

**U.S. District Court – District of Colorado**  
**District of Colorado (Denver)**  
**CIVIL DOCKET FOR CASE #: 1:19-cv-01036-NYW**

American Civil Liberties Union of Colorado v. U.S.  
 Immigration and Customs Enforcement  
 Assigned to: Magistrate Judge Nina Y. Wang  
 Cause: 05:552 Freedom of Information Act

Date Filed: 04/09/2019  
 Jury Demand: None  
 Nature of Suit: 895 Freedom of  
 Information Act of 1974  
 Jurisdiction: U.S. Government Defendant

**Plaintiff**

**American Civil Liberties Union of  
 Colorado**

represented by **Mark Silverstein**  
 American Civil Liberties Union–Denver  
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**ATTORNEY TO BE NOTICED**

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**TERMINATED: 12/06/2019**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**U.S. Immigration and Customs  
 Enforcement**

represented by **Jane Elizabeth Bobet**  
 U.S. Attorney's Office–Denver  
 1801 California Street  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/09/2019	<u>1</u>	COMPLAINT <i>for Declaratory and Injunctive Relief</i> against U.S. Immigration and Customs Enforcement (Filing fee \$ 400,Receipt Number 1082-6624945)Attorney Arash Jahanian added to party American Civil Liberties Union of Colorado(pty:pla), filed by American Civil Liberties Union of Colorado. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Civil Cover Sheet, # <u>7</u>

		Summons)(Jahanian, Arash) (Entered: 04/09/2019)
04/09/2019	<u>2</u>	Case assigned to Judge Robert E. Blackburn and drawn to Magistrate Judge Scott T. Varholak. Text Only Entry. (rvill, ) (Entered: 04/09/2019)
04/09/2019	<u>3</u>	SUMMONS issued by Clerk. (Attachments: # <u>1</u> Magistrate Judge Consent Form) (rvill, ) (Entered: 04/09/2019)
04/09/2019	<u>4</u>	Administrative Notice: Duplicate filing fee received. Financial notified and a refund is pending. (Text Only Entry) (rvill, ) (Entered: 04/09/2019)
04/09/2019	<u>5</u>	NOTICE of <i>Related Case</i> by Plaintiff American Civil Liberties Union of Colorado (Jahanian, Arash) (Entered: 04/09/2019)
04/09/2019	<u>6</u>	MEMORANDUM RETURNING CASE by Senior Judge Blackburn. This case is randomly reassigned to Magistrate Judge N. Reid Neureiter. All future pleadings should be designated as 19-cv-01036-NRN. (athom, ) (Entered: 04/09/2019)
04/09/2019	<u>7</u>	Magistrate Judge consent form issued pursuant to D.C.COLO.LCivR 40.1, direct assignment of civil actions to full time magistrate judges. (athom, ) (Entered: 04/09/2019)
04/10/2019	<u>8</u>	ORDER OF RECUSAL by Magistrate Judge N. Reid Neureiter on 4/10/2019. (slibi, ) (Entered: 04/10/2019)
04/10/2019	<u>9</u>	CASE REASSIGNED. Pursuant to Order of Recusal. This case is randomly reassigned to Magistrate Judge Nina Y. Wang. All future pleadings should be designated as 19-cv-01036-NYW. (Text Only Entry) (slibi, ) (Entered: 04/10/2019)
04/10/2019	<u>10</u>	Magistrate Judge consent form issued pursuant to D.C.COLO.LCivR 40.1, direct assignment of civil actions to full time magistrate judges. (slibi, ) (Entered: 04/10/2019)
04/10/2019	<u>11</u>	NOTICE of Entry of Appearance <i>for Mark Silverstein</i> by Mark Silverstein on behalf of American Civil Liberties Union of Colorado Attorney Mark Silverstein added to party American Civil Liberties Union of Colorado(pty:pla) (Silverstein, Mark) (Entered: 04/10/2019)
04/18/2019	<u>12</u>	MINUTE ORDER by Magistrate Judge Nina Y. Wang on 4/18/19. Consent Form due by 5/23/2019. Status Conference set for 6/6/2019 10:30 AM in Courtroom A 502 before Magistrate Judge Nina Y. Wang. (nmarb, ) (Entered: 04/19/2019)
04/30/2019	<u>13</u>	NOTICE of Entry of Appearance by Jane Elizabeth Bobet on behalf of U.S. Immigration and Customs Enforcement Attorney Jane Elizabeth Bobet added to party U.S. Immigration and Customs Enforcement(pty:dft) (Bobet, Jane) (Entered: 04/30/2019)
05/16/2019	<u>14</u>	AFFIDAVIT/RETURN of Service of Complaint and Summons upon U.S. Immigration and Customs Enforcement on April 18, 2019 – answer due May 20, 2019 in accordance with 5 USC 552 (a)(4)(C), filed by Plaintiff American Civil Liberties Union of Colorado (Jahanian, Arash) (Entered: 05/16/2019)
05/16/2019	<u>15</u>	Unopposed MOTION for Extension of Time to File Answer or Otherwise Respond re <u>1</u> Complaint, by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bobet, Jane) (Entered: 05/16/2019)
05/17/2019	<u>16</u>	ORDER granting <u>15</u> Motion for Extension of Time to Answer or Otherwise Respond. Defendant's Answer or other responsive pleading due 6/3/2019. By Magistrate Judge Nina Y. Wang on 5.17.2019. Text Only Entry(nywlcl1, ) (Entered: 05/17/2019)
05/22/2019	<u>17</u>	CONSENT to Jurisdiction of Magistrate Judge by Plaintiff American Civil Liberties Union of Colorado All parties consent.. (Jahanian, Arash) (Entered: 05/22/2019)
05/22/2019	<u>18</u>	ORDER OF REFERENCE. Pursuant to the consent of the parties to the jurisdiction of the magistrate judge <u>17</u> , this case is referred to Magistrate Judge Nina Y. Wang for all purposes pursuant to 28 U.S.C. § 636(c). By Chief Judge Philip A. Brimmer on 5/22/19. Text Only Entry (pabsec) (Entered: 05/22/2019)

06/03/2019	<u>19</u>	ANSWER to <u>1</u> Complaint, by U.S. Immigration and Customs Enforcement.(Bobet, Jane) (Entered: 06/03/2019)
06/06/2019	<u>20</u>	COURTROOM MINUTES/MINUTE ORDER for Status Conference held on 6/6/2019 before Magistrate Judge Nina Y. Wang. Defendant shall file its opening brief on or before July 17, 2019. Plaintiff shall file its response on or before August 7, 2019. Defendant shall file its reply on or before August 21, 2019. FTR: Courtroom A-502. (bwilk, ) (Entered: 06/18/2019)
07/15/2019	<u>21</u>	Unopposed MOTION for Extension of Time to <i>file Summary Judgment Briefing</i> by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bobet, Jane) (Entered: 07/15/2019)
07/16/2019	<u>22</u>	ORDER granting <u>21</u> Unopposed Motion for Extension of Time. Defendant's Motion for summary judgment due 9/9/2019. Response due on 9/30/2019 and Reply due on 10/14/2019. By Magistrate Judge Nina Y. Wang on 7.16.2019. Text Only Entry(nywlc1, ) (Entered: 07/16/2019)
09/03/2019	<u>23</u>	Unopposed MOTION for Extension of Time to <i>file Summary Judgment Briefing</i> by Defendant U.S. Immigration and Customs Enforcement. (Bobet, Jane) (Entered: 09/03/2019)
09/03/2019	<u>24</u>	ORDER granting <u>23</u> Motion for Extension of Time to File by Magistrate Judge Nina Y. Wang on 9/3/2019. Defendant's motion for summary judgment due September 19, 2019; Plaintiff's response to the motion due October 10, 2019; and Defendant's reply due October 24, 2019. Text Only Entry(nywlc2, ) (Entered: 09/03/2019)
09/17/2019	<u>25</u>	Unopposed MOTION for Extension of Time to <i>file Summary Judgment Briefing</i> by Defendant U.S. Immigration and Customs Enforcement. (Bobet, Jane) (Entered: 09/17/2019)
09/18/2019	<u>26</u>	ORDER granting <u>25</u> Motion for Extension of Time to File Summary Judgment Briefings by Magistrate Judge Nina Y. Wang on 09/18/2019. Defendant's Motion for Summary Judgment is due by October 21, 2019. Plaintiff's Response is due by November 11, 2019. Defendant's Reply is due by November 25, 2019. No further extensions will be granted absent extraordinary circumstances. Text Only Entry(nywlc1, ) (Entered: 09/18/2019)
10/17/2019	<u>27</u>	Unopposed MOTION to Vacate <i>Summary Judgment Briefing Deadlines</i> by Defendant U.S. Immigration and Customs Enforcement. (Bobet, Jane) (Entered: 10/17/2019)
10/21/2019	<u>28</u>	MINUTE ORDER re: <u>27</u> Unopposed MOTION to Vacate Summary Judgment Briefing Deadlines, filed by Defendant, by Magistrate Judge Nina Y. Wang on 10/21/2019. A Telephonic Status Conference is set for 10/24/2019 10:00 AM in Courtroom A 502 before Magistrate Judge Nina Y. Wang. Counsel shall initiate a conference call among themselves prior to calling chambers on one telephone line at (303) 335-2600 at the designated time. Text Only Entry (nywlc1, ) (Entered: 10/21/2019)
10/22/2019	<u>29</u>	NOTICE of Entry of Appearance <i>for Sara R. Neel</i> by Sara R. Neel on behalf of American Civil Liberties Union of Colorado Attorney Sara R. Neel added to party American Civil Liberties Union of Colorado(pty:pla) (Neel, Sara) (Entered: 10/22/2019)
10/24/2019	<u>30</u>	COURTROOM MINUTES/MINUTE ORDER for Status Conference held on 10/24/2019 before Magistrate Judge Nina Y. Wang. The Unopposed Motion to Vacate Summary Judgment Briefing Deadlines <u>27</u> is GRANTED. Parties shall submit a Joint Status Report on or before 12/4/2019. A telephonic Status Conference is set for 12/18/2019 10:00 AM in Courtroom A 502 before Magistrate Judge Nina Y. Wang. Counsel shall initiate a conference call among themselves prior to calling chambers on one telephone line at (303) 335-2600 at the designated time. FTR: Courtroom A-502. (bwilk, ) (Entered: 10/25/2019)
12/04/2019	<u>31</u>	Joint STATUS REPORT by Defendant U.S. Immigration and Customs Enforcement. (Bobet, Jane) (Entered: 12/04/2019)
12/05/2019	<u>32</u>	MOTION to Withdraw as Attorney <i>Arash Jahanian</i> by Plaintiff American Civil Liberties Union of Colorado. (Jahanian, Arash) (Entered: 12/05/2019)

12/06/2019	33	ORDER granting <u>32</u> Motion to Withdraw as Attorney by Magistrate Judge Nina Y. Wang on 12/6/2019. Attorney Arash Jahanian terminated. Text Only Entry(nywlc1, ) (Entered: 12/06/2019)
12/17/2019	34	MINUTE ORDER by Magistrate Judge Nina Y. Wang on 12/17/2019. In light of the Parties <u>31</u> Joint Status Report filed on 12/4/2019, this court hereby VACATES the Status Conference set for 12/18/2019 at 10:00 a.m. and RE-SETS the Status Conference for 1/17/2020 at 10:30 a.m. A Joint Status Report is due to the court no later than 1/13/2020. Text Only Entry (nywlc1, ) (Entered: 12/17/2019)
01/13/2020	<u>35</u>	Joint STATUS REPORT <i>and Motion to Vacate Status Conference</i> by Defendant U.S. Immigration and Customs Enforcement. (Bobet, Jane) Modified on 1/14/2020 to add gavel to entry pursuant to direction from the Chambers of Magistrate Judge Wang. (nmarb, ). (Entered: 01/13/2020)
01/14/2020	36	ORDER denying <u>35</u> Motion to Vacate by Magistrate Judge Nina Y. Wang on 1/14/2020. However, the Status Conference set for 1/17/2020 at 10:30 AM is hereby converted to a Telephonic Status Conference. The parties shall jointly contact chambers on one telephone line at 303.335.2600 at the designated time. Text Only Entry(nywlc1, ) (Entered: 01/14/2020)
01/17/2020	<u>37</u>	COURTROOM MINUTES/MINUTE ORDER for Status Conference held on 1/17/2020 before Magistrate Judge Nina Y. Wang. Parties shall submit a Joint Status Report on or before 3/13/2020 if production is complete, when it is anticipated to be complete, any issues that may need briefing, and if parties need a Telephonic Status Conference. FTR: Courtroom A-502. (bwilk, ) (Entered: 01/17/2020)
03/13/2020	<u>38</u>	Joint STATUS REPORT by Defendant U.S. Immigration and Customs Enforcement. (Bobet, Jane) (Entered: 03/13/2020)
06/10/2020	<u>39</u>	Joint STATUS REPORT by Defendant U.S. Immigration and Customs Enforcement. (Bobet, Jane) (Entered: 06/10/2020)
06/11/2020	40	MINUTE ORDER: Upon consideration of <u>39</u> the Parties Joint Status Report dated June 10, 2020, the Parties are ORDERED to file a Joint Status Report no later than August 31, 2020, informing the court as to the status of the remaining contemplated production, if any, and indicating whether further proceedings are necessary in this action. By Magistrate Judge Nina Y. Wang on 6/11/2020. Text Only Entry (nywlc1) (Entered: 06/11/2020)
08/31/2020	<u>41</u>	Joint STATUS REPORT by Defendant U.S. Immigration and Customs Enforcement. (Bobet, Jane) (Entered: 08/31/2020)
09/02/2020	42	MINUTE ORDER: Upon consideration of <u>41</u> the Parties Joint Status Report dated August 31, 2020, the Parties are ORDERED to file a Joint Status Report no later than October 16, 2020, informing the court as to the status of the Parties' discussion as to attorney's fees, and indicating whether further proceedings are necessary in this action. By Magistrate Judge Nina Y. Wang on 9/2/2020. Text Only Entry (nywlc1) (Entered: 09/02/2020)
10/15/2020	<u>43</u>	Joint STATUS REPORT by Defendant U.S. Immigration and Customs Enforcement. (Bobet, Jane) (Entered: 10/15/2020)
10/19/2020	44	MINUTE ORDER re: <u>43</u> Status Report filed by U.S. Immigration and Customs Enforcement by Magistrate Judge Nina Y. Wang on 10/19/2020. The Parties shall file a Joint Status Report by no later than 11/30/2020 regarding whether agreement has been reached related to attorney's fees and, if not, whether the Parties anticipate that the issue can be resolved without the court's intervention. Text Only Entry (nywlc1, ) (Entered: 10/19/2020)
11/30/2020	<u>45</u>	Joint STATUS REPORT by Defendant U.S. Immigration and Customs Enforcement. (Bobet, Jane) (Entered: 11/30/2020)
12/01/2020	46	MINUTE ORDER re: <u>45</u> Status Report filed by U.S. Immigration and Customs Enforcement by Magistrate Judge Nina Y. Wang on 12/1/2020. The Parties shall file a Joint Status Report by no later than 12/31/2020 regarding whether agreement has been reached related to attorney's fees and, if not, whether the Parties anticipate that the issue can be resolved without the court's intervention. Text Only Entry (nywlc1, )

		(Entered: 12/01/2020)
12/31/2020	<u>47</u>	Joint STATUS REPORT by Defendant U.S. Immigration and Customs Enforcement. (Bobet, Jane) (Entered: 12/31/2020)
12/31/2020	48	MINUTE ORDER: In light of the <u>47</u> Status Report filed by U.S. Immigration and Customs Enforcement, the Parties shall file a Joint Status Report by no later than 2/1/2021 regarding whether agreement has been reached related to attorney's fees and, if not, whether the Parties anticipate that the issue can be resolved without the court's intervention. By Magistrate Judge Nina Y. Wang on 12/31/2020. Text Only Entry (nywlc1, ) (Entered: 12/31/2020)
02/01/2021	<u>49</u>	Joint STATUS REPORT by Defendant U.S. Immigration and Customs Enforcement. (Bobet, Jane) (Entered: 02/01/2021)
02/02/2021	50	MINUTE ORDER: In light of the representations made in the <u>49</u> Status Report filed by U.S. Immigration and Customs Enforcement, Dismissal Papers shall be filed by no later than 4/2/2021. By Magistrate Judge Nina Y. Wang on 2/2/2021. Text Only Entry (nywlc1, ) (Entered: 02/02/2021)
03/22/2021	<u>51</u>	STIPULATION of Dismissal of Case by Plaintiff American Civil Liberties Union of Colorado. (Neel, Sara) (Entered: 03/22/2021)