

**U.S. District Court
California Northern District (Oakland)
CIVIL DOCKET FOR CASE #: 4:20-cv-04015-SBA**

Marc Cohodes v. United States Department of Justice
Assigned to: Judge Sandra Brown Armstrong
Referred to: Magistrate Judge Laurel Beeler (Settlement)
Cause: 05:552 Freedom of Information Act

Date Filed: 06/17/2020
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Marc Cohodes
Plaintiff

represented by **George C. Harris**
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V.

Defendant

United States Department of Justice

represented by **Michael Thomas Pyle**
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Defendant**Federal Bureau of Investigation**represented by **Michael Thomas Pyle**
(See above for address)
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ATTORNEY TO BE NOTICED**Defendant****Executive Office for United States
Attorneys**represented by **Michael Thomas Pyle**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Defendant****Criminal Division of the United States
Department of Justice**represented by **Michael Thomas Pyle**
(See above for address)
LEAD ATTORNEY
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Date Filed	#	Docket Text
06/17/2020	<u>1</u>	COMPLAINT <i>For Declaratory and Injunctive Relief for Violations of the Freedom of Information Act</i> against All Defendants (no process) (Filing fee \$ 400, receipt number 0971-14589387.). Filed by Marc Cohodes. (Attachments: # <u>1</u> Exhibit Exhibits to Complaint, # <u>2</u> Civil Cover Sheet)(Shapiro, David) (Filed on 6/17/2020) Modified on 6/18/2020 (jmlS, COURT STAFF). (Entered: 06/17/2020)
06/17/2020	2	Case assigned to Magistrate Judge Donna M. Ryu. Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening . Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 7/1/2020. (mbcS, COURT STAFF) (Filed on 6/17/2020) (Entered: 06/17/2020)
06/18/2020	<u>3</u>	Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 9/9/2020. Initial Case Management Conference set for 9/16/2020 01:30 PM in Oakland, Courtroom 4, 3rd Floor. (jmlS, COURT STAFF) (Filed on 6/18/2020) (Entered: 06/18/2020)
06/23/2020	<u>4</u>	MOTION to Relate Case filed by Marc Cohodes. (Norton, William) (Filed on 6/23/2020) Modified on 6/23/2020 (jmlS, COURT STAFF). (Entered: 06/23/2020)
06/23/2020	<u>5</u>	Proposed Summons. (Norton, William) (Filed on 6/23/2020) (Entered: 06/23/2020)
06/23/2020	<u>6</u>	Proposed Summons. (Norton, William) (Filed on 6/23/2020) (Entered: 06/23/2020)
06/23/2020	<u>7</u>	Proposed Summons. (Norton, William) (Filed on 6/23/2020) (Entered: 06/23/2020)
06/23/2020		Electronic filing error. Document filed in wrong case. [err401]This filing will not be processed by the clerks office. Re: <u>7</u> Proposed Summons filed by Marc Cohodes, <u>5</u> Proposed Summons filed by Marc Cohodes, <u>6</u> Proposed Summons filed by Marc Cohodes, <u>4</u> MOTION to Relate Case PLAINTIFF MARC COHODESS ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED filed by Marc Cohodes (jmlS, COURT STAFF) (Filed on 6/23/2020) (Entered: 06/23/2020)
06/23/2020	<u>8</u>	Proposed Summons. (Norton, William) (Filed on 6/23/2020) (Entered: 06/23/2020)

06/23/2020	<u>9</u>	Proposed Summons. (Norton, William) (Filed on 6/23/2020) (Entered: 06/23/2020)
06/23/2020	<u>10</u>	Proposed Summons. (Norton, William) (Filed on 6/23/2020) (Entered: 06/23/2020)
06/24/2020	<u>11</u>	Summons Issued as to Executive Office for United States Attorneys, Federal Bureau of Investigation, United States Department of Justice, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Summons, # <u>2</u> Summons)(anjS, COURT STAFF) (Filed on 6/24/2020) (Entered: 06/24/2020)
06/25/2020	<u>12</u>	CERTIFICATE OF SERVICE by Marc Cohodes re <u>1</u> Complaint, <i>Summons, Order Setting Initial Case Management Conference and ADR Deadlines, DMR Standing Order</i> (Turetzky, Matthew) (Filed on 6/25/2020) (Entered: 06/25/2020)
07/02/2020	<u>13</u>	CLERK'S NOTICE TO PLAINTIFF Re: Consent or Declination: Plaintiff shall file a consent or declination to proceed before a magistrate judge. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: http://cand.uscourts.gov/civilforms . Consent/Declination due by 7/16/2020. (ig, COURT STAFF) (Filed on 7/2/2020) (Entered: 07/02/2020)
07/16/2020	<u>14</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Marc Cohodes.. (Turetzky, Matthew) (Filed on 7/16/2020) (Entered: 07/16/2020)
08/10/2020	<u>15</u>	CERTIFICATE OF SERVICE by Marc Cohodes re <u>1</u> Complaint, <u>10</u> Proposed Summons, <u>9</u> Proposed Summons, <u>3</u> Initial Case Management Scheduling Order with ADR Deadlines, <u>12</u> Certificate of Service, <u>8</u> Proposed Summons <i>on United States Attorney General and United States Attorneys Office</i> (Turetzky, Matthew) (Filed on 8/10/2020) (Entered: 08/10/2020)
08/25/2020	<u>16</u>	NOTICE of Appearance by George C. Harris (Harris, George) (Filed on 8/25/2020) (Entered: 08/25/2020)
08/26/2020	<u>17</u>	NOTICE by Marc Cohodes <i>Certificate of Interested Entities or Persons</i> (Harris, George) (Filed on 8/26/2020) (Entered: 08/26/2020)
08/26/2020	<u>18</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Attachments: # <u>1</u> Declaration Declaration of George C. Harris Pursuant to Local Rule 5-1(i)(2))(Harris, George) (Filed on 8/26/2020) (Entered: 08/26/2020)
08/26/2020		Electronic filing error. Incorrect event used. [err101] Correct event is found under Civil Events > Other Filings > Notices > Certificate of Interested Entities, Corporate Disclosure Statement, or Rule 7.1 Disclosures. Please re-file in its entirety. Re: <u>17</u> Notice (Other) filed by Marc Cohodes (jmlS, COURT STAFF) (Filed on 8/26/2020) (Entered: 08/27/2020)
08/27/2020	<u>19</u>	Certificate of Interested Entities by Marc Cohodes (Harris, George) (Filed on 8/27/2020) (Entered: 08/27/2020)
08/27/2020	<u>20</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by United States Department of Justice.. (Pyle, Michael) (Filed on 8/27/2020) (Entered: 08/27/2020)
08/27/2020	<u>21</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Pyle, Michael) (Filed on 8/27/2020) (Entered: 08/27/2020)
08/27/2020	22	CLERK'S NOTICE OF IMPENDING REASSIGNMENT TO A U.S. DISTRICT COURT JUDGE: The Clerk of this Court will now randomly reassign this case to a District Judge because either (1) a party has not consented to the jurisdiction of a Magistrate Judge, or (2) time is of the essence in deciding a pending judicial action for which the necessary consents to Magistrate Judge jurisdiction have not been secured. You will be informed by separate notice of the district judge to whom this case is reassigned. ALL HEARING DATES PRESENTLY SCHEDULED BEFORE THE CURRENT MAGISTRATE JUDGE ARE VACATED AND SHOULD BE RE-NOTICED FOR HEARING BEFORE THE JUDGE TO WHOM THIS CASE IS REASSIGNED. <i>This is a text only docket entry; there is no document associated with this notice.</i> (ig, COURT STAFF) (Filed on 8/27/2020) (Entered: 08/27/2020)

08/28/2020	<u>23</u>	ORDER REASSIGNING CASE. Case reassigned using a proportionate, random, and blind system pursuant to General Order No. 44 to Judge Sandra Brown Armstrong for all further proceedings. Magistrate Judge Donna M. Ryu no longer assigned to case, Signed by the Clerk on 8/28/2020. (anjS, COURT STAFF) (Filed on 8/28/2020) (Entered: 08/28/2020)
08/31/2020	<u>24</u>	CASE MANAGEMENT SCHEDULING ORDER FOR REASSIGNED CIVIL CASE:Joint Case Management Statement due by 9/9/2020. Initial Case Management Conference set for 9/16/2020 02:45 PM in Oakland, Chambers. Signed by Judge Sandra Brown Armstrong on 8/31/2020. (Attachments: # 1 Standing Order)(amgS, COURT STAFF) (Filed on 8/31/2020) (Entered: 08/31/2020)
09/09/2020	<u>25</u>	JOINT CASE MANAGEMENT STATEMENT filed by Marc Cohodes, United States Department of Justice, FBI, and Executive Office for United States Attorneys. (Attachments: # 1 Declaration Declaration of George C. Harris Pursuant to Local Rule 5-1(i)(2))(Harris, George) (Filed on 9/9/2020) Modified on 9/10/2020 (jmlS, COURT STAFF). (Entered: 09/09/2020)
09/09/2020	<u>26</u>	ANSWER to Complaint <i>FOR DECLARATORY AND INJUNCTIVE RELIEF FOR VIOLATIONS OF THE FREEDOM OF INFORMATION ACT</i> by Executive Office for United States Attorneys, Federal Bureau of Investigation, United States Department of Justice. (Pyle, Michael) (Filed on 9/9/2020) (Entered: 09/09/2020)
09/16/2020	<u>27</u>	Minute Entry for proceedings held before Judge Sandra Brown Armstrong: Initial Case Management Conference held on 9/16/2020. Total Time in Court: 15 minutes. Court Reporter: Not Reported. Plaintiff Attorney: George Harris. Defendant Attorney: Michael Pyle. Further Case Management Conference set for 11/19/2020 02:45 PM in Oakland, Chambers. Counsel shall join the conference line (888) 684-8852 promptly at the date and time specified. The access code to join the conference is 7281326. Please be advised that conferences in other cases may precede and/or follow the conference scheduled in this case. When connecting, you may hear music and/or another conference; please be patient and wait for your case to be called before making an appearance. When your case management conference concludes, please exit without delay to clear the line for other proceedings. (amgS, COURT STAFF) (Date Filed: 9/16/2020) (Entered: 09/16/2020)
09/29/2020	<u>28</u>	AMENDED COMPLAINT against All Defendants. Filed by Marc Cohodes. (Harris, George) (Filed on 9/29/2020) (Main Document 28 replaced on 2/2/2022) (wsn, COURT STAFF). (Entered: 09/29/2020)
09/30/2020	<u>29</u>	STIPULATION <i>EXTENDING TIME FOR RESPONSE TO FIRST AMENDED COMPLAINT</i> filed by Executive Office for United States Attorneys, Federal Bureau of Investigation, United States Department of Justice and Marc Cohodes. (Pyle, Michael) (Filed on 9/30/2020) Modified on 10/1/2020 (jmlS, COURT STAFF). (Entered: 09/30/2020)
10/27/2020	<u>30</u>	Answer to Amended Complaint <i>FOR DECLARATORY AND INJUNCTIVE RELIEF FOR VIOLATIONS OF THE FREEDOM OF INFORMATION ACT</i> by Criminal Division of the United States Department of Justice, Executive Office for United States Attorneys, Federal Bureau of Investigation, United States Department of Justice. (Pyle, Michael) (Filed on 10/27/2020) (Entered: 10/27/2020)
11/13/2020	<u>31</u>	JOINT CASE MANAGEMENT STATEMENT filed by Criminal Division of the United States Department of Justice, Executive Office for United States Attorneys, Federal Bureau of Investigation, United States Department of Justice and Marc Cohodes. (Pyle, Michael) (Filed on 11/13/2020) Modified on 11/13/2020 (jmlS, COURT STAFF). (Entered: 11/13/2020)
11/19/2020	32	CLERK'S NOTICE CONTINUING TELEPHONIC FURTHER CASE MANAGEMENT CONFERENCE. Notice is hereby given that the further telephonic case management conference previously set for 11/19/2020 at 2:45 pm will be heard on 2/25/2021 at 2:30 PM. Counsel shall join the conference line (888) 684-8852 promptly at the date and time specified. The access code to join the conference is 7281326. Please be advised that conferences in other cases may precede and/or follow the conference scheduled in this case. When connecting, you may hear music and/or

		another conference; please be patient and wait for your case to be called before making an appearance. When your case management conference concludes, please exit without delay to clear the line for other proceedings. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (amgS, COURT STAFF) (Filed on 11/19/2020) (Entered: 11/19/2020)
02/12/2021	<u>33</u>	STIPULATION WITH PROPOSED ORDER <i>Continuing Case Management Conference</i> filed by Criminal Division of the United States Department of Justice, Executive Office for United States Attorneys, Federal Bureau of Investigation, United States Department of Justice, and Marc Cohodes. (Pyle, Michael) (Filed on 2/12/2021) Modified on 2/16/2021 (bnsS, COURT STAFF). (Entered: 02/12/2021)
02/16/2021	<u>34</u>	ORDER by Judge Sandra Brown Armstrong Granting <u>33</u> STIPULATION CONTINUING CASE MANAGEMENT CONFERENCE. Further Case Management Conference set for 5/5/2021 02:45 PM in Oakland, – Telephonic Only. (amgS, COURT STAFF) (Filed on 2/16/2021) (Entered: 02/16/2021)
04/27/2021	<u>35</u>	STIPULATION WITH PROPOSED ORDER <i>CONTINUING CASE MANAGEMENT CONFERENCE</i> filed by Criminal Division of the United States Department of Justice, Executive Office for United States Attorneys, Federal Bureau of Investigation, United States Department of Justice. (Pyle, Michael) (Filed on 4/27/2021) (Entered: 04/27/2021)
04/27/2021	<u>36</u>	ORDER by Judge Sandra Brown Armstrong Granting <u>35</u> STIPULATION CONTINUING CASE MANAGEMENT CONFERENCE. Further Case Management Conference set for 6/17/2021 02:30 PM in Oakland, – Telephonic Only. (amgS, COURT STAFF) (Filed on 4/27/2021) (Entered: 04/27/2021)
06/10/2021	<u>37</u>	STIPULATION WITH PROPOSED ORDER <i>CONTINUING CASE MANAGEMENT CONFERENCE</i> filed by Criminal Division of the United States Department of Justice, Executive Office for United States Attorneys, Federal Bureau of Investigation, United States Department of Justice. (Pyle, Michael) (Filed on 6/10/2021) (Entered: 06/10/2021)
06/10/2021	<u>38</u>	ORDER by Judge Sandra Brown Armstrong. Granting <u>37</u> Stipulation CONTINUING CASE MANAGEMENT CONFERENCE. Further Case Management Conference set for 7/29/2021 02:30 PM in Oakland, – Telephonic Only. (ndrS, COURT STAFF) (Filed on 6/10/2021) (Entered: 06/10/2021)
07/21/2021	<u>39</u>	JOINT CASE MANAGEMENT STATEMENT filed by Criminal Division of the United States Department of Justice, Executive Office for United States Attorneys, Federal Bureau of Investigation, United States Department of Justice and Marc Cohodes. (Pyle, Michael) (Filed on 7/21/2021) Modified on 7/22/2021 (bnsS, COURT STAFF). (Entered: 07/21/2021)
07/29/2021	<u>40</u>	Minute Entry for proceedings held before Judge Sandra Brown Armstrong: Further Case Management Conference held on 7/29/2021. Total Time in Court: 15 minutes. Court Reporter: Not Reported. Plaintiff Attorney: George Harris. Defendant Attorney: Michael Pyle. (amgS, COURT STAFF) (Date Filed: 7/29/2021) (Entered: 07/30/2021)
07/30/2021	<u>41</u>	ORDER REFERRING ACTION TO MAGISTRATE JUDGE FOR SETTLEMENT CONFERENCE. Signed by Judge Sandra Brown Armstrong on 7/30/2021. (amgS, COURT STAFF) (Filed on 7/30/2021) (Entered: 07/30/2021)
07/30/2021		CASE REFERRED to Magistrate Judge Laurel Beeler for Settlement (ahm, COURT STAFF) (Filed on 7/30/2021) (Entered: 07/30/2021)
08/03/2021	<u>42</u>	Order Setting Settlement Conference before Magistrate Judge. Settlement Conference set for 12/15/2021 at 10:00 AM in San Francisco, Courtroom B, 15th Floor. Settlement Conference Statements due 12/8/2021. Signed by Judge Laurel Beeler on 08/03/2021. (ejkS, COURT STAFF) (Filed on 8/3/2021) (Entered: 08/03/2021)
08/06/2021	<u>43</u>	NOTICE of Change of Address by George C. Harris (Harris, George) (Filed on 8/6/2021) (Entered: 08/06/2021)

11/03/2021	44	<p>CLERKS NOTICE SETTING ZOOM HEARING. Settlement Conference set for 12/15/2021 at 10:00 AM in San Francisco – Videoconference Only. This proceeding will be held via a Zoom meeting.</p> <p>Meeting Access: All counsel, members of the public, and media may access the meeting information at https://www.cand.uscourts.gov/lb. Please DO NOT join the Zoom webinar (for public hearings). Go to the section labeled: Joining Non–Public Hearings (Settlement Conferences, etc.) below the public webinar information and click on the box to the left to expand text and obtain information for the non–public Zoom meeting. You will be placed in a waiting room and admitted once the settlement conference begins. (Meeting ID: 160 464 1326 Passcode: 106809)</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p><i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (ejk, COURT STAFF) (Filed on 11/3/2021) (Entered: 11/03/2021)</p>
12/15/2021	45	<p>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Settlement Conference held via Zoom on 12/15/2021. Settlement conference held. By the second week in January, the parties will confer about the timing of the productions and update the court about their proposed next steps for in camera review and further settlement conferences. (Not Reported).</p> <p>Total Time in Court: 2 hours. Plaintiff's Attorneys: George Harris and Gil Walton. Also appearing: Plaintiff Marc Cohodes. Defendants' Attorney: Michael Pyle. Also appearing: Pamela A. Roberts, Natasha Hudgins, and Traci L. McCoy.</p> <p><i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (ejk, COURT STAFF) (Date Filed: 12/15/2021) (Entered: 12/15/2021)</p>
01/20/2022	<u>46</u>	<p>MOTION to Remove Incorrectly Filed Document filed by Marc Cohodes. (Attachments: # <u>1</u> Declaration of George C. Harris In Support of Unopposed Motion to Remove Docket Entry, # <u>2</u> Proposed Order Granting Plaintiff Marc Cohodes' Unopposed Motion to Remove Docket Entry)(Harris, George) (Filed on 1/20/2022) (Entered: 01/20/2022)</p>
01/21/2022	47	<p>CLERK'S NOTICE: The next steps, given the submissions of the redacted FBI documents, is to schedule an in camera review with the government. The court will separately email the parties to set up a time for that process. <i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (ejk, COURT STAFF) (Filed on 1/21/2022) (Entered: 01/21/2022)</p>
01/24/2022	48	<p>CLERKS NOTICE SETTING SETTLEMENT CONFERENCE. Settlement Conference set for 1/27/2022 at 11:00 AM in San Francisco – Videoconference Only. This proceeding will be held via a Zoom meeting.</p> <p>Meeting Access: All counsel, members of the public, and media may access the meeting information at https://www.cand.uscourts.gov/lb. Please DO NOT join the Zoom webinar (for public hearings). Go to the section labeled: Joining Non–Public Hearings (Settlement Conferences, etc.) below the public webinar information and click on the box to the left to expand text and obtain information for the non–public Zoom meeting. You will be placed in a waiting room and admitted once the settlement conference begins. (Meeting ID: 160 464 1326 Passcode: 106809)</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p>

		<p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejk, COURT STAFF) (Filed on 1/24/2022) (Entered: 01/24/2022)</p>
01/27/2022	49	<p>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Settlement Conference held via Zoom on 1/27/2022. Settlement conference held. Court did in camera review of documents with the government, which will confer first with the FBI and then with counsel for the plaintiff. Thereafter, the parties will contact the court if they need a further settlement conference. (Not Reported).</p> <p>Total Time in Court: 1 hour. Defendants' Attorney: Michael Pyle. Also appearing: Pamela A. Roberts.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejk, COURT STAFF) (Date Filed: 1/27/2022) (Entered: 01/27/2022)</p>
02/01/2022	<u>50</u>	<p>Order signed by Judge Richard Seeborg for Judge Sandra Brown Armstrong Granting <u>46</u> Motion to Remove Incorrectly Filed Document. (bns, COURT STAFF) (Filed on 2/1/2022) (Entered: 02/01/2022)</p>
02/01/2022	<u>51</u>	<p>AMENDED COMPLAINT <i>For Declaratory and Injunctive Relief for Violations of The Freedom of Information Act</i> against Criminal Division of the United States Department of Justice, Executive Office for United States Attorneys, Federal Bureau of Investigation, United States Department of Justice. Filed by Marc Cohodes. (Harris, George) (Filed on 2/1/2022) (Entered: 02/01/2022)</p>
10/18/2022	52	<p>Notice of Intent to Reassign a Case:</p> <p>Pursuant to General Order 47, and in the interest of justice, the Court intends to reassign this case. The parties to this action are instructed to meet and confer to determine if collectively they will consent to transfer this case to a Magistrate Judge for all purposes. On or before 11/14/2022, each party must file either (1) written consent to the jurisdiction of a Magistrate Judge or (2) a request for reassignment of this case to a district judge. The parties may consent to the jurisdiction of a specific Magistrate Judge regardless of the division of the Court to which that Judge is assigned. In the event the parties decline consent to Magistrate Judge jurisdiction, the case will be randomly reassigned to a district judge. <u>The Advantages of Consenting to a Magistrate Judge</u>, Association of Business Trial Lawyers, Summer 2019, Volume 26, No.3</p> <p>ON BEHALF OF THE EXECUTIVE COMMITTEE Richard Seeborg, Chief Judge</p> <p>(ecg-adi, COURT STAFF) (Filed on 10/18/2022) (Entered: 10/18/2022)</p>