

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:20-cv-10324-LAK-SDA**

Wilson v. Federal Bureau Of Investigation
Assigned to: Judge Lewis A. Kaplan
Referred to: Magistrate Judge Stewart D. Aaron
Cause: 05:552 Freedom of Information Act

Date Filed: 12/08/2020
Date Terminated: 11/28/2022
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

John Wilson

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V.

Defendant

Federal Bureau Of Investigation

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Date Filed	#	Docket Text
12/08/2020	<u>1</u>	COMPLAINT against Federal Bureau Of Investigation. (Filing Fee \$ 402.00, Receipt Number ANYSDC-22935584) Document filed by John Wilson. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8).(Rankin, David) (Entered: 12/08/2020)
12/08/2020	<u>2</u>	CIVIL COVER SHEET filed..(Rankin, David) (Entered: 12/08/2020)
12/08/2020	<u>3</u>	FILING ERROR – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to FEDERAL BUREAU OF INVESTIGATION, re: <u>1</u> Complaint,. Document filed by John Wilson..(Rankin, David) Modified on 12/9/2020 (jgo). (Entered: 12/08/2020)
12/09/2020		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Lewis A. Kaplan. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district-judges . 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 https://nysd.uscourts.gov/rules/ecf-related-instructions..(jgo) (Entered: 12/09/2020)
12/09/2020		Magistrate Judge Stewart D. Aaron 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: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (jgo) (Entered: 12/09/2020)
12/09/2020		Case Designated ECF. (jgo) (Entered: 12/09/2020)
12/09/2020		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney David Bruce Rankin to RE-FILE Document No. <u>3</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): the PDF attached to the docket entry for the issuance of summons is not correct; the FOIA summons form must be used. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (jgo) (Entered: 12/09/2020)
12/09/2020	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to FEDERAL BUREAU OF INVESTIGATION, re: <u>1</u> Complaint,. Document filed by John Wilson..(Rankin, David) (Entered: 12/09/2020)
12/10/2020	<u>5</u>	ELECTRONIC SUMMONS ISSUED as to Federal Bureau Of Investigation..(dnh) (Entered: 12/10/2020)
12/10/2020	<u>6</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE: Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial (includes scheduling, discovery, non–dispositive pretrial motions, and settlement) and Dispositive Motion (i.e., motion requiring a Report and Recommendation), All such motions. Referred to Magistrate Judge Stewart D. Aaron. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 12/10/2020) (jca) (Entered: 12/10/2020)
12/29/2020	<u>7</u>	SUMMONS RETURNED EXECUTED. Federal Bureau Of Investigation served on 12/29/2020, answer due 1/19/2021. Service was made by Mail. Document filed by John Wilson..(Rankin, David) (Entered: 12/29/2020)
01/26/2021	<u>8</u>	ORDER: This case has been assigned to me for general pretrial management. (Order, ECF No. 6.) The parties (or, if no defendant has appeared in the case, only the plaintiff) shall appear for a Telephone Conference on Wednesday, February 3, 2021 at 2:00 p.m. to discuss the status of this case. At the scheduled time, each participant shall separately call (888) 278–0296 (or (214) 765–0479) and enter access code 6489745. So Ordered. (Telephone Conference set for 2/3/2021 at 02:00 PM before Magistrate Judge Stewart D. Aaron.) (Signed by Magistrate Judge Stewart D. Aaron on 1/26/2021) (js) (Entered: 01/26/2021)

01/27/2021	<u>9</u>	NOTICE OF APPEARANCE by Kirti Vaidya Reddy on behalf of Federal Bureau Of Investigation..(Reddy, Kirti) (Entered: 01/27/2021)
01/27/2021	<u>10</u>	LETTER MOTION for Extension of Time addressed to Magistrate Judge Stewart D. Aaron from Kirti Reddy dated January 27, 2021., LETTER MOTION to Adjourn Conference addressed to Magistrate Judge Stewart D. Aaron from Kirti Reddy dated January 27, 2021. Document filed by Federal Bureau Of Investigation..(Reddy, Kirti) (Entered: 01/27/2021)
01/27/2021	<u>11</u>	ORDER granting <u>10</u> Letter Motion for Extension of Time; granting <u>10</u> Letter Motion to Adjourn Conference: Request GRANTED. Defendant shall respond to Plaintiff's Complaint by March 15, 2021, and the conference scheduled for February 3, 2021 is hereby adjourned to Wednesday, March 24, 2021, at 2:00 p.m (Telephone Conference set for 3/24/2021 at 02:00 PM before Magistrate Judge Stewart D. Aaron.) (Signed by Magistrate Judge Stewart D. Aaron on 1/27/2021) (jwh) Modified on 1/27/2021 (jwh). (Entered: 01/27/2021)
01/27/2021		Set/Reset Deadlines: Federal Bureau Of Investigation answer due 3/15/2021. (jwh) (Entered: 01/27/2021)
02/02/2021	<u>12</u>	NOTICE OF APPEARANCE by Katherine Adams on behalf of John Wilson..(Adams, Katherine) (Entered: 02/02/2021)
03/15/2021	<u>13</u>	ANSWER to <u>1</u> Complaint,. Document filed by Federal Bureau Of Investigation..(Schwartz, Tara) (Entered: 03/15/2021)
03/17/2021	<u>14</u>	CONSENT LETTER MOTION to Adjourn Conference <i>currently scheduled for March 24, 2021</i> addressed to Magistrate Judge Stewart D. Aaron from David B. Rankin dated March 17, 2021. Document filed by John Wilson..(Rankin, David) (Entered: 03/17/2021)
03/18/2021	<u>15</u>	ORDER granting <u>14</u> Letter Motion to Adjourn Conference. Request GRANTED. The conference presently scheduled for March 24, 2021 is hereby adjourned to Wednesday, March 31, 2021 at 2:00 p.m. So Ordered. Telephone Conference set for 3/31/2021 at 02:00 PM before Magistrate Judge Stewart D. Aaron. (Signed by Magistrate Judge Stewart D. Aaron on 3/18/2021) (js) (Entered: 03/18/2021)
03/31/2021	<u>16</u>	ORDER: Following a telephone conference with the parties today, the Court Orders as follows: On April 30, 2021, the parties shall file a joint letter regarding the status of this action. So Ordered. (Signed by Magistrate Judge Stewart D. Aaron on 3/31/2021) (js) (Entered: 03/31/2021)
03/31/2021		Minute Entry for proceedings held before Magistrate Judge Stewart D. Aaron: Telephone Conference held on 3/31/2021. (kl) (Entered: 04/19/2021)
04/26/2021	<u>17</u>	JOINT LETTER addressed to Magistrate Judge Stewart D. Aaron from Tara Schwartz dated April 26, 2021 re: Proposed Briefing Schedule. Document filed by Federal Bureau Of Investigation..(Schwartz, Tara) (Entered: 04/26/2021)
04/27/2021	<u>18</u>	MEMO ENDORSEMENT on re: <u>17</u> Letter filed by Federal Bureau Of Investigation. ENDORSEMENT: The parties' proposed briefing schedule is approved. SO ORDERED. (Motions due by 8/30/2021., Responses due by 9/30/2021, Replies due by 10/14/2021.) (Signed by Magistrate Judge Stewart D. Aaron on 4/27/2021) (kl) (Entered: 04/27/2021)
07/14/2021	<u>19</u>	NOTICE OF APPEARANCE by Alexander James Hogan on behalf of Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 07/14/2021)
08/18/2021	<u>20</u>	LETTER MOTION for Extension of Time <i>with respect to Defendant's summary judgment motion</i> addressed to Magistrate Judge Stewart D. Aaron from Alexander J. Hogan dated August 18, 2021. Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 08/18/2021)
08/18/2021	<u>21</u>	ORDER granting <u>20</u> Letter Motion for Extension of Time. Request GRANTED. SO ORDERED.. (Signed by Magistrate Judge Stewart D. Aaron on 8/18/2021) (kv) (Entered: 08/18/2021)
08/18/2021		Set/Reset Deadlines: Motions due by 9/13/2021. Responses due by 10/14/2021 Replies due by 10/28/2021. (kv) (Entered: 08/18/2021)

09/13/2021	<u>22</u>	MOTION for Summary Judgment . Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 09/13/2021)
09/13/2021	<u>23</u>	MEMORANDUM OF LAW in Support re: <u>22</u> MOTION for Summary Judgment . . Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 09/13/2021)
09/13/2021	<u>24</u>	DECLARATION of Michael Seidel in Support re: <u>22</u> MOTION for Summary Judgment .. Document filed by Federal Bureau Of Investigation. (Attachments: # <u>1</u> Ex. A, # <u>2</u> Ex. B, # <u>3</u> Ex. C, # <u>4</u> Ex. D, # <u>5</u> Ex. E, # <u>6</u> Ex. F, # <u>7</u> Ex. G, # <u>8</u> Ex. H, # <u>9</u> Ex. I, # <u>10</u> Ex. J, # <u>11</u> Ex. K, # <u>12</u> Ex. L, # <u>13</u> Ex. M, # <u>14</u> Ex. N).(Hogan, Alexander) (Entered: 09/13/2021)
10/11/2021	<u>25</u>	LETTER MOTION for Extension of Time to File <i>Plaintiff's opposition to Defendant's summary judgment motion</i> addressed to Magistrate Judge Stewart D. Aaron from Katherine Adams dated October 11, 2021. Document filed by John Wilson..(Adams, Katherine) (Entered: 10/11/2021)
10/12/2021	<u>26</u>	ORDER: granting <u>25</u> Letter Motion for Extension of Time to File. Requests GRANTED. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 10/12/2021) (ama) (Entered: 10/12/2021)
10/12/2021		Set/Reset Deadlines: Responses due by 11/15/2021 Replies due by 12/6/2021. (ama) (Entered: 10/12/2021)
11/15/2021	<u>27</u>	CROSS MOTION for Summary Judgment . Document filed by John Wilson..(Adams, Katherine) (Entered: 11/15/2021)
11/15/2021	<u>28</u>	AMENDED MOTION for Summary Judgment . Document filed by John Wilson..(Adams, Katherine) (Entered: 11/15/2021)
11/15/2021	<u>29</u>	MEMORANDUM OF LAW in Support re: <u>28</u> AMENDED MOTION for Summary Judgment . . Document filed by John Wilson..(Adams, Katherine) (Entered: 11/15/2021)
11/15/2021	<u>30</u>	DECLARATION of Katherine Adams in Support re: <u>28</u> AMENDED MOTION for Summary Judgment .. Document filed by John Wilson. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K1, # <u>12</u> Exhibit K2, # <u>13</u> Exhibit K3, # <u>14</u> Exhibit K4).(Adams, Katherine) (Entered: 11/15/2021)
11/16/2021	<u>31</u>	MOTION to Strike Document No. <u>27</u> . Document filed by John Wilson..(Adams, Katherine) (Entered: 11/16/2021)
11/17/2021	<u>32</u>	ORDER terminating <u>27</u> Motion for Summary Judgment; granting <u>31</u> Motion to Strike docket entry and document <u>27</u> CROSS MOTION for Summary Judgment, filed by John Wilson. ENDORSEMENT: Motion GRANTED. The Clerk of Court is requested to cancel the gavel at ECF No. 27. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 11/17/2021) (kl) (Entered: 11/17/2021)
11/18/2021	<u>33</u>	LETTER MOTION for Extension of Time to File Response/Reply addressed to Magistrate Judge Stewart D. Aaron from Alexander J. Hogan dated November 18, 2021. Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 11/18/2021)
11/19/2021	<u>34</u>	ORDER withdrawing <u>22</u> Motion for Summary Judgment; withdrawing <u>28</u> Motion for Summary Judgment. Motion GRANTED. The Court hereby accepts the parties' offer to withdraw their cross-motions without prejudice; thus, the cross-motions filed at ECF Nos. 22 and 28 hereby are deemed withdrawn. The proposed briefing schedule set forth below is adopted. The parties shall file to the docket their renewed cross-motions and related briefs no later than Thursday, February 3, 2022. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 11/19/2021) (kl) (Entered: 11/19/2021)
02/03/2022	<u>35</u>	MOTION for Summary Judgment . Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 02/03/2022)
02/03/2022	<u>36</u>	MEMORANDUM OF LAW in Support re: <u>35</u> MOTION for Summary Judgment . . Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 02/03/2022)

		02/03/2022)
02/03/2022	<u>37</u>	DECLARATION of Michael Seidel in Support re: <u>35</u> MOTION for Summary Judgment . . Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 02/03/2022)
02/03/2022	<u>38</u>	CROSS MOTION for Summary Judgment . Document filed by John Wilson..(Adams, Katherine) (Entered: 02/03/2022)
02/03/2022	<u>39</u>	MEMORANDUM OF LAW in Support re: <u>38</u> CROSS MOTION for Summary Judgment . . Document filed by John Wilson..(Adams, Katherine) (Entered: 02/03/2022)
02/03/2022	<u>40</u>	DECLARATION of Katherine Adams in Support re: <u>38</u> CROSS MOTION for Summary Judgment . . Document filed by John Wilson. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K1, # <u>12</u> Exhibit K2, # <u>13</u> Exhibit K3, # <u>14</u> Exhibit K4).(Adams, Katherine) (Entered: 02/03/2022)
02/03/2022	<u>41</u>	REPLY MEMORANDUM OF LAW in Support re: <u>35</u> MOTION for Summary Judgment . . Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 02/03/2022)
02/03/2022	<u>42</u>	DECLARATION of Michael Seidel in Support re: <u>35</u> MOTION for Summary Judgment . . Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 02/03/2022)
02/03/2022	<u>43</u>	REPLY MEMORANDUM OF LAW in Support re: <u>38</u> CROSS MOTION for Summary Judgment . . Document filed by John Wilson..(Adams, Katherine) (Entered: 02/03/2022)
02/16/2022	<u>44</u>	REPORT AND RECOMMENDATION re: <u>38</u> CROSS MOTION for Summary Judgment filed by John Wilson, <u>35</u> MOTION for Summary Judgment filed by Federal Bureau Of Investigation: [For the reasons set forth], I respectfully recommend that Defendant's motion for summary judgment be GRANTED IN PART and DENIED IN PART and that Plaintiff's cross-motion for summary judgment be GRANTED IN PART and DENIED IN PART. Specifically, I recommend that Defendant only be compelled to conduct a search of its Delta record-keeping system for records responsive to Plaintiff's requests. Objections to R&R due by 3/2/2022 (Signed by Magistrate Judge Stewart D. Aaron on 2/16/2022) (Aaron, Stewart) (Entered: 02/16/2022)
02/17/2022	<u>45</u>	LETTER MOTION for Extension of Time <i>as to report and recommendation</i> addressed to Judge Lewis A. Kaplan from Alexander J. Hogan dated February 17, 2022. Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 02/17/2022)
02/17/2022	<u>46</u>	PROPOSED STIPULATION AND ORDER. Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 02/17/2022)
02/24/2022	<u>47</u>	ORDER granting <u>45</u> Letter Motion for Extension of Time. Granted. So Ordered. (Objections to R&R due by 4/1/2022.) (Signed by Judge Lewis A. Kaplan on 2/24/22) (yv) (Entered: 02/24/2022)
02/24/2022		Set/Reset Deadlines: Responses due by 4/15/2022 (yv) (Entered: 02/24/2022)
03/31/2022	<u>48</u>	LETTER addressed to Judge Lewis A. Kaplan from Alexander J. Hogan dated March 31, 2022 re: informing the court that the parties do not intend to submit any objection to the report and recommendation and proposing that the parties provide a status update by April 15, 2022. Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 03/31/2022)
04/04/2022	<u>49</u>	MEMO ENDORSED ORDER ADOPTING REPORT AND RECOMMENDATION for <u>38</u> Motion for Summary Judgment filed by John Wilson, <u>35</u> Motion for Summary Judgment filed by Federal Bureau Of Investigation. The Court hereby adopts the Report and Recommendation as its disposition of DE 35 and 38. The Clerk shall terminate these motions. Parties shall file a status update on or before 4/15/22. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 4/4/2022) (mml) (Entered: 04/04/2022)

		04/04/2022)
04/14/2022	<u>50</u>	LETTER addressed to Judge Lewis A. Kaplan from Alexander J. Hogan dated April 14, 2022 re: status update. Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 04/14/2022)
04/18/2022	<u>51</u>	MEMO ENDORSEMENT on re: <u>50</u> Letter filed by Federal Bureau Of Investigation. ENDORSEMENT: The parties shall provide the suggested status report on or before May 18, 2022. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 4/18/2022) (vfr) (Entered: 04/18/2022)
05/18/2022	<u>52</u>	LETTER addressed to Judge Lewis A. Kaplan from Alexander J. Hogan dated status update re: status update. Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 05/18/2022)
05/19/2022	<u>53</u>	MEMO ENDORSEMENT on re: <u>52</u> Letter filed by Federal Bureau Of Investigation. Granted. So Ordered., (Motions due by 7/1/2022., Responses due by 8/12/2022, Replies due by 8/26/2022.) (Signed by Judge Lewis A. Kaplan on 5/19/22) (yv) (Entered: 05/19/2022)
05/25/2022	<u>54</u>	NOTICE of withdrawing appearance. Document filed by Federal Bureau Of Investigation..(Hogan, Alexander) (Entered: 05/25/2022)
07/01/2022	<u>55</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION for Attorney Fees . Document filed by John Wilson. (Attachments: # <u>1</u> Exhibit 1. Declaration of David B. Rankin, # <u>2</u> Exhibit 2. Declaration of Katherine "Q" Adams).(Adams, Katherine) Modified on 7/7/2022 (kj). (Entered: 07/01/2022)
07/01/2022		***NOTICE TO ATTORNEY TO RE–FILE DOCUMENT – EVENT TYPE ERROR. Notice to Attorney Katherine Adams to RE–FILE Document <u>55</u> MOTION for Attorney Fees .. Use the event type Supporting Documents are filed separately, each receiving their own document #. (Supporting Documents are found under the Event Type – Replies, Opposition and Supporting Documents found under the event list Memorandum in Support and Declaration in Support. ***REMINDER*** MOTION FOR ATTORNEY FEES WAS NOT FILED. FIRST FILE THE MOTION, THEN LINK THE SUPPORTING DOCUMENTS TO THE MOTION.*** (kj) Modified on 7/12/2022 (kj). (Entered: 07/07/2022)
07/07/2022	<u>56</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION for Attorney Fees . Document filed by John Wilson..(Adams, Katherine) Modified on 7/12/2022 (kj). (Entered: 07/07/2022)
07/07/2022	<u>57</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of David B. Rankin in Support re: <u>56</u> MOTION for Attorney Fees .. Document filed by John Wilson..(Adams, Katherine) Modified on 7/12/2022 (kj). (Entered: 07/07/2022)
07/07/2022	<u>58</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Katherine Adams in Support re: <u>56</u> MOTION for Attorney Fees .. Document filed by John Wilson. (Attachments: # <u>1</u> Exhibit 1. Timesheets of BLH, # <u>2</u> Exhibit 2. Expert Invoices).(Adams, Katherine) Modified on 7/12/2022 (kj). (Entered: 07/07/2022)
07/07/2022		***NOTICE TO ATTORNEY TO RE–FILE DOCUMENT – EVENT TYPE ERROR. Notice to Attorney Katherine Adams to RE–FILE Document <u>56</u> MOTION for Attorney Fees .. Use the event type Replies, Opposition and Supporting Documents found under the event list Memorandum in Support. ***REMINDER*** MOTION FOR ATTORNEY FEES WAS NOT FILED. FIRST FILE THE MOTION, THEN LINK THE SUPPORTING DOCUMENTS TO THE MOTION.*** (kj) (Entered: 07/12/2022)
07/07/2022		***NOTICE TO ATTORNEY TO RE–FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Notice to Attorney Katherine Adams to RE–FILE Document <u>57</u> Declaration in Support of Motion, <u>58</u> Declaration in Support of Motion., ERROR(S): Supporting document(s) was linked to a deficient filing. (kj) (Entered: 07/12/2022)
07/13/2022	<u>59</u>	MOTION for Attorney Fees . Document filed by John Wilson..(Adams, Katherine) (Entered: 07/13/2022)

07/13/2022	<u>60</u>	MEMORANDUM OF LAW in Support re: <u>59</u> MOTION for Attorney Fees . . Document filed by John Wilson..(Adams, Katherine) (Entered: 07/13/2022)
07/13/2022	<u>61</u>	DECLARATION of David B. Rankin in Support re: <u>59</u> MOTION for Attorney Fees .. Document filed by John Wilson..(Adams, Katherine) (Entered: 07/13/2022)
07/13/2022	<u>62</u>	DECLARATION of Katherine "Q" Adams in Support re: <u>59</u> MOTION for Attorney Fees .. Document filed by John Wilson. (Attachments: # <u>1</u> Exhibit 1 – Timesheets of BLH, # <u>2</u> Exhibit 2 – Expert Invoices)..(Adams, Katherine) (Entered: 07/13/2022)
07/15/2022	<u>63</u>	LETTER MOTION for Leave to File Notice of Motion for Attorneys' Fees <i>Nunc Pro Tunc</i> addressed to Magistrate Judge Stewart D. Aaron from Katherine Adams dated July 15, 2022. Document filed by John Wilson..(Adams, Katherine) (Entered: 07/15/2022)
07/15/2022	<u>64</u>	ORDER granting <u>63</u> Letter Motion for Leave to File Document. Application GRANTED. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 7/15/2022) (kl) (Entered: 07/15/2022)
08/10/2022	<u>65</u>	PROPOSED STIPULATION AND ORDER. Document filed by Federal Bureau Of Investigation..(Schwartz, Tara) (Entered: 08/10/2022)
08/15/2022	<u>66</u>	STIPULATION AND ORDER, IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the Plaintiff and Defendant, that the parties shall abide by the following briefing deadlines for the Defendants' opposition to Plaintiff's fee motion and Plaintiff's reply brief: (1)Defendant's opposition shall be filed on or before August 26, 2022. (2)Plaintiff's reply shall be filed on or before September 9, 2022. SO ORDERED. Set Deadlines/Hearing as to <u>59</u> MOTION for Attorney Fees . :(Responses due by 8/26/2022, Replies due by 9/9/2022.) (Signed by Magistrate Judge Stewart D. Aaron on 8/15/22) (yv) (Entered: 08/15/2022)
08/25/2022	<u>67</u>	MEMORANDUM OF LAW in Opposition re: <u>59</u> MOTION for Attorney Fees . . Document filed by Federal Bureau Of Investigation..(Schwartz, Tara) (Entered: 08/25/2022)
08/25/2022	<u>68</u>	DECLARATION of Tara Schwartz in Opposition re: <u>59</u> MOTION for Attorney Fees .. Document filed by Federal Bureau Of Investigation. (Attachments: # <u>1</u> Exhibit A).(Schwartz, Tara) (Entered: 08/25/2022)
09/09/2022	<u>69</u>	REPLY MEMORANDUM OF LAW in Support re: <u>59</u> MOTION for Attorney Fees . . Document filed by John Wilson..(Adams, Katherine) (Entered: 09/09/2022)
09/26/2022	<u>70</u>	ORDER: THEREFORE, it is hereby ORDERED, as follows: 1.No later than October 6, 2022, Defendant shall confirm in a letter filed to the ECF docket that the handwritten note "PD Division since 1990" was not produced to Plaintiff prior to this lawsuit being filed and, if confirmed, Defendant shall state its basis for previously withholding such information. 2.No later than October 6, 2022, Plaintiff shall file a letter to the ECF docket stating any information produced by Defendant after this lawsuit was filed that Plaintiff did not already possess prior to the filing of this lawsuit other than the handwritten note referred to in paragraph 1 above. 3.The Court shall hold oral argument by telephone on Plaintiff's pending motion for attorneys' fees and costs by telephone on October 14, 2022, at 11 a.m. At the scheduled time, each participant shall separately call (888) 278-0296 (or (214) 765-0479) and enter access code 6489745. SO ORDERED. Telephone Conference set for 10/14/2022 at 11:00 AM before Magistrate Judge Stewart D. Aaron. (Signed by Magistrate Judge Stewart D. Aaron on 9/26/2022) (kv) (Entered: 09/26/2022)
10/06/2022	<u>71</u>	LETTER addressed to Magistrate Judge Stewart D. Aaron from Tara Schwartz dated October 6, 2022 re: Response to Court Order (ECF No. 70). Document filed by Federal Bureau Of Investigation..(Schwartz, Tara) (Entered: 10/06/2022)
10/06/2022	<u>72</u>	LETTER addressed to Magistrate Judge Stewart D. Aaron from Katherine Q Adams dated October 6, 2022 re: Response to Court Order (Dkt. No. 70). Document filed by John Wilson. (Attachments: # <u>1</u> Exhibit 1 – Defendant's Pre-Complaint Production, # <u>2</u> Exhibit 2 – Defendant's Post-Complaint Production)..(Adams, Katherine) (Entered: 10/06/2022)

10/14/2022	<u>73</u>	REPORT AND RECOMMENDATION re: <u>59</u> MOTION for Attorney Fees, filed by John Wilson. For the foregoing reasons, I respectfully recommend that, in the Court's discretion, Plaintiff's motion for attorneys' fees and costs be DENIED. In the event that Judge Kaplan were to find that Plaintiff is entitled to an award of fees and costs, however, I recommend that Plaintiff be awarded \$7,345.00 in fees and \$681.68 in costs. SO ORDERED. Objections to R&R due by 10/28/2022 (Signed by Magistrate Judge Stewart D. Aaron on 10/14/2022) (kl) (Entered: 10/14/2022)
10/14/2022		Minute Entry for proceedings held before Magistrate Judge Stewart D. Aaron: Telephone Conference held on 10/14/2022. (kl) (Entered: 10/27/2022)
10/26/2022	<u>74</u>	LETTER MOTION for Extension of Time to <i>File Objection to Report and Recommendation (Dkt. No. 73)</i> addressed to Magistrate Judge Stewart D. Aaron from Katherine Q Adams dated October 26, 2022. Document filed by John Wilson..(Adams, Katherine) (Entered: 10/26/2022)
10/26/2022	75	ORDER denying without prejudice <u>74</u> Letter Motion for Extension of Time: Plaintiff's request for an extension is DENIED WITHOUT PREJUDICE. As set forth on page 20 of my Report and Recommendation: "Any requests for an extension of time for filing objections must be addressed to Judge Kaplan." (HEREBY ORDERED by Magistrate Judge Stewart D. Aaron)(Text Only Order) (Aaron, Stewart) (Entered: 10/26/2022)
10/26/2022	<u>76</u>	LETTER MOTION for Extension of Time to <i>File Objection to Report and Recommendation (Dkt. No. 73)</i> addressed to Judge Lewis A. Kaplan from Katherine Q Adams dated October 26, 2022. Document filed by John Wilson..(Adams, Katherine) (Entered: 10/26/2022)
10/26/2022	<u>77</u>	PROPOSED STIPULATION AND ORDER. Document filed by John Wilson..(Adams, Katherine) (Entered: 10/26/2022)
11/11/2022	<u>78</u>	OBJECTION to <u>73</u> Report and Recommendations Document filed by John Wilson..(Adams, Katherine) (Entered: 11/11/2022)
11/28/2022	<u>79</u>	ORDER DENYING PLAINTIFF'S MOTION FOR ATTORNEYS' FEES for <u>59</u> Motion for Attorney Fees filed by John Wilson, <u>73</u> Report and Recommendations. I have considered plaintiff's objections with care. Regardless of whether the R&R is reviewed de nova or for the presence of clear error or inconsistency with the law – and I have done both–plaintiff's objections are without merit. The Pietrangelo factors were properly analyzed by the Magistrate Judge, who reached the only reasonable conclusion given the record in this case. Plaintiff's motion [Dkt 59] is denied in all respects. The Clerk shall terminate any outstanding motions, enter judgment, and close the case. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 11/26/2022) (kv) Transmission to Orders and Judgments Clerk for processing. (Entered: 11/28/2022)
11/28/2022	<u>80</u>	CLERK'S JUDGMENT re: <u>79</u> Order Adopting Report and Recommendations in favor of Federal Bureau Of Investigation against John Wilson. It is hereby ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Order dated November 28, 2022, the Court has considered plaintiff's objections with care. Regardless of whether the R&R is reviewed de nova or for the presence of clear error or inconsistency with the law – and the Court has done both–plaintiff's objections are without merit. The Pietrangelo factors were properly analyzed by the Magistrate Judge, who reached the only reasonable conclusion given the record in this case. Plaintiff's motion is denied in all respects; accordingly, the case is closed. (Signed by Clerk of Court Ruby Krajick on 11/28/2022) (Attachments: # <u>1</u> Right to Appeal) (km) (Entered: 11/28/2022)