigned certifies that on the dated indicated below, I caused service of the foregoing [PROPOSED] ORDER GRANTING PLAINTIFFS’ MOTION TO COMPEL RE LAW ENFORCEMENT PRIVILEGE via the CM/ECF system that will automatically send notice of such filing to all counsel of record herein.

DATED this 8th day of February, 2018, at Seattle, Washington.

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