U.S. District Court Southern District of New York (Foley Square) CIVIL DOCKET FOR CASE #: 1:19-cv-09669-AT

New York Times Company et al v. Department of the Treasury Assigned to: Judge Analisa Torres Cause: 05:552 Freedom of Information Act

Plaintiff

New York Times Company

Date Filed: 10/18/2019 Jury Demand: None Nature of Suit: 895 Freedom of Information Act Jurisdiction: U.S. Government Defendant

represented by Charles Edward Crain

Yale Law School P.O. Box 208215 New Haven, CT 06520 203–436–5824 Email: <u>charles.crain@ylsclinics.org</u> *ATTORNEY TO BE NOTICED*

Stephen Stich

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David A. Schulz

Ballard Spahr LLP (NYC) 1675 Broadway, 19th Floor New York, NY 10019 (212) 850–6103 Fax: (212) 223–1942 Email: <u>schulzd@ballardspahr.com</u> *ATTORNEY TO BE NOTICED*

<u>Plaintiff</u>

Mark Walker

represented by Charles Edward Crain (See above for address) ATTORNEY TO BE NOTICED

Stephen Stich

(See above for address) ATTORNEY TO BE NOTICED

David A. Schulz

(See above for address) ATTORNEY TO BE NOTICED

V.

<u>Defendant</u>

Department of the Treasury

represented by Jennifer Ann Jude

United States Attorney's Office SDNY 86 Chambers St. New York, NY 10007 (212)–637–2663 Fax: (212)–637–2686

Date Filed	#	Docket Text
10/18/2019	1	COMPLAINT against Department of the Treasury. (Filing Fee \$ 400.00, Receipt Number ANYSDC–17799216)Document filed by The New York Times Company, Mark Walker.(Schulz, David) (Entered: 10/18/2019)
10/18/2019	2	FILING ERROR – PDF ERROR – CIVIL COVER SHEET filed. (Schulz, David) Modified on 10/21/2019 (dnh). (Entered: 10/18/2019)
10/18/2019	<u>3</u>	FILING ERROR – CORPORATE PARENT/OTHER AFFILIATE NOT ADDED – RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by The New York Times Company, Mark Walker.(Schulz, David) Modified on 10/29/2019 (Idi). (Entered: 10/18/2019)
10/18/2019	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Department of the Treasury, re: <u>1</u> Complaint. Document filed by The New York Times Company, Mark Walker. (Schulz, David) (Entered: 10/18/2019)
10/21/2019		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney David A. Schulz. The party information for the following party/parties has been modified: The New York Times Company. The information for the party/parties has been modified for the following reason/reasons: Exclude from the entry of business name any leading A, An or The (dnh) (Entered: 10/21/2019)
10/21/2019		***NOTICE TO ATTORNEY REGARDING DEFICIENT CIVIL COVER SHEET. Notice to attorney David A. Schulz to RE-FILE Document No. <u>2</u> Civil Cover Sheet. The filing is deficient for the following reason(s): the PDF attached to the docket entry for the civil cover sheet is not correct; only one Nature of Suit may be selected. Re-file the document using the event type Civil Cover Sheet found under the event list Other Documents and attach the correct PDF. Use civil cover sheet issued by S.D.N.Y. dated June 2017. The S.D.N.Y. Civil Cover Sheet dated June 2017 is located at http://nysd.uscourts.gov/file/forms/civil-cover-sheet (dnh) (Entered: 10/21/2019)
10/21/2019		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Analisa Torres. Please download and review the Individual Practices of the assigned District Judge, located at <u>http://nysd.uscourts.gov/judges/District</u> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at <u>http://nysd.uscourts.gov/ecf_filing.php</u> . (dnh) (Entered: 10/21/2019)
10/21/2019		Magistrate Judge Sarah L. Cave is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: <u>http://nysd.uscourts.gov/forms.php</u> . (dnh) (Entered: 10/21/2019)
10/21/2019		Case Designated ECF. (dnh) (Entered: 10/21/2019)
10/21/2019	<u>5</u>	ELECTRONIC SUMMONS ISSUED as to Department of the Treasury. (dnh) (Entered: 10/21/2019)
10/21/2019	<u>6</u>	CIVIL COVER SHEET filed. (Schulz, David) (Entered: 10/21/2019)
10/23/2019	7	INITIAL PRETRIAL CONFERENCE ORDER: Initial Conference set for 1/8/2020 at 10:40 AM in Courtroom 15D, 500 Pearl Street, New York, NY 10007 before Judge Analisa Torres. (As further set forth in this Order.) (Signed by Judge Analisa Torres or 10/23/2019) (cf) (Entered: 10/23/2019)
10/23/2019	<u>8</u>	ORDER: To conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties

		discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned Magistrate Judge. (As further set forth in this Order.) The parties are free to withhold consent without negative consequences. (Signed by Judge Analisa Torres on 10/23/2019) (cf) (Entered: 10/23/2019)
10/29/2019		***NOTICE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Notice to Attorney David A. Schulz to RE-FILE Document <u>3</u> Rule 7.1 Corporate Disclosure Statement. ERROR(S): Corporate Parents/Other affiliates were not added. Please re-file this document and when prompted: Are there any corporate parents or other affiliates?, select the YES radio button and enter the Corporate Parent(s) or Affiliate(s). (Idi) (Entered: 10/29/2019)
10/29/2019	2	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Other Affiliate BlackRock, Inc. (Owner of Ten Percent Plus Stock) for New York Times Company. Document filed by New York Times Company, Mark Walker.(Schulz, David) (Entered: 10/29/2019)
10/29/2019	<u>10</u>	AFFIDAVIT OF SERVICE (FOIA CASE). Department of the Treasury served on 10/28/2019, answer due 11/27/2019. Service was made by Mail. Document filed by New York Times Company; Mark Walker. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Affidavit)(Schulz, David) (Entered: 10/29/2019)
11/06/2019	<u>11</u>	NOTICE OF APPEARANCE by Jennifer Ann Jude on behalf of Department of the Treasury. (Jude, Jennifer) (Entered: 11/06/2019)
11/27/2019	<u>12</u>	ANSWER to <u>1</u> Complaint. Document filed by Department of the Treasury.(Jude, Jennifer) (Entered: 11/27/2019)
01/02/2020	<u>13</u>	LETTER MOTION to Adjourn Conference <i>scheduled for January 8, 2020, at 10:40 a.,m.</i> addressed to Judge Analisa Torres from David A. Schulz dated January 2 2020. Document filed by New York Times Company, Mark Walker.(Schulz, David) (Entered: 01/02/2020)
01/02/2020	<u>14</u>	ORDER granting <u>13</u> Letter Motion to Adjourn Conference. GRANTED. The deadline in paragraph 5 of the Court's initial pretrial conference order, ECF No. 7 (requiring a jointly proposed case management plan and standard scheduling order), is ADJOURNED sine die. The initial pretrial conference scheduled for January 8, 2020 is ADJOURNED to February 11, 2020, at 12:20 p.m. By February 7, 2020, the parties shall submit a joint letter setting forth a jointly proposed schedule or the parties' positions regarding a schedule. SO ORDERED. (Initial Conference set for 2/11/2020 at 12:20 PM before Judge Analisa Torres.) (Signed by Judge Analisa Torres on 1/2/2020) (rro) (Entered: 01/02/2020)
02/06/2020	<u>15</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Analisa Torres from Jennifer Jude dated 2/6/20. Document filed by Department of the Treasury(Jude, Jennifer) (Entered: 02/06/2020)
02/06/2020	<u>16</u>	ORDER granting <u>15</u> Letter Motion to Adjourn Conference. GRANTED. The initial pretrial conference scheduled for February 11, 2020, is ADJOURNED to March 18, 2020, at 1:00 p.m. By March 9, 2020, the parties shall submit a joint status letter. Initial Conference set for 3/18/2020 at 01:00 PM before Judge Analisa Torres. (Signed by Judge Analisa Torres on 2/6/2020) (cf) (Entered: 02/06/2020)
03/09/2020	<u>17</u>	ORDER: The initial pretrial conference will be held telephonically. Accordingly, the parties are directed to call chambers at (212) 805–0293 on March 18, 2020, at 1:00 p.m. with all parties on theline. (Signed by Judge Analisa Torres on 3/9/2020) (cf) (Entered: 03/09/2020)
03/09/2020	<u>18</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Analisa Torres from Charles Crain dated March 9, 2020. Document filed by New York Times Company, Mark Walker(Crain, Charles) (Entered: 03/09/2020)
03/09/2020	<u>19</u>	ORDER granting <u>18</u> Letter Motion to Adjourn Conference. GRANTED. The initial pretrial conference scheduled for March 18, 2020 is ADJOURNED to April 16, 2020, at 11:40 a.m. The conference will be held telephonically and the parties are to participate as instructed in the Court's March 9, 2020 order. ECF No. 17. By April 8, 2020, the parties shall submit a joint status letter. Initial Conference set for 4/16/2020

		at 11:40 AM before Judge Analisa Torres. (Signed by Judge Analisa Torres on 3/9/2020) (cf) (Entered: 03/09/2020)
04/08/2020	<u>20</u>	JOINT LETTER MOTION for Extension of Time addressed to Judge Analisa Torres from Jennifer Jude dated 4/8/20. Document filed by Department of the Treasury(Jude, Jennifer) (Entered: 04/08/2020)
04/13/2020	<u>21</u>	ORDER granting <u>20</u> Letter Motion for Extension of Time. GRANTED. The telephonic conference scheduled for April 16, 2020 is ADJOURNED to May 18, 2020, at 10:40 a.m. The parties are directed to call (888) 398–2342 or (215) 861–0674, and enter access code 5598827. By May 7, 2020, the parties shall submit a joint status letter. (Signed by Judge Analisa Torres on 4/13/2020) (cf) (Entered: 04/13/2020)
04/13/2020		Set/Reset Hearings: Initial Conference set for 5/18/2020 at 10:40 AM before Judge Analisa Torres. (cf) (Entered: 04/13/2020)
05/07/2020	<u>22</u>	JOINT LETTER MOTION for Extension of Time addressed to Judge Analisa Torres from Charles Crain dated May 7, 2020. Document filed by New York Times Company, Mark Walker(Crain, Charles) (Entered: 05/07/2020)
05/08/2020	23	ORDER granting <u>22</u> Letter Motion for Extension of Time. GRANTED. The telephonic conference scheduled for May 18, 2020 is ADJOURNED TO June 11, 2020, at 11:40 a.m. The parties are directed to call (888) 398–2342 or (215) 861–0674, and enter access code 5598827. By June 5, 2020, the parties shall submit a joint status letter. (Signed by Judge Analisa Torres on 5/8/2020) (cf) (Entered: 05/08/2020)
05/08/2020		Set/Reset Hearings: Initial Conference set for 6/11/2020 at 11:40 AM before Judge Analisa Torres. (cf) (Entered: 05/08/2020)
06/05/2020	<u>24</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Analisa Torres from Jennifer Jude dated 6/5/20. Document filed by Department of the Treasury(Jude, Jennifer) (Entered: 06/05/2020)
06/08/2020	<u>25</u>	ORDER granting <u>24</u> Letter Motion to Adjourn Conference. GRANTED. The telephonic conference scheduled for June 11, 2020 is ADJOURNED to July 14, 2020, at 10:40 a.m. The parties are directed to call (888) 398–2342 or (215) 861–0674, and enter access code 5598827. By July 6, 2020, the pa1iies shall submit a joint status letter. Initial Conference set for 7/14/2020 at 10:40 AM before Judge Analisa Torres. (Signed by Judge Analisa Torres on 6/8/2020) (cf) (Entered: 06/08/2020)
07/06/2020	<u>26</u>	JOINT LETTER MOTION for Extension of Time addressed to Judge Analisa Torres from Charles Crain dated 7/6/2020. Document filed by New York Times Company, Mark Walker(Crain, Charles) (Entered: 07/06/2020)
07/06/2020	<u>27</u>	ORDER granting <u>26</u> Letter Motion for Extension of Time. GRANTED. The initial pretrial conference scheduled for July 14, 2020 is ADJOURNED to August 20, 2020, at 10:20 a.m. By August 13, 2020, the parties shall submit a joint status letter. SO ORDERED. (Signed by Judge Analisa Torres on 7/6/2020) (rro) (Entered: 07/06/2020)
07/06/2020		Set/Reset Hearings: Initial Conference set for 8/20/2020 at 10:20 AM before Judge Analisa Torres. (rro) (Entered: 07/06/2020)
08/13/2020	<u>28</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Analisa Torres from Jennifer Jude dated 8/13/20. Document filed by Department of the Treasury(Jude, Jennifer) (Entered: 08/13/2020)
08/14/2020	<u>29</u>	ORDER granting <u>28</u> Letter Motion to Adjourn Conference. GRANTED. The initial pretrial conference scheduled for August 20, 2020, is ADJOURNED to September 23, 2020, at 10:40 a.m. By September 14, 2020, the parties shall file a joint status letter. SO ORDERED. Initial Conference set for 9/23/2020 at 10:40 AM before Judge Analisa Torres. (Signed by Judge Analisa Torres on 8/14/2020) (kv) (Entered: 08/14/2020)
09/14/2020	<u>30</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Analisa Torres from Charles Crain dated 9/14/2020. Document filed by New York Times Company, Mark Walker(Crain, Charles) (Entered: 09/14/2020)

09/15/2020	<u>31</u>	ORDER granting <u>30</u> Letter Motion to Adjourn Conference. GRANTED. The initial pretrial conference scheduled for September 23, 2020, is ADJOURNED to October 22, 2020, at 10:20 a.m. By October 15, 2020, the parties shall submit a joint status letter. The parties are directed to call (888) 398–2342 or (215) 861–0674, and enter access code 5598827. SO ORDERED. Initial Conference set for 10/22/2020 at 10:20 AM before Judge Analisa Torres. (Signed by Judge Analisa Torres on 9/15/2020) (kv) (Entered: 09/15/2020)
10/15/2020	<u>32</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Analisa Torres from Jennifer Jude dated 10/15/20. Document filed by Department of the Treasury(Jude, Jennifer) (Entered: 10/15/2020)
10/16/2020	<u>33</u>	ORDER granting <u>32</u> Letter Motion to Adjourn Conference: GRANTED. The initial pretrial conference scheduled for October 22, 2020, is ADJOURNED to November 24 2020, at 10:20 a.m. By November 17, 2020, the parties shall file a joint status letter. (Initial Conference set for 11/24/2020 at 10:20 AM before Judge Analisa Torres.) (Signed by Judge Analisa Torres on 10/16/2020) (jwh) (Entered: 10/16/2020)
11/17/2020	<u>34</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Analisa Torres from Charles Crain dated 11/17/2020. Document filed by New York Times Company, Mark Walker(Crain, Charles) (Entered: 11/17/2020)
11/20/2020	<u>35</u>	ORDER granting <u>34</u> Letter Motion to Adjourn Conference. GRANTED. The initial pretrial conference scheduled for November 24, 2020, is ADJOURNED to December 17, 2020, at 10:00 a.m. By December 10, 2020, the parties shall file a joint status letter. SO ORDERED. Initial Conference set for 12/17/2020 at 10:00 AM before Judge Analisa Torres. (Signed by Judge Analisa Torres on 11/20/2020) (kv) (Entered: 11/20/2020)
12/10/2020	<u>36</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Analisa Torres from Jennifer Jude dated 12/10/20. Document filed by Department of the Treasury(Jude, Jennifer) (Entered: 12/10/2020)
12/14/2020	<u>37</u>	ORDER granting <u>36</u> Letter Motion to Adjourn Conference. GRANTED. The initial pretrial conference scheduled for December 17, 2020, is ADJOURNED to January 13, 2021, at 11:00 a.m. By January 6, 2021, the parties shall file a joint status letter. SO ORDERED. Initial Conference set for 1/13/2021 at 11:00 AM before Judge Analisa Torres. (Signed by Judge Analisa Torres on 12/14/2020) (kv) (Entered: 12/14/2020)
01/06/2021	<u>38</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Analisa Torres from Jennifer Jude dated 1/6/21. Document filed by Department of the Treasury(Jude, Jennifer) (Entered: 01/06/2021)
01/08/2021	<u>39</u>	ORDER granting <u>38</u> Letter Motion to Adjourn Conference. GRANTED. The initial pretrial conference scheduled for January 13, 2021, is ADJOURNED to February 22, 2021, at 10:40 a.m. By February 15, 2021, the parties shall file a joint status letter. SO ORDERED (Signed by Judge Analisa Torres on 1/8/2021) Initial Conference set for 2/22/2021 at 10:40 AM before Judge Analisa Torres. (ks) (Entered: 01/08/2021)
02/16/2021	<u>40</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Analisa Torres from Charles Crain dated 02/16/2021. Document filed by New York Times Company, Mark Walker(Crain, Charles) (Entered: 02/16/2021)
02/18/2021	<u>41</u>	ORDER granting <u>40</u> JOINT LETTER MOTION to Adjourn Conference addressed to Judge Analisa Torres from Charles Crain dated 02/16/2021. Document filed by New York Times Company, Mark Walker. GRANTED. The initial pretrial conference scheduled for February 22, 2021, is ADJOURNED to March 25, 2021, at 10:20 a.m. By March 18, 2021, the parties shall file a joint status letter. SO ORDERED. (Initial Conference set for 3/25/2021 at 10:20 AM before Judge Analisa Torres). (Signed by Judge Analisa Torres on 2/18/2021) (rjm) (Entered: 02/18/2021)
03/18/2021	<u>42</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Analisa Torres from Charles Crain dated 3/18/2021. Document filed by New York Times Company, Mark Walker(Crain, Charles) (Entered: 03/18/2021)
03/24/2021	<u>43</u>	ORDER granting <u>42</u> Motion to Adjourn Conference. GRANTED. The initial pretrial conference scheduled for March 25, 2021, is ADJOURNED to June 14, 2021, at 10:00 a.m. By June 7, 2021, the parties shall file a joint status letter. SO ORDERED. Initial

		Conference set for 6/14/2021 at 10:00 AM before Judge Analisa Torres. (Signed by Judge Analisa Torres on 3/24/2021) (kv) (Entered: 03/24/2021)
03/24/2021		Set/Reset Hearings: Initial Conference set for 6/14/2021 at 10:00 AM before Judge Analisa Torres. (kv) (Entered: 03/24/2021)
06/07/2021	<u>44</u>	JOINT LETTER MOTION to Adjourn Conference addressed to Judge Analisa Torres from Jennifer Jude dated 6/7/21. Document filed by Department of the Treasury(Jude, Jennifer) (Entered: 06/07/2021)
06/11/2021	<u>45</u>	ORDER granting <u>44</u> Letter Motion to Adjourn Conference. GRANTED. The initial pretrial conference scheduled for June 14, 2021, is ADJOURNED to August 17, 2021, at 10:20 a.m. By August 10, 2021, the parties shall file a joint status letter. Initial Conference set for 8/17/2021 at 10:20 AM before Judge Analisa Torres. (Signed by Judge Analisa Torres on 6/11/2021) (cf) (Entered: 06/11/2021)
06/28/2021	<u>46</u>	NOTICE OF APPEARANCE by Stephen Stich on behalf of New York Times Company, Mark Walker(Stich, Stephen) (Entered: 06/28/2021)
08/10/2021	<u>47</u>	STATUS REPORT. Document filed by New York Times Company, Mark Walker(Stich, Stephen) (Entered: 08/10/2021)
08/10/2021	<u>48</u>	MEMO ENDORSEMENT on re: <u>47</u> Status Report filed by New York Times Company, Mark Walker. ENDORSEMENT: GRANTED. The initial pretrial conference scheduled for August 17, 2021, is ADJOURNED to October 18, 2021, at 11:30 a.m. By October 12, 2021, the parties shall file a joint status letter. SO ORDERED. (Initial Conference set for 10/18/2021 at 11:30 AM before Judge Analisa Torres.) (Signed by Judge Analisa Torres on 8/10/2021) (kv) (Entered: 08/10/2021)
10/12/2021	<u>49</u>	STATUS REPORT. Document filed by New York Times Company, Mark Walker(Stich, Stephen) (Entered: 10/12/2021)
10/12/2021	<u>50</u>	MEMO ENDORSEMENT on re: <u>49</u> Status Report filed by New York Times Company, Mark Walker. ENDORSEMENT: GRANTED. The status conference scheduled for October 18, 2021, is ADJOURNED to January 10, 2022, at 10:00 a.m. By January 3, 2022, the parties shall submit their status letter. (Initial Conference set for 1/10/2022 at 10:00 AM before Judge Analisa Torres.) (Signed by Judge Analisa Torres on 10/12/2021) (rro) (Entered: 10/12/2021)
01/03/2022	<u>51</u>	STATUS REPORT. Document filed by New York Times Company, Mark Walker(Stich, Stephen) (Entered: 01/03/2022)
01/04/2022	<u>52</u>	MEMO ENDORSEMENT on re: <u>51</u> Status Report filed by New York Times Company, Mark Walker. ENDORSEMENT: GRANTED. By February 3, 2022, the parties shall file a joint status letter. The case management conference scheduled for January 10, 2022, is ADJOURNED to February 14, 2022, at 11:40 a.m. SO ORDERED., (Initial Conference set for 2/14/2022 at 11:40 AM before Judge Analisa Torres.) (Signed by Judge Analisa Torres on 1/4/22) (yv) (Entered: 01/04/2022)
02/03/2022	<u>53</u>	STATUS REPORT. Document filed by New York Times Company, Mark Walker(Stich, Stephen) (Entered: 02/03/2022)
02/04/2022	<u>54</u>	MEMO ENDORSEMENT on re: <u>53</u> Status Report filed by New York Times Company, Mark Walker. ENDORSEMENT: GRANTED. The status conference scheduled for February 14, 2022 is ADJOURNED to March 14, 2022, at 11:00 a.m. By March 7, 2022, the parties shall submit a joint status letter. SO ORDERED. (Initial Conference set for 3/14/2022 at 11:00 AM before Judge Analisa Torres.) (Signed by Judge Analisa Torres on 2/4/2022) (kv) (Entered: 02/04/2022)