

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-00390-CKK**

JAMES MADISON PROJECT et al v. DEPARTMENT OF JUSTICE et al
Assigned to: Judge Colleen Kollar-Kotelly
Cause: 05:552 Freedom of Information Act

Date Filed: 03/03/2017
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

JAMES MADISON PROJECT

represented by **Bradley Prescott Moss**
LAW OFFICES OF MARK S. ZAID, P.C.
1250 Connecticut Avenue, NW
Suite 700
Washington, DC 20036
(202) 454-2809
Fax: (202) 330-5610
Email: brad@markzaid.com
ATTORNEY TO BE NOTICED

Plaintiff

NOAH SHACHTMAN

represented by **Bradley Prescott Moss**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

DEPARTMENT OF JUSTICE

represented by **Matthew Joseph Berns**
NEW JERSEY DEPARTMENT OF LAW
AND PUBLIC SAFETY
Richard J. Hughes Justice Complex
25 Market Street
8th Floor, West Wing
Trenton, NJ 08625-0080
(202) 616-8016
Fax: (202) 616-8470
Email: matthew.j.berns@usdoj.gov
TERMINATED: 02/08/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vinita B. Andrapalliyal
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
(202) 305-0845
Fax: (202) 616-8470
Email: vinita.b.andrapalliyal@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DEPARTMENT OF HOMELAND SECURITY

represented by **Matthew Joseph Berns**
(See above for address)
TERMINATED: 02/08/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vinita B. Andrapalliyal
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/03/2017	<u>1</u>	COMPLAINT against DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-4863750) filed by THE JAMES MADISON PROJECT, NOAH SHACHTMAN. (Attachments: # <u>1</u> Exhibit Rule 7.1 certification, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons DHS, # <u>4</u> Summons DOJ, # <u>5</u> Summons USADC, # <u>6</u> Summons USAG)(Moss, Bradley) (Entered: 03/03/2017)
03/03/2017		Case Assigned to Judge Colleen Kollar-Kotelly. (zsb) (Entered: 03/03/2017)
03/03/2017	<u>2</u>	SUMMONS (4) Issued Electronically as to DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Form)(zsb) (Entered: 03/03/2017)
03/06/2017	<u>3</u>	ORDER Establishing Procedures for Cases Assigned to Judge Colleen Kollar-Kotelly. Signed by Judge Colleen Kollar-Kotelly on March 6, 2017. (NS) (Entered: 03/06/2017)
03/23/2017	<u>4</u>	NOTICE of Appearance by Matthew Joseph Berns on behalf of DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE (Berns, Matthew) (Entered: 03/23/2017)
03/28/2017	<u>5</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Berns, Matthew) (Entered: 03/28/2017)
03/29/2017		MINUTE ORDER: The Court is in receipt of Defendants' <u>5</u> Consent Motion, which requests an extension of time for Defendants to respond to the Complaint. For good cause shown, the Consent Motion is GRANTED. Defendants shall answer or otherwise respond to the Complaint by MAY 12, 2017. Signed by Judge Colleen Kollar-Kotelly on 3/29/2017. (lcckk1) (Entered: 03/29/2017)
03/29/2017		Set/Reset Deadlines: Answer due by 5/12/2017. (dot) (Entered: 03/30/2017)
05/08/2017	<u>6</u>	Consent MOTION for Leave to File <i>First Amended Complaint</i> by JAMES MADISON PROJECT, NOAH SHACHTMAN (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A – First Amended Complaint, # <u>3</u> Text of Proposed Order)(Moss, Bradley) (Entered: 05/08/2017)
05/10/2017		MINUTE ORDER: The Court is in receipt of Plaintiffs' <u>6</u> Motion for Leave to File First Amended Complaint, which requests leave to file an amended complaint in this action, and indicates that Defendants do not oppose this relief. This Motion is GRANTED, as the Court finds that "justice so requires." Fed. R. Civ. P. 15(a)(2). Plaintiffs' First Amended Complaint, ECF No. 6-2, is deemed filed as of this date. Signed by Judge Colleen Kollar-Kotelly on 5/10/2017. (lcckk1) (Entered: 05/10/2017)
05/10/2017	<u>7</u>	FIRST AMENDED COMPLAINT against DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE filed by JAMES MADISON PROJECT, NOAH SHACHTMAN.(znmw) (Entered: 05/11/2017)
05/24/2017	<u>8</u>	ANSWER to <u>7</u> Amended Complaint by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. Related document: <u>7</u> Amended Complaint filed by NOAH SHACHTMAN, JAMES MADISON PROJECT. (Attachments: # <u>1</u> Exhibit 1 – OLC Request, # <u>2</u> Exhibit 2 – DHS Request, # <u>3</u> Exhibit 3 – TSA Request, # <u>4</u> Exhibit 4 – CBP Request, # <u>5</u> Exhibit 5 – ICE Request, # <u>6</u> Exhibit 6 – USCIS Request)(Berns, Matthew) (Entered: 05/24/2017)
05/31/2017	<u>9</u>	ORDER. The parties shall file a schedule not later than JUNE 7, 2017. Signed by Judge Colleen Kollar-Kotelly on 5/31/2017. (lcckk1) (Entered: 05/31/2017)

05/31/2017		Set/Reset Deadlines: Parties shall file a scheduled by 6/7/2017. (dot) (Entered: 06/06/2017)
06/05/2017	<u>10</u>	Consent MOTION for Extension of Time to File <i>Joint Status Report</i> by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Berns, Matthew) (Entered: 06/05/2017)
06/06/2017		MINUTE ORDER: The Court is in receipt of Defendants' <u>10</u> Consent Motion for Extension of Time to File Joint Status Report. For good cause shown, that Motion is GRANTED. The parties shall file the Joint Status Report by JUNE 16, 2017. Signed by Judge Colleen Kollar-Kotelly on 6/6/2017. (lcckk1) (Entered: 06/06/2017)
06/06/2017		Set/Reset Deadlines: Joint Status Report due by 6/16/2017. (dot) (Entered: 06/07/2017)
06/16/2017	<u>11</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Berns, Matthew) (Entered: 06/16/2017)
06/21/2017		MINUTE ORDER: The Court is in receipt of the parties' <u>11</u> Joint Status Report, which indicates that Defendants have initiated searches for documents, and that some responsive materials have already been produced, and that the parties are conferring regarding the remaining issues in this matter. Accordingly, the parties shall file a further status report by JULY 21, 2017, updating the Court regarding the status of document productions, and proposing a briefing schedule, if necessary. Signed by Judge Colleen Kollar-Kotelly on 6/21/2017. (lcckk1) (Entered: 06/21/2017)
06/21/2017		Set/Reset Deadlines: Joint Status Report due by 7/21/2017. (dot) (Entered: 06/21/2017)
07/21/2017	<u>12</u>	Joint STATUS REPORT by JAMES MADISON PROJECT, NOAH SHACHTMAN. (Attachments: # <u>1</u> Text of Proposed Order)(Moss, Bradley) (Entered: 07/21/2017)
07/27/2017		MINUTE ORDER: The Court is in receipt of the parties' <u>12</u> Joint Status Report, which indicates that Defendants have initiated searches for documents, and that some responsive materials have already been produced, and that the parties are conferring regarding the remaining issues in this matter. Accordingly, the parties shall file a further status report by SEPTEMBER 5, 2017, updating the Court regarding the status of document productions, and proposing a briefing schedule, if necessary. Signed by Judge Colleen Kollar-Kotelly on 7/27/2017. (lcckk1) (Entered: 07/27/2017)
07/27/2017		Set/Reset Deadlines: Joint Status Report due by 9/5/2017. (dot) (Entered: 07/28/2017)
09/05/2017	<u>13</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Berns, Matthew) (Entered: 09/05/2017)
09/20/2017		MINUTE ORDER: The Court is in receipt of the parties' <u>12</u> Joint Status Report, which indicates that Defendants have initiated searches for documents, and that some responsive materials have already been produced, and that the parties are conferring regarding the remaining issues in this matter. Accordingly, the parties shall file a further status report by NOVEMBER 6, 2017, updating the Court regarding the status of document productions, and proposing a briefing schedule, if necessary. Signed by Judge Colleen Kollar-Kotelly on 9/20/2017. (lcckk1) (Entered: 09/20/2017)
09/20/2017		Set/Reset Deadlines: Joint Status Report due by 11/6/2017. (dot) (Entered: 09/20/2017)
11/06/2017	<u>14</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Berns, Matthew) (Entered: 11/06/2017)
11/20/2017		MINUTE ORDER: The Court is in receipt of the parties' <u>14</u> Joint Status Report, which indicates that Defendants have initiated searches for documents, and that some responsive materials have already been produced, and that the parties are conferring regarding the remaining issues in this matter. Accordingly, the parties shall file a further status report by JANUARY 19, 2018 , updating the Court regarding the status of document productions, and proposing a briefing schedule, if necessary. Signed by Judge Colleen Kollar-Kotelly on November 20, 2017. (lcckk1) (Entered: 11/20/2017)

11/20/2017		Set/Reset Deadlines: Joint Status Report due by 1/19/2018. (dot) (Entered: 11/22/2017)
01/19/2018	<u>15</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Berns, Matthew) (Entered: 01/19/2018)
02/08/2018	<u>16</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Vinita Balakrishnan Andrapalliyal on behalf of DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE Substituting for attorney Matthew J. Berns (Andrapalliyal, Vinita) (Entered: 02/08/2018)
02/28/2018		MINUTE ORDER: The Court is in receipt of the parties' <u>15</u> Joint Status Report, which indicates that Defendants have been reviewing and producing documents on an ongoing basis. As part of this process, "the parties have conferred about the scope of Plaintiffs' requests, and Plaintiffs have agreed to certain limitations or clarifications of their scope." The Court adopts the parties' proposal that they file a further status report by MARCH 20, 2018 , updating the Court regarding the status of document productions, and proposing a briefing schedule, if necessary. Signed by Judge Colleen Kollar-Kotelly on February 28, 2018. (lcckk1) (Entered: 02/28/2018)
02/28/2018		Set/Reset Deadlines: Joint Status Report due by 3/20/2018. (dot) (Entered: 02/28/2018)
03/20/2018	<u>17</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 03/20/2018)
04/12/2018		MINUTE ORDER: The Court is in receipt of the parties' <u>17</u> Joint Status Report, which indicates that Defendants have been reviewing and producing documents on an ongoing basis. The Court adopts the parties' proposal that they file a further status report by MAY 21, 2018 , updating the Court regarding the status of document productions, and proposing a briefing schedule, if necessary. Signed by Judge Colleen Kollar-Kotelly on April 12, 2018. (lcckk1) (Entered: 04/12/2018)
04/12/2018		Set/Reset Deadlines: Joint Status Report due by 5/21/2018. (dot) (Entered: 04/12/2018)
05/21/2018	<u>18</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 05/21/2018)
05/21/2018		MINUTE ORDER: The Court is in receipt of the parties' <u>18</u> Joint Status Report, which indicates that Defendants have been reviewing and producing documents on an ongoing basis. The Court adopts the parties' proposal that they file a further status report by JULY 23, 2018 , updating the Court regarding the status of document productions, and proposing a briefing schedule, if necessary. Signed by Judge Colleen Kollar-Kotelly on May 21, 2018. (lcckk1) (Entered: 05/21/2018)
05/21/2018		Set/Reset Deadlines: Joint Status Report due by 7/23/2018. (dot) (Entered: 07/09/2018)
07/23/2018	<u>19</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 07/23/2018)
08/02/2018		MINUTE ORDER: The Court is in receipt of the parties' <u>19</u> Joint Status Report, which indicates that Defendants have been reviewing and producing documents on an ongoing basis. The Court adopts the parties' proposal that they file a further status report by SEPTEMBER 24, 2018 , updating the Court regarding the status of document productions, and proposing a briefing schedule, if necessary. Signed by Judge Colleen Kollar-Kotelly on August 2, 2018. (lcckk1) (Entered: 08/02/2018)
08/02/2018		Set/Reset Deadlines: Joint Status Report due by 9/24/2018, updating the Court regarding the status of document productions, and proposing a briefing schedule, if necessary. (dot) (Entered: 08/02/2018)
09/24/2018	<u>20</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 09/24/2018)
10/09/2018		MINUTE ORDER: The Court is in receipt of the parties' <u>20</u> Joint Status Report, which indicates that Defendants have been reviewing and producing documents on an

		ongoing basis. The Court adopts the parties' proposal that they file a further Joint Status Report by NOVEMBER 27, 2018 , updating the Court regarding the status of document productions, and proposing a briefing schedule, if necessary. The parties shall continue to submit further Joint Status Reports every sixty days thereafter, unless and until the Court orders otherwise. Signed by Judge Colleen Kollar-Kotelly on October 9, 2018. (lcckk1) (Entered: 10/09/2018)
10/09/2018		Set/Reset Deadlines: Joint Status Report due by 11/27/2018, updating the Court regarding the status of document productions, and proposing a briefing schedule, if necessary. (dot) (Entered: 10/10/2018)
11/27/2018	<u>21</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 11/27/2018)
01/29/2019	<u>22</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 01/29/2019)
03/28/2019	<u>23</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 03/28/2019)
05/28/2019	<u>24</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 05/28/2019)
07/30/2019	<u>25</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 07/30/2019)
07/31/2019		MINUTE ORDER: The Court is in receipt of the parties' latest <u>25</u> Joint Status Report, which indicates that Defendants have been reviewing and producing documents on an ongoing basis. However, the Office of Legal Counsel's productions to date have not been updated since the prior <u>24</u> Joint Status Report, contrary to the Court's expectation because OLC "has been making approximately monthly productions." The parties' next Joint Status Report shall include an OLC update. The Court adopts the parties' proposal that they file a further Joint Status Report by OCTOBER 1, 2019 , updating the Court regarding the status of document review and productions, and proposing a briefing schedule, if necessary. That Joint Status Report shall tightly summarize what the parties have previously reported to the Court and shall focus the Court's attention on Defendants' latest progress in review and production. Defendants also shall identify anticipated timelines for concluding their productions in this case. The parties shall continue to submit further Joint Status Reports every sixty days thereafter, unless and until the Court orders otherwise. Signed by Judge Colleen Kollar-Kotelly on July 31, 2019. (lcckk1) (Entered: 07/31/2019)
07/31/2019		Set/Reset Deadlines: Joint Status Report due by 10/1/2019, updating the Court regarding the status of document review and productions, and proposing a briefing schedule, if necessary. (dot) (Entered: 08/02/2019)
10/01/2019	<u>26</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 10/01/2019)
12/03/2019	<u>27</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 12/03/2019)
02/04/2020	<u>28</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 02/04/2020)
04/07/2020	<u>29</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF JUSTICE. (Andrapalliyal, Vinita) (Entered: 04/07/2020)