

**U.S. District Court
 District of Columbia (Washington, DC)
 CIVIL DOCKET FOR CASE #: 1:20-cv-01196-TFH**

AMERICAN IMMIGRATION COUNCIL v. DEPARTMENT OF HOMELAND SECURITY et al
 Assigned to: Judge Thomas F. Hogan
 Cause: 05:552 Freedom of Information Act

Date Filed: 05/07/2020
 Date Terminated: 02/14/2022
 Jury Demand: None
 Nature of Suit: 895 Freedom of Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff

AMERICAN IMMIGRATION COUNCIL

represented by **Claudia Valenzuela**
 IMMIGRANT LEGAL DEFENSE
 1322 Webster Street
 Suite 300
 Oakland, CA 94612
 872-256-1979
 Fax: 510-890-3103
 Email: claudia@ild.org
ATTORNEY TO BE NOTICED

Emily Creighton
 AMERICAN IMMIGRATION COUNCIL
 Legal Department
 1331 G Street, NW
 Suite 200
 Washington, DC 20005
 (202) 507-7514
 Fax: (202) 742-5619
 Email: ecreighton@immcouncil.org
ATTORNEY TO BE NOTICED

V.

Defendant

DEPARTMENT OF HOMELAND SECURITY

represented by **Alexander V. Sverdlov**
 U.S. DEPARTMENT OF JUSTICE
 P.O. Box 386
 Washington, DC 20044
 (202) 308-8550
 Email: alexander.v.sverdlov@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

IMMIGRATION AND CUSTOMS ENFORCEMENT

represented by **Alexander V. Sverdlov**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/07/2020	<u>1</u>	COMPLAINT against DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT (Filing fee \$ 400 receipt number ADCDC-7102437) filed by AMERICAN IMMIGRATION COUNCIL. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Civil Cover Sheet, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Summons)(Creighton, Emily) (Entered: 05/07/2020)

05/07/2020	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN IMMIGRATION COUNCIL (Creighton, Emily) (Entered: 05/07/2020)
05/07/2020		Case Assigned to Judge Thomas F. Hogan. (adh,) (Entered: 05/07/2020)
05/07/2020	<u>3</u>	SUMMONS (4) Issued Electronically as to DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(adh,) (Entered: 05/07/2020)
05/11/2020	<u>4</u>	NOTICE of Appearance by Claudia Valenzuela on behalf of AMERICAN IMMIGRATION COUNCIL (Valenzuela, Claudia) (Entered: 05/11/2020)
05/11/2020	<u>5</u>	NOTICE of Appearance by Emily Creighton on behalf of AMERICAN IMMIGRATION COUNCIL (Creighton, Emily) (Entered: 05/11/2020)
05/12/2020	<u>6</u>	MOTION for Preliminary Injunction by AMERICAN IMMIGRATION COUNCIL (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration, # <u>3</u> Text of Proposed Order)(Valenzuela, Claudia) (Entered: 05/12/2020)
05/18/2020	<u>7</u>	NOTICE of Appearance by Alexander V. Sverdlov on behalf of All Defendants (Sverdlov, Alexander) (Entered: 05/18/2020)
05/18/2020	<u>8</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>6</u> MOTION for Preliminary Injunction by DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT (Sverdlov, Alexander) (Entered: 05/18/2020)
05/18/2020		MINUTE ORDER granting <u>8</u> Defendants' Unopposed Motion for an Extension of Time to Respond to Plaintiff's Motion for Preliminary Injunction. Defendants' response shall be filed by May 26, 2020. Signed by Judge Thomas F. Hogan on May 18, 2020. (CR) (Entered: 05/18/2020)
05/18/2020		Set/Reset Deadlines: Defendant's Response due by 5/26/2020 (hs) (Entered: 05/18/2020)
05/19/2020	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF HOMELAND SECURITY served on 5/15/2020; IMMIGRATION AND CUSTOMS ENFORCEMENT served on 5/18/2020, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/18/2020., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/18/2020. (Answer due for ALL FEDERAL DEFENDANTS by 6/17/2020.) (Attachments: # <u>1</u> Exhibit A)(Valenzuela, Claudia) (Entered: 05/19/2020)
05/26/2020	<u>10</u>	Memorandum in opposition to re <u>6</u> MOTION for Preliminary Injunction filed by DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Declaration Attachment A, # <u>2</u> Declaration Attachment B)(Sverdlov, Alexander) (Entered: 05/26/2020)
05/27/2020		MINUTE ORDER. A telephonic hearing on <u>6</u> Plaintiff's Motion for Preliminary Injunction is scheduled for June 2, 2020 at 2:00 PM before Judge Thomas F. Hogan. Signed by Judge Thomas F. Hogan on May 27, 2020. (CR) (Entered: 05/27/2020)
05/29/2020		Set/Reset Hearings: Preliminary Injunction Hearing set for 6/2/2020 at 02:00 PM before Judge Thomas F. Hogan. (hs) (Entered: 05/29/2020)
05/29/2020	<u>11</u>	REPLY to opposition to motion re <u>6</u> MOTION for Preliminary Injunction filed by AMERICAN IMMIGRATION COUNCIL. (Valenzuela, Claudia) (Entered: 05/29/2020)
05/30/2020	<u>12</u>	ERRATA re <u>11</u> REPLY to opposition to motion re <u>6</u> MOTION for Preliminary Injunction by AMERICAN IMMIGRATION COUNCIL. (Attachments: # <u>1</u> Plaintiff's Corrected Reply to Defendants' Response in Opposition to Plaintiff's Motion for a Preliminary Injunction)(Valenzuela, Claudia) Modified to add docket link on 6/1/2020 (eg). (Entered: 05/30/2020)

06/02/2020		Minute Entry; for proceedings held before Judge Thomas F. Hogan: Telephonic Motion Hearing held on 6/2/2020. Plaintiff's <u>6</u> MOTION for Preliminary Injunction; heard and taken under advisement. (Court Reporter Sara Wick) (hs) (Entered: 06/02/2020)
06/05/2020	<u>13</u>	NOTICE of Other Cases, in Response to the Court's Request by DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT (Sverdlov, Alexander) (Entered: 06/05/2020)
06/09/2020		MINUTE ORDER. In light of the issues discussed during the telephonic hearing on <u>6</u> Plaintiff's Motion for Preliminary Injunction and the information provided to the Court in <u>13</u> Defendants' Notice Regarding Other COVID-19 Cases, the parties are directed to meet and confer in an effort to narrow or prioritize Plaintiff's priorities among the FOIA requests at issue in this case, and to discuss a possible agreement on a timeline for processing and production of records. The Court will hold a teleconference on THURSDAY, JUNE 11, 2020 at 11:15 a.m. to discuss the results of the parties' discussions. If the parties are unable to reach an agreement on these issues, the Court will proceed with issuing its decision on <u>6</u> Plaintiff's Motion for Preliminary Injunction as indicated at the conclusion of the June 2 hearing. Signed by Judge Thomas F. Hogan on June 9, 2020. (CR) (Entered: 06/09/2020)
06/09/2020		Set/Reset Hearings: Status Conference set for 6/11/2020 at 11:15 AM before Judge Thomas F. Hogan. (hs) (Entered: 06/09/2020)
06/11/2020	<u>14</u>	ORDER granting <u>6</u> Motion for Preliminary Injunction. See Order for details. Signed by Judge Thomas F. Hogan on June 11, 2020. (CR) (Entered: 06/11/2020)
06/11/2020		Minute Entry; for proceedings held before Judge Thomas F. Hogan: Motion Hearing held on 6/11/2020. Written order to issue from Chambers. (Court Reporter Nancy Meyer.) (hs) (Entered: 06/11/2020)
06/17/2020	<u>15</u>	ANSWER to Complaint by DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT.(Sverdlov, Alexander) (Entered: 06/17/2020)
07/06/2020	<u>16</u>	MEMORANDUM OPINION. Signed by Judge Thomas F. Hogan on July 6, 2020. (CR) (Entered: 07/06/2020)
12/24/2020	<u>17</u>	Joint STATUS REPORT by AMERICAN IMMIGRATION COUNCIL. (Valenzuela, Claudia) (Entered: 12/24/2020)
12/28/2020	<u>18</u>	ORDER setting briefing schedule. See attached Order for details. Signed by Judge Thomas F. Hogan on December 28, 2020. (CR) (Entered: 12/28/2020)
12/28/2020		Set/Reset Deadlines: Summary Judgment motions due by 1/22/2021. Cross Motions due by 2/12/2021. Response to Cross Motions due by 3/5/2021. Replies due by 3/12/2021. Response to Motion for Summary Judgment due by 2/12/2021. Reply to Motion for Summary Judgment due by 3/5/2021. (hs) (Entered: 12/28/2020)
01/19/2021	<u>19</u>	Consent MOTION for Extension of Time to file Motion for Summary Judgment by DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Sverdlov, Alexander) (Entered: 01/19/2021)
01/21/2021		MINUTE ORDER: GRANTING <u>19</u> Defendants' Consent Motion for Extension of Time to file Motion for Summary Judgment. Defendants shall file their motion for summary judgment on or before February 5, 2021. It is further ORDERED that all deadlines set forth in this Court's December 28, 2020 Order setting briefing schedule <u>18</u> are extended by 14 days. By February 26, 2021, the plaintiff shall file its combined opposition and cross-motion for summary judgment; by March 19, 2021, the defendants shall file their combined opposition and reply; and by March 26, 2021, the plaintiff shall file its reply. Signed by Judge Thomas F. Hogan on January 21, 2021. (JRM). (Entered: 01/21/2021)
01/21/2021		Set/Reset Deadlines: Defendant's Summary Judgment motions due by 2/5/2021. (hs) (Entered: 01/21/2021)

02/04/2021	<u>20</u>	Consent MOTION for Extension of Time to <i>file Motion for Summary Judgment</i> by DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Sverdlov, Alexander) (Entered: 02/04/2021)
02/08/2021		MINUTE ORDER: GRANTING <u>20</u> Defendants' Consent Motion for Extension of Time to file Motion for Summary Judgment. Defendants shall file their motion for summary judgment on or before February 26, 2021. It is further ORDERED that all deadlines set forth in this Court's January 21, 2021 Minute Order setting briefing schedule are extended by 21 days. By March 19, 2021, the plaintiff shall file its combined opposition and cross-motion for summary judgment; by April 9, 2021, the defendants shall file their combined opposition and reply; and by April 16, 2021, the plaintiff shall file its reply. Signed by Judge Thomas F. Hogan on February 8, 2021 (JRM). (Entered: 02/08/2021)
02/08/2021		Set/Reset Deadlines: Summary Judgment motion due by 2/26/2021. Response to Motions for Summary Judgment due by 3/21/2021. Reply to Motions for Summary Judgment due by 4/16/2021. (hs) (Entered: 02/08/2021)
02/26/2021	<u>21</u>	STIPULATION ; <i>Stipulated Request to Hold Proceedings in Abeyance</i> by DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Sverdlov, Alexander) (Entered: 02/26/2021)
03/02/2021		ORDER: Upon consideration of the parties' <u>21</u> Joint Stipulated Request to Hold Proceedings in Abeyance, it is hereby ORDERED that this matter be held in abeyance until April 19, 2021. The current schedule for summary judgment briefing in this matter is hereby VACATED and the parties shall submit a joint status report to this Court on or before April 19, 2021. Signed by Judge Thomas F. Hogan on March 2, 2021. (KDD). (Entered: 03/02/2021)
03/02/2021		Set/Reset Deadlines: Joint Status Report due by 4/19/2021 (hs) (Entered: 03/02/2021)
04/19/2021	<u>22</u>	Joint STATUS REPORT by AMERICAN IMMIGRATION COUNCIL. (Valenzuela, Claudia) (Entered: 04/19/2021)
04/20/2021		MINUTE ORDER. Upon consideration of the parties' <u>22</u> Joint Status Report, it is ORDERED that the parties shall file a further Joint Status Report by May 17, 2021. Signed by Judge Thomas F. Hogan on April 20, 2021. (CR) (Entered: 04/20/2021)
04/20/2021		Set/Reset Deadlines: Joint Status Report due by 5/17/2021 (hs) (Entered: 04/20/2021)
05/17/2021	<u>23</u>	Joint STATUS REPORT by AMERICAN IMMIGRATION COUNCIL. (Valenzuela, Claudia) (Entered: 05/17/2021)
05/17/2021		MINUTE ORDER. Upon consideration of the parties' <u>23</u> Joint Status Report, it is ORDERED that the parties shall file a further Joint Status Report by May 24, 2021.Signed by Judge Thomas F. Hogan on May 17, 2021. (CR) (Entered: 05/17/2021)
05/18/2021		Set/Reset Deadlines: Joint Status Report due by 5/24/2021 (hs) (Entered: 05/18/2021)
05/24/2021	<u>24</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT. (Sverdlov, Alexander) (Entered: 05/24/2021)
05/27/2021		MINUTE ORDER. Upon consideration of the parties' <u>24</u> Joint Status Report, it is ORDERED that the parties shall file a further Joint Status Report by June 3, 2021. Signed by Judge Thomas F. Hogan on May 27, 2021. (CR) (Entered: 05/27/2021)
05/28/2021		Set/Reset Deadlines: Joint Status Report due by 6/3/2021 (hs) (Entered: 05/28/2021)
06/03/2021	<u>25</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT. (Sverdlov, Alexander) (Entered: 06/03/2021)
06/04/2021		MINUTE ORDER. Upon consideration of the parties' <u>25</u> Joint Status Report, it is ORDERED that the parties shall file a further Joint Status Report by July 6, 2021. Signed by Judge Thomas F. Hogan on June 4, 2021. (CR) (Entered: 06/04/2021)

06/04/2021		Set/Reset Deadlines: Joint Status Report due by 7/6/2021 (hs) (Entered: 06/04/2021)
07/06/2021	<u>26</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT. (Sverdlov, Alexander) (Entered: 07/06/2021)
07/06/2021		MINUTE ORDER. Upon consideration of the parties' <u>26</u> Joint Status Report, it is ORDERED that the parties shall file a further Joint Status Report by August 6, 2021. Signed by Judge Thomas F. Hogan on July 6, 2021. (CR) (Entered: 07/06/2021)
07/07/2021		Set/Reset Deadlines: Joint Status Report due by 8/6/2021 (hs) (Entered: 07/07/2021)
08/06/2021	<u>27</u>	Joint STATUS REPORT by AMERICAN IMMIGRATION COUNCIL. (Creighton, Emily) (Entered: 08/06/2021)
08/09/2021		MINUTE ORDER. Upon consideration of the parties' <u>27</u> Joint Status Report, it is ORDERED that the parties shall file a further Joint Status Report by September 10, 2021. Signed by Judge Thomas F. Hogan on August 9, 2021. (CR) (Entered: 08/09/2021)
08/09/2021		Set/Reset Deadlines: Joint Status Report due by 9/10/2021 (hs) (Entered: 08/09/2021)
09/10/2021	<u>28</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT. (Sverdlov, Alexander) (Entered: 09/10/2021)
09/13/2021		MINUTE ORDER. Upon consideration of the parties' <u>28</u> Joint Status Report, it is ORDERED that the parties shall file a further Joint Status Report by October 12, 2021. Signed by Judge Thomas F. Hogan on September 13, 2021. (CR) (Entered: 09/13/2021)
09/13/2021		Set/Reset Deadlines: Joint Status Report due by 10/12/2021 (hs) (Entered: 09/13/2021)
10/12/2021	<u>29</u>	Joint STATUS REPORT by AMERICAN IMMIGRATION COUNCIL. (Creighton, Emily) (Entered: 10/12/2021)
10/12/2021		MINUTE ORDER. Upon consideration of the parties' <u>29</u> Joint Status Report, it is ORDERED that the parties shall file a further Joint Status Report by November 12, 2021. Signed by Judge Thomas F. Hogan on October 12, 2021. (CR) (Entered: 10/12/2021)
10/13/2021		Set/Reset Deadlines: Joint Status Report due by 11/12/2021 (hs) (Entered: 10/13/2021)
11/12/2021	<u>30</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT. (Sverdlov, Alexander) (Entered: 11/12/2021)
11/15/2021		MINUTE ORDER. Upon consideration of the parties' <u>30</u> Joint Status Report, it is ORDERED that the parties shall file a further Joint Status Report by December 13, 2021. Signed by Judge Thomas F. Hogan on November 15, 2021. (CR) (Entered: 11/15/2021)
11/15/2021		Set/Reset Deadlines: Joint Status Report due by 12/13/2021. (hs) (Entered: 11/15/2021)
12/13/2021	<u>31</u>	Joint STATUS REPORT by AMERICAN IMMIGRATION COUNCIL. (Creighton, Emily) (Entered: 12/13/2021)
12/14/2021		MINUTE ORDER. Upon consideration of the parties' <u>31</u> Joint Status Report, it is ORDERED that the parties shall file a further Joint Status Report by January 14, 2022. Signed by Judge Thomas F. Hogan on December 14, 2021. (CR) (Entered: 12/14/2021)
12/14/2021		Set/Reset Deadlines: Joint Status Report due by 1/14/2022 (hs) (Entered: 12/14/2021)
12/17/2021		NOTICE OF ERROR re <u>31</u> Status Report; emailed to ecreighton@immcouncil.org, cc'd 3 associated attorneys -- The PDF file you docketed contained errors: 1. Invalid attorney signature, 2. FYI: DO NOT REFILE. Attorney signature must match login/password in future filings. (zeg,) (Entered: 12/17/2021)

01/14/2022	<u>32</u>	Joint STATUS REPORT by AMERICAN IMMIGRATION COUNCIL. (Valenzuela, Claudia) (Entered: 01/14/2022)
01/14/2022		MINUTE ORDER. Upon consideration of the parties' <u>32</u> Joint Status Report, it is ORDERED that the parties shall file a further Joint Status Report by February 14, 2022. Signed by Judge Thomas F. Hogan on January 14, 2022. (CR) (Entered: 01/14/2022)
02/14/2022	<u>33</u>	STIPULATION of Dismissal <i>Joint</i> by AMERICAN IMMIGRATION COUNCIL. (Valenzuela, Claudia) (Entered: 02/14/2022)