

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-00196-GMH

FRIEDMAN v. U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION
Assigned to: Magistrate Judge G. Michael Harvey
Cause: 05:552 Freedom of Information Act

Date Filed: 01/22/2021
Date Terminated: 12/02/2021
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**RON FRIEDMAN**

represented by **L. Barrett Boss**
COZEN O'CONNOR
1200 Nineteenth Street, NW
Suite 300
Washington, DC 20036
(202) 912-4818
Fax: (866) 413-0172
Email: bboss@cozen.com
ATTORNEY TO BE NOTICED

V.

Defendant

U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION

represented by **Anna Davis Walker**
DOJ-USAO
United States Attorney's Office
555 Fourth Street, NW
Washington, DC 20530
202-252-2544
Email: Anna.Walker@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marsha Wellknown Yee
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2539
Fax: (202) 252-2599
Email: marsha.yee@usdoj.gov
TERMINATED: 10/18/2021

Date Filed	#	Docket Text
01/22/2021	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION (Filing fee \$ 402 receipt number ADCDC-8109782) filed by RON FRIEDMAN. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5)(Boss, L.) (Entered: 01/22/2021)
01/22/2021		Case Assigned to Judge Dabney L. Friedrich. (zsb) (Entered: 01/22/2021)
01/22/2021		NOTICE OF ERROR re <u>1</u> Complaint; emailed to bboss@cozen.com, cc'd 4 associated attorneys -- The PDF file you docketed contained errors: 1. Missing/incorrect summonses. Please submit using the event Request for Summons to issue., 2. Please use the FOIA summons found on the court's website. https://www.dcd.uscourts.gov/sites/dcd/files/Summons-FOIA_2013_FILL.pdf (zsb,) (Entered: 01/22/2021)

01/22/2021	<u>2</u>	REQUEST FOR SUMMONS TO ISSUE filed by RON FRIEDMAN.(Boss, L.) (Entered: 01/22/2021)
01/22/2021	<u>3</u>	SUMMONS (1) Issued Electronically as to U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION. (Attachment: # <u>1</u> Notice and Consent)(eg) (Entered: 01/22/2021)
01/25/2021	<u>4</u>	STANDARD ORDER for civil cases. See text for details. Signed by Judge Dabney L. Friedrich on January 25, 2021. (lcldf3) (Entered: 01/25/2021)
03/26/2021		MINUTE ORDER. The plaintiff filed the Complaint in this action on January 22, 2021 against one defendant. As of the date of this order, the public docket reflects that the plaintiff has yet to file proof of service. The Court directs the plaintiff's attention to Federal Rule of Civil Procedure 4(m), which provides in pertinent part that if a defendant is not served within 90 days after the complaint is filed, the court, on motion or on its own after notice to the plaintiff, must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. Fed. R. Civ. P. 4(m). Unless service is waived, proof of service must be made to the court. Fed. R. Civ. P. 4(l)(1). To avoid the finality of a mandatory dismissal of this action against the defendants, it is ORDERED that the plaintiff must, on or before April 22, 2021, either cause process to be served upon the defendants and proof of service to be filed with the Court or establish good cause for the failure to do so. The failure to make such filings will result in dismissal of this case. So Ordered by Judge Dabney L. Friedrich on March 26, 2021. (lcldf3) (Entered: 03/26/2021)
03/26/2021		Set/Reset Deadlines: Time to effectuate service upon party due by 4/22/2021. (zjch) (Entered: 03/26/2021)
03/26/2021	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/26/2021. (Answer due for ALL FEDERAL DEFENDANTS by 4/25/2021.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION served on 2/8/2021 (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Boss, L.) (Entered: 03/26/2021)
03/31/2021	<u>6</u>	NOTICE of Appearance by Marsha Wellknown Yee on behalf of U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION (Yee, Marsha) (Entered: 03/31/2021)
04/12/2021	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/02/2021. (Attachments: # <u>1</u> Exhibit 1)(Boss, L.) (Entered: 04/12/2021)
04/20/2021	<u>8</u>	NOTICE of Consent to Assignment to Magistrate Judge by U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION (Yee, Marsha) (Entered: 04/20/2021)
04/21/2021		MINUTE ORDER. The plaintiff is ORDERED, on or before April 28, 2021, to provide a response to the defendant's <u>8</u> Notice of Consent to Assignment to Magistrate Judge. So ordered by Judge Dabney L. Friedrich on April 21, 2021. (lcldf3) (Entered: 04/21/2021)
04/21/2021		Set/Reset Deadlines: Responses to the defendant's <u>8</u> Notice of Consent to Assignment to Magistrate Judge due by 4/28/2021 (zjch) (Entered: 04/21/2021)
04/23/2021	<u>9</u>	NOTICE of Consent to Assignment to Magistrate Judge by RON FRIEDMAN (Attachments: # <u>1</u> Certificate of Service)(Boss, L.) (Entered: 04/23/2021)
04/23/2021		MINUTE ORDER. In light of the parties' <u>9</u> Notices of Consent to Assignment to Magistrate Judge, this matter shall be referred to a Magistrate Judge for all purposes, including trial. So ordered by Judge Dabney L. Friedrich on April 23, 2021. (lcldf3) (Entered: 04/23/2021)
04/23/2021		CASE RANDOMLY REFERRED to Magistrate Judge G. Michael Harvey for all purposes. (adh,) (Entered: 05/04/2021)

04/26/2021	<u>10</u>	ANSWER to Complaint by U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION.(Yee, Marsha) (Entered: 04/26/2021)
04/27/2021		ENTERED IN ERROR.....MINUTE ORDER. It is ORDERED that the parties shall confer in accordance with Rule 26(f) of the Federal Rules of Civil Procedure and Local Civil Rule 16.3 and file, on or before May 11, 2021, a joint meet and confer report as set forth in Local Civil Rule 16.3(d) suggesting a schedule for further proceedings. After receiving the report, the Court will set a scheduling conference unless the Court determines, on the basis of the report, that a conference is unnecessary. See Local Civil Rule 16.4. So ordered by Judge Dabney L. Friedrich on April 27, 2021. (lcldf3) Modified on 5/4/2021 (zjch). (Entered: 04/27/2021)
04/27/2021		Set/Reset Deadlines: Meet & Confer Statement due by 5/11/2021. (zjch) (Entered: 04/27/2021)
05/07/2021	<u>11</u>	FOIA/PRIVACY ACT STANDING ORDER. See Order for details. Proposed Briefing Schedule due by 6/7/2021. Signed by Magistrate Judge G. Michael Harvey on 5/7/21. (MFB) (Entered: 05/07/2021)
06/07/2021	<u>12</u>	Joint STATUS REPORT by RON FRIEDMAN. (Boss, L.) (Entered: 06/07/2021)
06/08/2021	<u>13</u>	SCHEDULING ORDER: Cross Motions due by 7/15/2021. Response to Cross Motions due by 8/5/2021. Reply to Cross Motions due by 8/26/2021. Summary Judgment motions and Vaughn Index due by 6/10/2021. Response to Motion for Summary Judgment due by 7/15/2021. Reply to Motion for Summary Judgment due by 8/5/2021. Signed by Magistrate Judge G. Michael Harvey on 6/8/21. (MFB) (Entered: 06/08/2021)
06/10/2021	<u>14</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Pollack Decl. & Exs., # <u>3</u> Text of Proposed Order)(Yee, Marsha) (Entered: 06/10/2021)
07/15/2021	<u>15</u>	Cross MOTION for Summary Judgment by RON FRIEDMAN. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Text of Proposed Order)(Boss, L.) (Entered: 07/15/2021)
07/15/2021	<u>16</u>	Memorandum in opposition to re <u>14</u> MOTION for Summary Judgment filed by RON FRIEDMAN. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Text of Proposed Order)(Boss, L.) (Entered: 07/15/2021)
08/05/2021	<u>17</u>	REPLY to opposition to motion re <u>14</u> MOTION for Summary Judgment filed by U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Pollack Suppl. Decl., # <u>2</u> Text of Proposed Order)(Yee, Marsha) (Entered: 08/05/2021)
08/05/2021	<u>18</u>	Memorandum in opposition to re <u>15</u> Cross MOTION for Summary Judgment filed by U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Pollack Suppl. Decl., # <u>2</u> Text of Proposed Order)(Yee, Marsha) (Entered: 08/05/2021)
08/26/2021	<u>19</u>	REPLY to opposition to motion re <u>15</u> Cross MOTION for Summary Judgment filed by RON FRIEDMAN. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Text of Proposed Order)(Boss, L.) (Entered: 08/26/2021)
10/18/2021	<u>20</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Anna Walker on behalf of U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION Substituting for attorney Marsha Wellknown Yee (Walker, Anna) (Entered: 10/18/2021)
11/04/2021	<u>21</u>	Consent MOTION to Stay by U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Anna) (Entered: 11/04/2021)

11/04/2021	<u>22</u>	ORDER granting AS MODIFIED <u>21</u> Motion to Stay; Set/Reset Deadlines: Status Report due by 12/20/2021. Signed by Magistrate Judge G. Michael Harvey on 11/4/21. (MFB) (Entered: 11/04/2021)
12/01/2021	<u>23</u>	STIPULATION of Dismissal by U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION. (Walker, Anna) (Entered: 12/01/2021)
12/02/2021		MINUTE ORDER re <u>23</u> Stipulation of Dismissal filed by U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION. In light of the parties stipulation of dismissal, this action is hereby DISMISSED WITH PREJUDICE. All pending motions are DENIED AS MOOT. The Clerk of Court is respectfully directed to close this case. SO ORDERED. Signed by Magistrate Judge G. Michael Harvey on 12/2/21. (MFB) Modified text on 12/2/2021 (zpt). (Entered: 12/02/2021)