

**U.S. District Court - District of Colorado
District of Colorado (Denver)
CIVIL DOCKET FOR CASE #: 1:18-cv-00302-JLK**

Civil Rights Education and Enforcement Center v.
United States Department of Homeland Security et al
Assigned to: Judge John L. Kane
Cause: 05:552 Freedom of Information Act

Date Filed: 02/07/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act of 1974
Jurisdiction: U.S. Government
Defendant

Plaintiff

**Civil Rights Education and
Enforcement Center**

represented by **Amber Rose Gonzales**
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V.

Defendant

**United States Department of
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TERMINATED: 07/22/2019

Defendant

**United States Immigration and
Customs Enforcement**

represented by **Ian J. Kellogg**
(See above for address)
ATTORNEY TO BE NOTICED

Kyle W. Brenton
(See above for address)
ATTORNEY TO BE NOTICED

Mark S. Pestal
(See above for address)
TERMINATED: 07/22/2019

Date Filed	#	Docket Text
02/07/2018	<u>1</u>	COMPLAINT <i>for declaratory and injunctive relief</i> against United States Department of Homeland Security, United States Immigration and Customs Enforcement (Filing fee \$ 400,Receipt Number 1082-5934785)Attorney Thomas B. Kelley added to party Civil Rights Education and Enforcement Center(pty:pla), filed by Civil Rights Education and Enforcement Center. (Attachments: # <u>1</u> Exhibit 1 - FOIA Request, # <u>2</u> Exhibit 2 - Email, # <u>3</u> Exhibit 3 - Automatic Reply, # <u>4</u> Exhibit 4 - Email, # <u>5</u> Exhibit 5 - Automatic Reply, # <u>6</u> Exhibit 6 - Email, # <u>7</u> Exhibit 7 - Email, # <u>8</u> Exhibit 8 - FOIA Request, # <u>9</u> Exhibit 9 - Email, # <u>10</u> Exhibit 10 - Automatic

		<p>Reply, # 11 Exhibit 11 - FOIA Request, # 12 Exhibit 12 - Email, # 13 Exhibit 13 - Automatic Reply, # 14 Exhibit 14 - FOIA Request, # 15 Exhibit 15 - Email, # 16 Exhibit 16 - Automatic Reply, # 17 Exhibit 17 - Email, # 18 Exhibit 18 - FOIA Tracker Screenshot, # 19 Exhibit 19 - Email, # 20 Exhibit 20 - Automatic Reply, # 21 Exhibit 21 - Email, # 22 Exhibit 22 - Email, # 23 Exhibit 23 - Automatic Reply, # 24 Exhibit 24 - Email, # 25 Exhibit 25 - ICE FOIA Screenshot, # 26 Exhibit 26 - ICE FOIA Screenshot, # 27 Exhibit 27 - ICE FOIA Request, # 28 Exhibit 28 - Email, # 29 Exhibit 29 - Automatic Reply, # 30 Exhibit 30 - Email, # 31 Exhibit 31 - Email, # 32 Exhibit 32 - Email Response, # 33 Exhibit 33 - Automatic Acknowledgement, # 34 Exhibit 34 - Email, # 35 Exhibit 35 - ICE FOIA Screenshot, # 36 Exhibit 36 - ICE FOIA Screenshot, # 37 Civil Cover Sheet)(Kelley, Thomas) (Entered: 02/07/2018)</p>
02/07/2018	2	<p>ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES:re: 1 Complaint filed by attorney Thomas B. Kelley. DO NOT REFILE THE DOCUMENT. Action to take - counsel must submit a change of contact request through the Attorney Services Portal Account pursuant to D.C.COLO.LAttyR 5(c) and 3.5 of the Electronic Case Filing Procedures (Civil cases).(Text Only Entry) (rvill,) (Entered: 02/07/2018)</p>
02/07/2018	3	<p>Case assigned to Judge Richard P. Matsch and drawn to Magistrate Judge Kristen L. Mix. Text Only Entry. (rvill,) (Entered: 02/07/2018)</p>
02/07/2018	4	<p>Magistrate Judge consent form issued pursuant to 28 U.S.C. 636(c). No Summons Issued. (rvill,) (Entered: 02/07/2018)</p>
02/09/2018	5	<p>NOTICE of Entry of Appearance by Amber Rose Gonzales on behalf of Civil Rights Education and Enforcement CenterAttorney Amber Rose Gonzales added to party Civil Rights Education and Enforcement Center(pty:pla) (Gonzales, Amber) (Entered: 02/09/2018)</p>
02/09/2018	6	<p>SUMMONS REQUEST as to U.S. Department of Homeland Security by Plaintiff Civil Rights Education and Enforcement Center. (Gonzales, Amber) (Entered: 02/09/2018)</p>

02/09/2018	<u>7</u>	SUMMONS REQUEST as to U.S. Immigration and Customs Enforcement by Plaintiff Civil Rights Education and Enforcement Center. (Gonzales, Amber) (Entered: 02/09/2018)
02/09/2018	<u>8</u>	SUMMONS issued by Clerk as to U.S. Immigration and Customs, (Attachments: # <u>1</u> Summons as to Department of Homeland Security) (evana,) (Entered: 02/09/2018)
02/15/2018	<u>9</u>	SUMMONS Returned Executed upon defendant(s) United States Department of Homeland Security served on 2/12/2018, answer due 4/13/2018. (Gonzales, Amber) (Entered: 02/15/2018)
02/15/2018	<u>10</u>	SUMMONS Returned Executed upon defendant(s) United States Immigration and Customs Enforcement served on 2/12/2018, answer due 4/13/2018. (Gonzales, Amber) (Entered: 02/15/2018)
03/06/2018	<u>11</u>	NOTICE of Entry of Appearance by Mark S. Pestal on behalf of All Defendants Attorney Mark S. Pestal added to party United States Department of Homeland Security(pty:dft), Attorney Mark S. Pestal added to party United States Immigration and Customs Enforcement(pty:dft) (Pestal, Mark) (Entered: 03/06/2018)
04/13/2018	<u>12</u>	Unopposed MOTION for Extension of Time to File Answer or Otherwise Respond re <u>1</u> Complaint,,,,,, by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Kellogg, Ian) (Entered: 04/13/2018)
04/16/2018	<u>13</u>	ORDER Granting <u>12</u> unopposed motion for extension of time, to and including May 7, 2018, to response to complaint, by Judge Richard P. Matsch on 4/16/2018. (ktera) (Entered: 04/16/2018)
05/07/2018	<u>14</u>	ANSWER to <u>1</u> Complaint, by United States Department of Homeland Security, United States Immigration and Customs Enforcement.(Kellogg, Ian) (Entered: 05/07/2018)
05/08/2018	<u>15</u>	PROCEDURAL ORDER NUMBER ONE Counsel will meet and confer as required by Rule 26 (f)(2) within 30 days from the date of this order. Lead counsel shall attend the conference in person. The disclosures required by Rule 26(a)(1)(A) shall be made within 14 days after that conference. Counsel for the plaintiff will telephone chambers [303-844-4627] within 10 days after the disclosures to set a date and time for a Scheduling Conference pursuant to Rule 16. The instructions for preparation of the Scheduling Order and the form of that order are found at

		http://www.cod.uscourts.gov/judges/judges.aspx , by Judge Richard P. Matsch on 5/8/2018. (ktera) (Entered: 05/08/2018)
06/21/2018	<u>16</u>	ORDER SETTING SCHEDULING CONFERENCE A scheduling conference will be held on August 15, 2018, at 10:00 a.m. in the Conference Room, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado. The proposed order (original only) on paper, shall be submitted directly to chambers by 12:00 noon on August 6, 2018. The conference is conducted with lead counsel present in person. No parties or representatives of parties will be permitted to attend, by Judge Richard P. Matsch on 6/21/2018. (ktera) (Entered: 06/21/2018)
06/28/2018	<u>17</u>	<p>Unopposed MOTION to Amend/Correct/Modify <u>1</u> Complaint,,,,,, by Plaintiff Civil Rights Education and Enforcement Center. (Attachments: # <u>1</u> Exhibit First Amended Complaint, # <u>2</u></p> <p>Exhibit 1 - Written Request, # <u>3</u> Exhibit 2 - Cover Email, # <u>4</u> Exhibit 3 - Automatic Reply, # <u>5</u> Exhibit 4 - CREEC Email, # <u>6</u> Exhibit 5 - Automatic Reply, # <u>7</u> Exhibit 6 - Email to Bittner, # <u>8</u> Exhibit 7 - ICE-FOIA Email, # <u>9</u> Exhibit 8 - FOIA Request, # <u>10</u> Exhibit 9 - Cover Email, # <u>11</u> Exhibit 10 - Automatic Reply, # <u>12</u> Exhibit 11 - FOIA Request, # <u>13</u> Exhibit 12 - Cover Email, # <u>14</u> Exhibit 13 - Automatic Reply, # <u>15</u> Exhibit 14 - FOIA Request, # <u>16</u> Exhibit 15 - Cover Email, # <u>17</u> Exhibit 16 - Automatic Reply, # <u>18</u> Exhibit 17 - ICE-FOIA Email, # <u>19</u> Exhibit 18 - Screenshot, # <u>20</u> Exhibit 19 - CREEC Email, # <u>21</u> Exhibit 20 - Automatic Reply, # <u>22</u> Exhibit 21 - Email to CREEC, # <u>23</u> Exhibit 22 - CREEC Email, # <u>24</u> Exhibit 23 - Automatic Reply, # <u>25</u> Exhibit 24 - Email to Bittner, # <u>26</u> Exhibit 25 - Screenshot, # <u>27</u> Exhibit 26 - Screenshot, # <u>28</u> Exhibit 27 - FOIA Request, # <u>29</u> Exhibit 28 - Cover Email, # <u>30</u> Exhibit 29 - Automatic Reply, # <u>31</u> Exhibit 30 - ICE-FOIA Email, # <u>32</u> Exhibit 31 - ICE-FOIA Email, # <u>33</u> Exhibit 32 - CREEC Response, # <u>34</u> Exhibit 33 - Automatic Acknowledgment, # <u>35</u> Exhibit 34 - Email to Bittner, # <u>36</u> Exhibit 35 - Screenshot, # <u>37</u> Exhibit 36 - Screenshot, # <u>38</u> Exhibit 37 - Report, # <u>39</u> Exhibit 38 - FOIA Request, # <u>40</u> Exhibit 39 - Cover Email, # <u>41</u> Exhibit 40 - Automatic Reply, # <u>42</u> Exhibit 41 - CREEC Email, # <u>43</u> Exhibit 42 - Automatic Reply, # <u>44</u> Exhibit 43 - Email to Bittner, # <u>45</u> Exhibit 44 - Automatic Reply, # <u>46</u> Exhibit 45 - FOIA Request, # <u>47</u> Exhibit 46 - ICE-FOIA Email, # <u>48</u> Exhibit 47 - Website, # <u>49</u> Exhibit 48 - Screenshot, # <u>50</u> Exhibit 49 - FOIA Request, # <u>51</u> Exhibit 50 - Cover Email, # <u>52</u> Exhibit 51 - ICE-FOIA Email, # <u>53</u> Exhibit 52 - Screenshot, # <u>54</u> Exhibit 53 - FOIA</p>

		Request, # 55 Exhibit 54 - Cover Email, # 56 Exhibit 55 - ICE-FOIA Email, # 57 Exhibit 56 - Screenshot, # 58 Exhibit 57 - Screenshot, # 59 Exhibit 58 - FOIA Request, # 60 Exhibit 59 - Cover Email, # 61 Exhibit 60 - Email and Response, # 62 Exhibit 61 - ICE-FOIA Email, # 63 Exhibit 62 - Website)(Kelley, Thomas) (Entered: 06/28/2018)
06/29/2018	18	ORDER Granting 17 Plaintiff's Unopposed Motion for Leave to File First Amended Complaint. The First Amended Complaint attached thereto is accepted for filing, by Judge Richard P. Matsch on 6/29/2018. (ktera) (Entered: 06/29/2018)
06/29/2018	19	FIRST AMENDED COMPLAINT filed by Civil Rights Education and Enforcement Center. (ktera) (Entered: 06/29/2018)
07/12/2018	20	Unopposed MOTION for Extension of Time to File Answer or Otherwise Respond re 19 Amended Complaint by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Pestal, Mark) (Entered: 07/12/2018)
07/12/2018	21	ORDER Granting 20 Defendants' motion for extension of time, to and including July 31, 2018, to respond to the amended complaint, by Judge Richard P. Matsch on 7/12/2018. (ktera) (Entered: 07/12/2018)
07/27/2018	22	NOTICE of Entry of Appearance by Timothy Patrick Fox on behalf of Civil Rights Education and Enforcement CenterAttorney Timothy Patrick Fox added to party Civil Rights Education and Enforcement Center(pty:pla) (Fox, Timothy) (Entered: 07/27/2018)
07/30/2018	23	NOTICE of Entry of Appearance by Elizabeth B. Jordan on behalf of Civil Rights Education and Enforcement CenterAttorney Elizabeth B. Jordan added to party Civil Rights Education and Enforcement Center(pty:pla) (Jordan, Elizabeth) (Entered: 07/30/2018)
07/31/2018	24	ANSWER to 19 Amended Complaint by United States Department of Homeland Security, United States Immigration and Customs Enforcement.(Pestal, Mark) (Entered: 07/31/2018)
08/06/2018	25	DECLARATION of <i>Catrina Pavlik-Keenan</i> by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Pestal, Mark) (Entered: 08/06/2018)

08/15/2018	26	COURTROOM MINUTES for Scheduling Conference held before Senior Judge Richard P. Matsch on 8/15/2018. ORDERED: This matter is set for continued Scheduling Conference on September 25, 2018, at 10:00 a.m. FTR: Kathy Terasaki. (Irobe) (Entered: 08/15/2018)
08/15/2018	27	ORDER SETTING FURTHER SCHEDULING CONFERENCE Pursuant to the August 15, 2018 scheduling conference, a further scheduling conference is scheduled for September 25, 2018 at 10:00 a.m. in the Conference Room, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado, by Judge Richard P. Matsch on 8/15/2018. (ktera) (Entered: 08/15/2018)
08/15/2018	28	Utility Confirming Setting Hearings: Scheduling Conference set for 9/25/2018 10:00 AM before Judge Richard P. Matsch. Text Only Entry (evana,) (Entered: 08/20/2018)
09/17/2018	29	MOTION for Leave to <i>File Response to Defendants'</i> 25 Declaration by Plaintiff Civil Rights Education and Enforcement Center. (Gonzales, Amber) (Entered: 09/17/2018)
09/17/2018	30	RESPONSE to 25 Declaration <i>Re ICE FOIA Office Workload and Resources</i> by Plaintiff Civil Rights Education and Enforcement Center. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Gonzales, Amber) (Entered: 09/17/2018)
09/17/2018	32	ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES: re: 29 MOTION for Leave to File Response to Defendants' 25 Declaration filed by attorney Thomas B. Kelley. The s/signature did not match the filers name on the account for which the login and password are registered. DO NOT REFILE THE DOCUMENT. Action to take - future documents must be filed pursuant to D.C.COLO.LCivR 5.1(a) and 4.3(c) of the Electronic Case Filing Procedures (Civil cases).(Text Only Entry) (evana,) (Entered: 09/18/2018)
09/17/2018	33	ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES: re: 30 Response filed by attorney

		Thomas B. Kelley. The s/signature did not match the filers name on the account for which the login and password are registered. DO NOT REFILE THE DOCUMENT. Action to take - future documents must be filed pursuant to D.C.COLO.LCivR 5.1(a) and 4.3(c) of the Electronic Case Filing Procedures (Civil cases).(Text Only Entry) (evana,) (Entered: 09/18/2018)
09/18/2018	31	ORDER Granting 29 Plaintiff's Motion for Leave to File Response to Defendants' Declaration Regarding ICE FOIA Office Workload and Resources. Plaintiff's Response Doc. 30 is accepted for filing, by Judge Richard P. Matsch on 9/18/2018. (ktera) (Entered: 09/18/2018)
09/25/2018	34	MINUTE ENTRY for Scheduling Conference proceedings held before Judge Richard P. Matsch on 9/25/2018. Scheduling Order APPROVED and SIGNED with changes and interlineations. Status Conference set for 10/26/2018 10:00 AM in Courtroom A before Judge Richard P. Matsch. FTR: K. Terasaki. (babia) (Entered: 09/25/2018)
09/25/2018	35	SCHEDULING ORDER approved and signed with changes and interlineations by Judge Richard P. Matsch on 9/25/2018. (babia) (Entered: 09/25/2018)
10/26/2018	36	MINUTE ENTRY for proceedings held before Senior Judge Richard P. Matsch: Status Conference held on 10/26/2018. Status Conference set for 12/7/2018, at 10:00 AM, in Courtroom A before Senior Judge Richard P. Matsch. FTR: K. Terasaki. (rkeec) (Entered: 10/26/2018)
12/07/2018	37	MINUTE ENTRY for Status Conference proceedings held before Judge Richard P. Matsch on 12/7/2018. ORDERED:Counsel shall meet and confer to draft and submit a proposed order requiring the agency to set out what their priority schedule is on production of documents in each category, on or before December 20, 2018. Status Conference set for 1/18/2019 10:00 AM in Courtroom A before Judge Richard P. Matsch. FTR: K. Terasaki. (babia) (Entered: 12/07/2018)
12/12/2018	38	Unopposed MOTION to Clarify re 37 Status Conference,, Terminate Hearings,, Set/Reset Hearings, by Plaintiff Civil Rights Education and Enforcement Center. (Attachments: # 1 Exhibit 1 - proposed Order Regarding Production Schedule)(Kelley, Thomas) (Entered: 12/12/2018)

12/20/2018	<u>39</u>	Unopposed MOTION for Extension of Time to <i>Submit Proposed Production Schedule</i> by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Pestal, Mark) (Entered: 12/20/2018)
12/21/2018	<u>40</u>	ORDER Granting <u>39</u> Defendants' unopposed motion for extension of time, to and including January 9, 2019, to submit a proposed production schedule. By Judge Richard P. Matsch on 12/21/2018. (ktera) (Entered: 12/21/2018)
12/21/2018	<u>41</u>	ORDER on <u>38</u> Motion for Clarification. By Judge Richard P. Matsch on 12/21/2018. (ktera) (Entered: 12/21/2018)
01/02/2019	<u>42</u>	NOTICE of Entry of Appearance by Steven David Zansberg on behalf of All Plaintiffs Attorney Steven David Zansberg added to party Civil Rights Education and Enforcement Center(pty:pla) (Zansberg, Steven) (Entered: 01/02/2019)
01/07/2019	<u>43</u>	Unopposed MOTION for Extension of Time to <i>File Proposed Production Schedule and to Vacate and Reset Status Conference</i> by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Pestal, Mark) (Entered: 01/07/2019)
01/08/2019	<u>44</u>	ORDER Upon review of Defendants' unopposed motion for an extension of time, to and including February 8, 2019, to submit a proposed production schedule and rescheduling the January 18, 2019, status conference to February 15, 2019, at 10:00 a.m., it is ORDERED that the motion is granted, by Judge Richard P. Matsch on 1/8/2019. (evana,) (Entered: 01/08/2019)
01/09/2019	<u>45</u>	NOTICE of Change of Address/Contact Information <i>and Firm Affiliation</i> by Thomas B. Kelley (Kelley, Thomas) (Entered: 01/09/2019)
02/08/2019	<u>46</u>	Joint STATUS REPORT <i>AND PROPOSED PRODUCTION SCHEDULE</i> by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Pestal, Mark) (Entered: 02/08/2019)
02/15/2019	<u>47</u>	COURTROOM MINUTES for Status Conference held before Judge Richard P. Matsch on 2/15/2019. Defendants shall produce the three categories of documents in 60 days or explain why they are unable to do so. Status Conference set for 4/26/2019 10:00 AM in Conference Room before Judge Richard P. Matsch. FTR: K. Terasaki. (ebuch) (Entered: 02/15/2019)

04/25/2019	48	NOTICE of Entry of Appearance by Kyle W. Brenton on behalf of United States Department of Homeland Security, United States Immigration and Customs EnforcementAttorney Kyle W. Brenton added to party United States Department of Homeland Security(pty:dft), Attorney Kyle W. Brenton added to party United States Immigration and Customs Enforcement(pty:dft) (Brenton, Kyle) (Entered: 04/25/2019)
04/26/2019	49	MINUTE ORDER Due to a conflict with the Court's calendar, the 47 status conference set for April 26, 2019, is rescheduled for May 1, 2019, at 10:00 a.m. in the Conference Room, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado, by Judge Richard P. Matsch on 4/26/2019. (ktera) (Entered: 04/26/2019)
04/29/2019	50	MINUTE ORDER Due to a conflict with the Court's calendar, the 49 May 1, 2019, status conference is vacated. The conference will be rescheduled at a later date, by Judge Richard P. Matsch on 4/30/2019. (ktera) Modified on 4/29/2019 to enter the correct date of status conference (ktera). (Entered: 04/29/2019)
05/23/2019	51	WITHDRAWN MOTION for Sanctions and Order to Produce Documents by Plaintiff Civil Rights Education and Enforcement Center. (Attachments: # 1 Exhibit 1 - Email, # 2 Exhibit 2 - Email, # 3 Exhibit 3 - Email, # 4 Exhibit 4 - Email, # 5 Exhibit 5 - FOIA Letter, # 6 Exhibit 6 - Complaint, # 7 Exhibit 7 - Declaration)(Kelley, Thomas) (Modified on 2/3/2020 Withdrawn pursuant to the 74 Order)(evana,). (Entered: 05/23/2019)
05/24/2019	52	NOTICE of Entry of Appearance by Chad Phillip Jimenez on behalf of Civil Rights Education and Enforcement CenterAttorney Chad Phillip Jimenez added to party Civil Rights Education and Enforcement Center(pty:pla) (Jimenez, Chad) (Entered: 05/24/2019)
05/30/2019	53	Upon the passing of Judge Richard P. Matsch, and pursuant to D.C.COLO.LCivR 40.1(a), this case has been reassigned to Judge John L. Kane effective this date. All future pleadings should be designated as 18-cv-00302-JLK. (Text Only Entry). (sphil,) (Entered: 05/30/2019)

06/13/2019	<u>54</u>	RESPONSE to <u>51</u> MOTION for Sanctions <i>and Order to Produce Documents</i> filed by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Pestal, Mark) (Entered: 06/13/2019)
06/25/2019	<u>55</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>51</u> MOTION for Sanctions <i>and Order to Produce Documents</i> by Plaintiff Civil Rights Education and Enforcement Center. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Kelley, Thomas) (Entered: 06/25/2019)
06/25/2019	<u>56</u>	ORDER granting <u>55</u> Unopposed Motion for Extension of Time to File Reply Brief in Support of Motion for Sanctions and Order to Produce Documents. ORDERED by Judge John L. Kane on 6/25/2019.(cthom,) (Entered: 06/25/2019)
07/05/2019	<u>57</u>	WITHDRAWN MOTION to Amended Complaint Second Amended Complaint against United States Department of Homeland Security, United States Immigration and Customs Enforcement, Ginger Wentz, filed by Civil Rights Education and Enforcement Center. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Proposed Order (PDF Only))(Kelley, Thomas) Modified to add motion event on 7/9/2019 (cthom,). (Modified on 2/3/2020 Withdrawn pursuant to the <u>74</u> Order)(evana,). (Entered: 07/05/2019)
07/05/2019	<u>58</u>	REPLY to Response to <u>51</u> MOTION for Sanctions <i>and Order to Produce Documents</i> filed by Plaintiff Civil Rights Education and Enforcement Center. (Attachments: # <u>1</u> Exhibit 8 - Email from M Pestal 9-10-18, # <u>2</u> Exhibit 9 - Email from T Kelley 9-14-18, # <u>3</u> Exhibit 10 - Email from M Pestal 10-26-18, # <u>4</u> Exhibit 11 - Email from A Rose 12-3-18, # <u>5</u> Exhibit 12 - Memorandum Opinion)(Kelley, Thomas) (Entered: 07/05/2019)
07/12/2019	<u>59</u>	MOTION for Extension of Time to <i>Respond to Motion to Amend Complaint</i> by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Brenton, Kyle) (Entered: 07/12/2019)
07/12/2019	<u>60</u>	SUPPLEMENT/AMENDMENT to <i>Response to Motion for Sanctions</i> by Defendants United States Department of Homeland

		Security, United States Immigration and Customs Enforcement. (Brenton, Kyle) (Entered: 07/12/2019)
07/12/2019	61	Exhibits in Support of 60 Supplement/Amendment by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Brenton, Kyle) (Entered: 07/12/2019)
07/12/2019	62	ORDER THE COURT, having reviewed Defendants' Unopposed Motion for Extension of Time to respond to Plaintiff's Motion to Amend Complaint, and being sufficiently advised of the premises, hereby GRANTS the Motion (ECF No. 59). Defendants' response to Plaintiff's Motion to Amend Complaint is due on or before August 9, 2019, by Judge John L. Kane on 7/12/2019.(evana,) (Entered: 07/15/2019)
07/22/2019	63	Unopposed MOTION to Withdraw as Attorney by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Pestal, Mark) (Entered: 07/22/2019)
07/22/2019	64	MINUTE ORDER GRANTING 63 Unopposed Motion to Withdraw as Counsel of Record. Given that representation of Defendants will continue through Mr. Kellogg and Mr. Brenton of the U.S. Attorney's Office, Attorney Mark S. Pestal is authorized to WITHDRAW as counsel. Mr. Pestal SHALL be REMOVED from future electronic notifications in this case. ORDERED by Judge John L. Kane on 7/22/2019.(cthom,) (Entered: 07/22/2019)
08/09/2019	65	RESPONSE to 57 MOTION to Amend/Correct/Modify <i>Complaint</i> filed by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Brenton, Kyle) (Entered: 08/09/2019)
08/22/2019	66	Unopposed MOTION for Extension of Time to File Response/Reply as to 57 MOTION to Amend/Correct/Modify <i>Complaint</i> by Plaintiff Civil Rights Education and Enforcement Center. (Attachments: # 1 Proposed Order (PDF Only))(Kelley, Thomas) (Entered: 08/22/2019)
08/22/2019	67	ORDER granting 66 Plaintiff's Unopposed Motion for Extension of Time to File Reply in Support of Motion to File Second Amended Complaint. The Reply is due on or before September 3, 2019.

		Ordered by Judge John L. Kane on 8/22/2019. Text Only Entry(jlksec) (Entered: 08/22/2019)
09/03/2019	68	REPLY to Response to 57 MOTION to Amend/Correct/Modify filed by Plaintiff Civil Rights Education and Enforcement Center. (Attachments: # 1 Exhibit 1 - March 1, 2019 Request, # 2 Exhibit 2 - April 19, 2019 Request, # 3 Exhibit 3 - Related Documents)(Kelley, Thomas) (Entered: 09/03/2019)
09/16/2019	69	NOTICE <i>Joint Notice of Potential Partial Settlement</i> by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement (Brenton, Kyle) (Entered: 09/16/2019)
12/11/2019	70	NOTICE of Change of Address/Contact Information <i>for Timothy P. Fox and Elizabeth B. Jordan</i> by Timothy Patrick Fox (Fox, Timothy) (Entered: 12/11/2019)
12/12/2019	71	ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES:re: 70 Notice of Change of Address/Contact Information filed by attorney Timothy P. Fox. DO NOT REFILE THE DOCUMENT. Action to take - counsel must submit a change of contact request through the Attorney Services Portal Account pursuant to D.C.COLO.LAttyR 5(c) and 3.5 of the Electronic Case Filing Procedures (Civil cases).(Text Only Entry) (evana,) (Entered: 12/12/2019)
01/16/2020	72	MINUTE ORDER. On September 16, 2019, the parties notified the Court that they reached a preliminary agreement to resolve several outstanding issues, and that the agreement could negate the need for the Court to rule on the motions currently pending in this case. The parties are ORDERED to file a joint status report on or before February 3, 2020, indicating whether it remains necessary for the Court to rule on Plaintiff's Motion for Sanctions and Order to Produce Documents 51 , or Plaintiff's Opposed Motion for Leave to File Second Amended Complaint 57 . Ordered by Judge John L. Kane on 1/16/2020. Text Only Entry (jlksec) (Entered: 01/16/2020)
01/31/2020	73	STIPULATION <i>Regarding Conclusion of Matter and Procedure for Determination of Remaining Issues and Plaintiff's Claim for Attorney Fees</i> by Plaintiff Civil Rights Education and Enforcement Center. (Attachments: # 1 1 - FOIA Documents Chart)(Kelley, Thomas) (Entered: 01/31/2020)

02/03/2020	74	<p>ORDER Pursuant to the parties' Stipulation Regarding Conclusion of Matter and Procedure for Determination of Remaining Issues and Plaintiff's Claim for Attorney Fees (ECF No. 73), IT IS HEREBY ORDERED that Plaintiff's Motion for Sanctions and Order to</p> <p>Produce Documents (ECF No. 51) and Plaintiff's Motion for</p> <p>Leave to File Second Amended Complaint (ECF No. 57) are WITHDRAWN AS MOOT. that if the parties cannot reach an agreement regarding the documents referenced in the Stipulation, they will so inform the Court via a notice filed on or before February 25, 2020. If no agreement is reached, Defendants shall file a motion for summary judgment on or before March 30, 2020, addressing the propriety of the claimed exemptions and redactions. That Plaintiff's motion for award of attorney fees and costs, including affidavits and documents supporting the amount of attorney fees claimed, shall be filed within 20 days of the date of this Court's order resolving all issues raised by the Defendants' motion for summary judgment, OR, if no motion for summary judgment is filed, by March 21, 2020. by Judge John L. Kane on 2/3/2020.(evana,) (Entered: 02/03/2020)</p>
02/25/2020	75	<p>NOTICE re 74 Order on Motion for Sanctions,,,,, Order on Motion to Amend/Correct/Modify,,,, <i>Regarding Motion for Summary Judgment</i> by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement (Brenton, Kyle) (Entered: 02/25/2020)</p>
03/30/2020	76	<p>Unopposed MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Brenton, Kyle) (Entered: 03/30/2020)</p>
03/30/2020	77	<p>ORDER granting 76 Unopposed Motion for Extension of Time to File Motion for Summary Judgment. The deadline for Defendants to file a motion for summary judgment is extended to on or before May 6, 2020. Ordered by Judge John L. Kane on 3/30/2020. Text Only Entry(jlksec) (Entered: 03/30/2020)</p>
05/06/2020	78	<p>STIPULATION REGARDING RESOLUTION OF THE MERITS OF PLAINTIFFS FOIA CLAIM AND SETTING BRIEFING SCHEDULE ON PLAINTIFFS MOTION FOR AWARD OF ATTORNEY FEES AND COSTS by Plaintiff Civil Rights Education and Enforcement Center. (Kelley, Thomas) (Entered: 05/06/2020)</p>

05/06/2020	79	MINUTE ORDER: Pursuant to the parties' Stipulation 78 , it is ordered that in the event the parties are unable to resolve the attorney fee issue between themselves, Plaintiff will file its Motion for Award of Attorney Fees and Costs on or before June 8, 2020. Defendant's response is due on or before July 17, 2020. Plaintiff's reply is due on or before August 11, 2020. Ordered by Judge John L. Kane on 05/06/2020. Text Only Entry (jlksec) (Entered: 05/06/2020)
06/08/2020	80	MOTION for Attorney Fees <i>and Costs</i> by Plaintiff Civil Rights Education and Enforcement Center. (Attachments: # 1 Declaration of Thomas B Kelley in Support of Motion for Award of Attorney Fees and Costs, # 2 Exhibit 1 - Recording of 12/7/2018 status conference, manually submitted, # 3 Exhibit 2 - Letter of 1/31/2018 by Catrina M. Pavlik Keenen of ICE to Robin Urevich of Muck Rock, # 4 Exhibit 3 - Report of investigation of Death of Vicente Caceres Maradiaga, # 5 Exhibit 4 - Complaint in ACLU v. U.S. Immigration and Customs Enforcement, # 6 Exhibit 5 - First page of Detainee Death Review for Kamyar Samimi, # 7 Exhibit 6 - Email of 12/10/2019, # 8 Exhibit 7 - Email of 12/19/2019, # 9 Exhibit 8 - Email of 3/8/2020, # 10 Exhibit A - Invoice of Ballard Spahr, # 11 Exhibit B - Invoice of Killmer Lane & Newman, # 12 Exhibit C - Invoice of Armstrong Teasdale, # 13 Delcaration of Timothy Fox, # 14 Exhibit 1 to Declaration of Fox, CREEC Invoice, # 15 Declaration of Michael McCarthy)(Kelley, Thomas) (Entered: 06/08/2020)
06/08/2020	81	NOTICE of Filing Conventionally Submitted Exhibit to ECF 80 by Plaintiff Civil Rights Education and Enforcement Center (Kelley, Thomas) (Entered: 06/08/2020)
06/10/2020	82	Conventionally Submitted Material : EXHIBIT 1 to [80-1], Declaration of Thomas B. Kelley. 1 CD Disc of Audio Recording. by Plaintiff Civil Rights Education and Enforcement Center. Filed in the Clerk's Office. Text Only Entry (evana,) (Entered: 06/10/2020)
07/15/2020	83	Unopposed MOTION for Extension of Time to File Response/Reply as to 80 MOTION for Attorney Fees <i>and Costs</i> by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Brenton, Kyle) (Entered: 07/15/2020)
07/20/2020	84	ORDER granting 83 Unopposed Motion for Extension of Time to File Response/Reply. Defendants' response is due on or before July 24, 2020. Plaintiff's reply is due on or before August 18, 2020.

		Ordered by Judge John L. Kane on 07/20/2020. Text Only Entry(jlksec) (Entered: 07/20/2020)
07/24/2020	85	RESPONSE to 80 MOTION for Attorney Fees <i>and Costs</i> filed by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4)(Brenton, Kyle) (Entered: 07/24/2020)
07/31/2020	86	Conventionally Submitted Material : 1 CD - Native Excel Versions of Exhibits 1 and 3 to 85 Response to 80 Motion for Attorney Fees and Costs, by Defendants United States Department of Homeland Security, United States Immigration and Customs Enforcement. Text Only Entry (athom,) (Entered: 07/31/2020)
08/17/2020	87	REPLY to Response to 80 MOTION for Attorney Fees <i>and Costs</i> filed by Plaintiff Civil Rights Education and Enforcement Center. (Attachments: # 1 Exhibit 9 - GEO Letter, # 2 Exhibit 10 - Email chain, # 3 Exhibit 11 - ICE FOIA Website, # 4 Exhibit 12 - O'Neal v Fremont County Order on Fees, # 5 Exhibit 13 - O'Neal Supp Order on Fees, # 6 Exhibit 14 - BKP Order on Fees)(Kelley, Thomas) (Entered: 08/17/2020)

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