

**U.S. District Court**  
**United States District Court – District of New Mexico (Albuquerque)**  
**CIVIL DOCKET FOR CASE #: 1:20-cv-00490-LF-KK**

Santa Fe Dreamers Project v. U.S. Customs and Border Protection  
Assigned to: Magistrate Judge Laura Fashing  
Referred to: Magistrate Judge Kirtan Khalsa  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/21/2020  
Date Terminated: 06/16/2021  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Santa Fe Dreamers Project**

represented by **Christopher Charles Benoit**  
Texas Rio Grande Legal Aid, Inc.  
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**ATTORNEY TO BE NOTICED**

V.

**Defendant****U.S. Customs and Border Protection**

represented by **Manuel Lucero**  
US Attorney's Office  
District of New Mexico  
PO Box 607  
Albuquerque, NM 87103  
(505) 346-7274  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/21/2020	<u>1</u>	COMPLAINT against U.S. Customs and Border Protection ( Filing Fee – Online Payment), filed by Santa Fe Dreamers Project. (Benoit, Christopher) (Entered: 05/21/2020)
05/21/2020		Filing and Administrative Fees Received: \$ 400 receipt number ANMDC-7133150 re <u>1</u> Complaint filed by Santa Fe Dreamers Project (Payment made via Pay.gov)(Benoit, Christopher) (Entered: 05/21/2020)
05/21/2020		United States Magistrate Judge Laura Fashing and United States Magistrate Judge Kirtan Khalsa assigned. (arp) (Entered: 05/21/2020)
05/21/2020	2	PLEASE TAKE NOTICE that this case has been randomly assigned to United States Magistrate Judge Laura Fashing to conduct dispositive proceedings in this matter, including motions and trial. Appeal from a judgment entered by a Magistrate Judge will be to the United States Court of Appeals for the Tenth Circuit. <b>It is the responsibility of the case filer to serve a copy of this Notice upon all parties with the summons and complaint.</b> <i>Consent is strictly voluntary, and a party is free to withhold consent without adverse consequences. Should a party choose to consent, notice should be made no later than 21 days after entry of the Order setting the Rule 16 Initial Scheduling Conference.</i> For e-filers, visit our Web site at <a href="http://www.nmd.uscourts.gov">www.nmd.uscourts.gov</a> for more information and instructions. <a href="#">[THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.]</a> (arp) (Entered: 05/21/2020)

05/21/2020	<u>3</u>	NOTICE <i>Civil Cover Sheet</i> against U.S. Customs and Border Protection, filed by Santa Fe Dreamers Project. (Benoit, Christopher) Modified on 5/21/2020 (arp). (Entered: 05/21/2020)
05/22/2020		Summons Issued as to U.S. Customs and Border Protection, U.S. Attorney and U.S. Attorney General (dr) (Entered: 05/22/2020)
06/01/2020	<u>4</u>	SUMMONS Returned Executed by Santa Fe Dreamers Project. U.S. Customs and Border Protection, U.S. Attorney's Office served on 5/26/2020, answer due 6/16/2020., (Benoit, Christopher) Modified docket text on 6/2/2020 (dr). Modified on 6/5/2020 (arp). (Entered: 06/01/2020)
06/04/2020	<u>5</u>	SUMMONS Returned Executed by Santa Fe Dreamers Project. U.S. Customs and Border Protection, U.S. Attorney General served on 6/1/2020, answer due 6/22/2020. (Benoit, Christopher) Modified on 6/5/2020 (arp). (Entered: 06/04/2020)
06/24/2020	<u>6</u>	ANSWER to <u>1</u> Complaint by U.S. Customs and Border Protection. Related document: <u>1</u> Complaint filed by Santa Fe Dreamers Project.(Lucero, Manuel) (Entered: 06/24/2020)
07/02/2020	<u>7</u>	INITIAL SCHEDULING ORDER by Magistrate Judge Kirtan Khalsa. Joint Status Report due by 8/3/2020. Telephonic Initial Scheduling Conference set for 8/13/2020 at 10:45 AM before Judge Khalsa. Counsel are to call Judge Khalsa's AT&T conference line at (877) 848-7030 and enter Code: 7324132 to connect to the proceedings. Unless otherwise notified by the Clerk or the Court a notice of consent or non-consent for this case to proceed before the trial Magistrate Judge should be submitted by each party no later than 8/7/2020. (kys) (Entered: 07/02/2020)
07/16/2020	<u>8</u>	NOTICE of Appearance by Manuel Lucero on behalf of U.S. Customs and Border Protection (Lucero, Manuel) (Entered: 07/16/2020)
07/16/2020	<u>9</u>	CONSENT TO PROCEED Before a U.S. Magistrate Judge. Under 28 U.S.C. 636(c) and Fed.R.Civ.P. 73(b), U.S. Customs and Border Protection voluntarily consent(s) to have United States Magistrate Judge Laura Fashing conduct dispositive proceedings in this matter, including motions and trial, and order the entry of final judgment. (Lucero, Manuel) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 07/16/2020)
07/16/2020	<u>10</u>	CONSENT TO PROCEED Before a U.S. Magistrate Judge. Under 28 U.S.C. 636(c) and Fed.R.Civ.P. 73(b), Santa Fe Dreamers Project voluntarily consent(s) to have United States Magistrate Judge Laura Fashing conduct dispositive proceedings in this matter, including motions and trial, and order the entry of final judgment. (Benoit, Christopher) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 07/16/2020)
07/17/2020	<u>11</u>	NOTICE OF RULE 73 CONSENT Received by All Parties. Related documents: 9 Consent to Proceed Before a U.S. Magistrate Judge, filed by U.S. Customs and Border Protection, 10 Consent to Proceed Before a U.S. Magistrate Judge, filed by Santa Fe Dreamers Project. [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (dr) (Entered: 07/17/2020)
08/03/2020	<u>12</u>	Joint Status Report <i>and Provisional Discovery Control Plan</i> by Santa Fe Dreamers Project (Benoit, Christopher) (Entered: 08/03/2020)
08/13/2020	<u>13</u>	Clerk's Minutes for proceedings held before Magistrate Judge Kirtan Khalsa: Telephonic Initial Scheduling Conference held on 8/13/2020. (kys) (Entered: 08/13/2020)
08/13/2020	<u>14</u>	ORDER SETTING PRODUCTION DEADLINE, STATUS CONFERENCE, SETTLEMENT CONFERENCE, AND BRIEFING SCHEDULE by Magistrate Judge Kirtan Khalsa. (1) Defendant shall produce all responsive documents and, if applicable, a <i>Vaughn</i> index no later than Friday, November 6, 2020. (2) A Telephonic Status Conference is set for Monday, November 16, 2020 at 04:00 PM before Judge Khalsa. Counsel are to call Judge Khalsa's AT&T conference line at (877) 848-7030 and enter Code: 7324132 to connect to the proceedings. (3) A Settlement Conference

		via Zoom is set for Monday, November 23, 2020 at 01:30 PM before Judge Khalsa. ( <i>See Order for additional deadlines.</i> ) (4) If settlement is not achieved prior to or at the settlement conference, the parties must file dispositive motions in accordance with the following schedule: Plaintiff's opening brief due by Friday, December 4, 2020; Defendant's response and cross-motion due by Monday, January 4, 2021; Plaintiff's reply on its opening motion and response to Defendant's cross-motion due by Friday, January 29, 2021; Defendant's reply on its cross-motion due by February 12, 2021. (kys) (Entered: 08/13/2020)
11/06/2020	<u>15</u>	Unopposed MOTION to Extend (other) <i>Deadlines set by the Court</i> by U.S. Customs and Border Protection. (Lucero, Manuel) (Entered: 11/06/2020)
11/09/2020	<u>16</u>	ORDER GRANTING MOTION TO EXTEND DEADLINES by Magistrate Judge Kirtan Khalsa. The Settlement Conference set for November 23, 2020 is VACATED. The parties shall be prepared to discuss rescheduling the settlement conference and associated deadlines at the status conference on Monday, November 16, 2020 at 4:00 p.m. The parties' revised briefing schedule is as follows: Plaintiff's opening brief due by January 4, 2021; Defendant's response and cross-motion due by February 5, 2021; Plaintiff's reply on its opening motion and response to Defendant's cross-motion due by March 5, 2021; and Defendant's reply on its cross-motion due by April 5, 2021. (glg) (Entered: 11/09/2020)
11/16/2020	<u>17</u>	Clerk's Minutes for proceedings held before Magistrate Judge Kirtan Khalsa: Telephonic Status Conference held on 11/16/2020. (glg) (Entered: 11/16/2020)
11/17/2020	<u>18</u>	ORDER SETTING SETTLEMENT CONFERENCE by Magistrate Judge Kirtan Khalsa. A Settlement Conference is set for 12/28/2020 at 09:30 AM via Zoom videoconferencing before Judge Khalsa. Plaintiff must submit a demand letter to Defendant no later than Monday, December 14, 2020. Defendant must submit a counteroffer letter to Plaintiff no later than Monday, December 21, 2020. The parties shall each submit a concise confidential position statement to the Court by close of business on Tuesday, December 22, 2020. (glg) (Entered: 11/17/2020)
12/28/2020	<u>19</u>	Clerk's Minutes for proceedings held before Magistrate Judge Kirtan Khalsa: Settlement Conference followed by a telephonic status conference held on 12/28/2020. (glg) (Entered: 12/28/2020)
12/28/2020	20	ORDER VACATING DEADLINES by Magistrate Judge Kirtan Khalsa. All deadlines relating to the production of documents and the parties' briefing schedule as set forth by the Court in its Order Granting Motion to Extend Deadlines, (Doc. 16), are hereby VACATED and will be reset by separate order. [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (glg) (Entered: 12/28/2020)
01/09/2021	<u>21</u>	Joint MOTION for Order <i>Entry of Production Order</i> by Santa Fe Dreamers Project. (Benoit, Christopher) (Entered: 01/09/2021)
01/12/2021	<u>22</u>	ORDER ON PRODUCTION AND REVISED BRIEFING SCHEDULE by Magistrate Judge Kirtan Khalsa. The Defendant shall produce all responsive documents no later than March 15, 2021. Plaintiff's opening brief is due by April 12, 2021; Defendant's response and cross-motion are due by May 3, 2021; Plaintiff's reply on its opening motion and response to Defendants cross-motion are due by May 28, 2021; and Defendant's reply on its cross-motion is due by June 4, 2021. (glg) (Entered: 01/12/2021)
01/13/2021	<u>23</u>	THIRD ORDER SETTING SETTLEMENT CONFERENCE by Magistrate Judge Kirtan Khalsa. A Settlement Conference is set for 4/6/2021 at 9:30 AM via Zoom videoconferencing before Judge Khalsa. A Telephonic Pre-Settlement Status Conference is set for 3/31/2021 at 1:30 PM before Judge Khalsa. Counsel are to call Judge Khalsa's AT&T conference line at (877) 848-7030 and enter the code 7324132 to connect to the proceedings. Plaintiff's demand letter is due by 3/22/2021. Defendant's counteroffer letter is due by 3/29/2021. The parties' confidential position statements are due to the Court by close of business 3/30/2021. (glg) (Entered: 01/13/2021)
03/31/2021	<u>24</u>	Clerk's Minutes for proceedings held before Magistrate Judge Kirtan Khalsa: Telephonic Pre-Settlement Status Conference held on 3/31/2021. (tl) (Entered: 03/31/2021)

		03/31/2021)
03/31/2021	25	ORDER CHANGING TIME OF SETTLEMENT CONFERENCE AND TO PROVIDE ZOOM CONTACT INFORMATION by Magistrate Judge Kirtan Khalsa. The Rule 16 Settlement Conference previously set for 4/6/2021 at 9:30 AM is hereby VACATED and is RESET for <b>4/6/2021 at 1:30 PM</b> before Judge Khalsa. This Order changes only the time of the settlement conference. All other provisions of the Court's Third Order Setting Rule 16 Settlement Conference (Doc. 23) remain in effect. If they have not already done so, counsel for each side must forward Zoom contact information for all settlement conference participants for that side to khalsaproposedtext@nmd.uscourts.gov no later than <b>noon on 4/5/2021</b> . [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 03/31/2021)
04/07/2021	<u>26</u>	Clerk's Minutes for proceedings held before Magistrate Judge Kirtan Khalsa: Settlement Conference held on 4/6/2021. (tl) (Entered: 04/07/2021)
04/07/2021	27	NOTICE of Hearing: Settlement Conference set for 4/7/2021 at 09:00 AM in Remote via Zoom before Magistrate Judge Kirtan Khalsa. (eh)  NOTE:  1. This proceeding will be held via Zoom Video/Web Conferencing with all participants appearing remotely; the Zoom ID and Passcode will be provided separately to the participants email address of record.  [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 04/07/2021)
04/07/2021	<u>28</u>	Clerk's Minutes for proceedings held before Magistrate Judge Kirtan Khalsa: Settlement Conference held on 4/7/2021. (tl) (Entered: 04/07/2021)
04/07/2021	29	ORDER SETTING TELEPHONIC STATUS CONFERENCE by Magistrate Judge Kirtan Khalsa. A telephonic Status Conference is set for 5/7/2021 at 11:30 AM before Judge Khalsa. Counsel are to call the Court's AT&T conference line at (877) 848-7030 and enter the code 7324132 to connect to the proceedings. [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 04/07/2021)
05/04/2021	<u>30</u>	STIPULATION of the Parties Agreement for Defendant to pay fees and costs by U.S. Customs and Border Protection (Lucero, Manuel) (Entered: 05/04/2021)
05/05/2021	31	ORDER by Magistrate Judge Kirtan Khalsa. The telephonic Status Conference previously set for 5/7/2021 at 11:30 AM before Judge Khalsa is VACATED. (tl) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 05/05/2021)
05/05/2021	32	ORDER by Magistrate Judge Kirtan Khalsa. Pursuant to the parties' Stipulated Fee and Cost Settlement Agreement filed 5/4/2021 (Doc. 30), closing documents are due by <b>7/14/2021</b> . (tl) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 05/05/2021)
06/14/2021	<u>33</u>	STIPULATION of Dismissal by Santa Fe Dreamers Project (Benoit, Christopher) (Entered: 06/14/2021)