

**U.S. District Court
Southern District of Florida (Ft Pierce)
CIVIL DOCKET FOR CASE #: 2:21-cv-14462-JEM**

State of Florida v. United States Department of Homeland Security et al
Assigned to: Judge Jose E. Martinez
Referred to: Magistrate Judge Shaniek M. Maynard
Cause: 05:0552 Freedom of Information Act

Date Filed: 12/03/2021
Date Terminated: 02/22/2023
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

State of Florida

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TERMINATED: 01/06/2022
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V.

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Date Filed	#	Docket Text
12/03/2021	<u>1</u>	COMPLAINT for Injunctive Relief and to Compel Production of Documents against All Defendants. Filing fees \$ 402.00 receipt number AFLSDC-15218459, filed by State of Florida. (Attachments: # <u>1</u> Exhibit FOIA Request, # <u>2</u> Exhibit CBP FOIA Confirmation, # <u>3</u> Exhibit CBP Fee Waiver Email, # <u>4</u> Exhibit CBP Expedited Processing Email, # <u>5</u> Exhibit CBP Extension Email, # <u>6</u> Civil Cover Sheet, # <u>7</u> Summon(s))(Percival, James) (Entered: 12/03/2021)
12/03/2021	2	Clerks Notice of Judge Assignment to Judge Jose E. Martinez and Magistrate Judge Shaniek M. Maynard. Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Shaniek M. Maynard is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent. (mc) (Entered: 12/03/2021)
12/03/2021	<u>3</u>	Summons Issued as to U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, United States Department of Homeland Security (mc) (Entered: 12/03/2021)
01/04/2022	4	NOTICE by State of Florida of Service (Attachments: # <u>1</u> A. Certified Mail Receipts, # <u>2</u> B. USPS Tracking) (Percival, James) (Entered: 01/04/2022)
01/04/2022	5	SUMMONS (Affidavit) Returned Executed by State of Florida. U.S. Citizenship and Immigration Services served on 12/6/2021, response/answer due 2/4/2022; U.S. Customs and Border Protection served on 12/6/2021, response/answer due 2/4/2022; U.S. Immigration and Customs Enforcement served on 12/6/2021, response/answer due 2/4/2022; United States Department of Homeland Security served on 12/6/2021, response/answer due 2/4/2022. See DE# <u>4</u> for image. (ebz) (Entered: 01/05/2022)
01/04/2022	6	Clerks Notice to Filer re <u>4</u> Notice (Other). Wrong Event Selected; ERROR – The Filer selected the wrong event. The document was re–docketed by the Clerk, see DE# 5 . It is not necessary to refile this document. (ebz) (Entered: 01/05/2022)
01/06/2022		Attorney Ashley Brooke Moody representing State of Florida (Plaintiff) terminated. Notice of Termination delivered by US Mail to Ashley Moody. Action taken per request from the AG office as Ashley Moody is the actual FL Attorney General. (scn) (Entered: 01/06/2022)
01/20/2022	<u>7</u>	NOTICE of Attorney Appearance by Kuntal Cholera on behalf of U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, United States Department of Homeland Security. Attorney Kuntal Cholera added to party U.S. Citizenship and Immigration Services(pty:dft), Attorney Kuntal Cholera added to party U.S. Customs and Border Protection(pty:dft), Attorney Kuntal Cholera added to party U.S. Immigration and Customs Enforcement(pty:dft), Attorney Kuntal Cholera added to party United States Department of Homeland Security(pty:dft). (Cholera, Kuntal) (Entered: 01/20/2022)
01/20/2022	<u>8</u>	ANSWER and Affirmative Defenses to Complaint by U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, United States Department of Homeland Security. (Cholera, Kuntal) (Entered: 01/20/2022)
02/18/2022	9	ORDER SETTING CIVIL TRIAL DATE AND PRETRIAL SCHEDULE, REQUIRING MEDIATION, AND REFERRING CERTAIN MOTIONS TO MAGISTRATE JUDGE: (Jury Trial set for 3/13/2023 09:30 AM in Fort Pierce Division before Judge Jose E. Martinez., Calendar Call set for 3/9/2023 01:30 PM in Miami Division before Judge Jose E. Martinez), ORDER REFERRING CASE to Mediation. (Mediation Deadline 1/12/2023), ORDER REFERRING CASE to Magistrate Judge Shaniek M. Maynard for all discovery motions. Signed by Judge Jose E. Martinez on 2/18/2022. See attached

		<p><i>document for full details.</i> (ebz)</p> <p><u>Pattern Jury Instruction Builder</u> – To access the latest, up to date changes to the 11th Circuit Pattern Jury Instructions go to https://pji.ca11.uscourts.gov or click here. (Entered: 02/18/2022)</p>
02/22/2022	<u>10</u>	<p>PAPERLESS ORDER SETTING DISCOVERY STATUS CONFERENCE: I will hold a final discovery status conference on Thursday, October 6, 2022, at 1:00 P.M. The parties shall appear by telephone by dialing (888) 684–8852 and entering access code 5312437. Prior to the conference, by Monday, October 3, 2022, the parties shall file a Joint Discovery Status Report addressing (1) what discovery has been propounded by each party; (2) if the discovery requests have been answered; (3) the status of depositions, including the number of depositions taken, those that remain to be taken and if they have been scheduled, and an explanation of any delay in deposition scheduling; (4) the status of expert disclosures; (5) if there are any outstanding discovery disputes; (6) if the parties believe a discovery status conference is needed and whether it may be canceled; and (7) if the parties can certify that all discovery will be completed by the discovery deadline. I encourage the parties to keep in mind their obligations in discovery and to work cooperatively to complete discovery in this case as efficiently and expeditiously as possible. To the extent either party believes Court intervention is necessary, such party shall abide by the procedures set forth in my forthcoming Discovery Procedures Order. Signed by U.S. Magistrate Judge Shaniek M. Maynard on 2/22/2022. (jrj) (Entered: 02/22/2022)</p>
02/22/2022	<u>11</u>	<p>ORDER SETTING DISCOVERY PROCEDURES. Signed by Magistrate Judge Shaniek M. Maynard on 2/22/2022. <i>See attached document for full details.</i> (mc) (Entered: 02/23/2022)</p>
03/03/2022	<u>12</u>	<p>Corporate Disclosure Statement by State of Florida (Christmas, Natalie) (Entered: 03/03/2022)</p>
03/03/2022	<u>13</u>	<p>MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS by State of Florida. (Attachments: # <u>1</u> Proposed Order)(Christmas, Natalie) Modified text on 3/4/2022 (ebz). (Entered: 03/03/2022)</p>
03/17/2022	<u>14</u>	<p>RESPONSE in Opposition re <u>13</u> MOTION for Judgment on the Pleadings filed by U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, United States Department of Homeland Security. Replies due by 3/24/2022. (Cholera, Kuntal) (Entered: 03/17/2022)</p>
03/24/2022	<u>15</u>	<p>REPLY IN SUPPORT OF ITS MOTION re <u>13</u> MOTION for Judgment on the Pleadings filed by State of Florida. (Christmas, Natalie) Modified text on 3/24/2022 (ebz). (Entered: 03/24/2022)</p>
03/25/2022	<u>16</u>	<p>SCHEDULING REPORT – Rule 16.1 by State of Florida (Christmas, Natalie) (Entered: 03/25/2022)</p>
10/04/2022	<u>17</u>	<p>PAPERLESS ORDER REQUIRING JOINT DISCOVERY STATUS REPORT: I previously ordered the parties to file a Joint Discovery Status Report by yesterday, Monday, October 3, 2022 10 . This has not been timely done. The parties shall file this report as required by or before 12:00 Noon tomorrow, October 5, 2022. Signed by U.S. Magistrate Judge Shaniek M. Maynard on 10/4/2022. (jrj) (Entered: 10/04/2022)</p>
10/04/2022	<u>18</u>	<p>STATUS REPORT <i>Regarding Discovery</i> by State of Florida (Christmas, Natalie) (Entered: 10/04/2022)</p>
10/05/2022	<u>19</u>	<p>PAPERLESS ORDER CANCELING DISCOVERY STATUS CONFERENCE: Per their Joint Discovery Status Report <u>18</u> , neither party in this FOIA case seeks discovery nor plans to do so before the current discovery deadline of November 3, 2022 such that a discovery conference is not necessary. The parties note that Defendants have been producing documents responsive to Plaintiff's FOIA request on a rolling basis since March 2022. Accordingly, the Discovery Status Conference set for 1:00 P.M. this Thursday, October 6, 2022 is CANCELED as unnecessary. Signed by U.S. Magistrate Judge Shaniek M. Maynard on 10/5/2022. (jrj) (Entered: 10/05/2022)</p>
11/09/2022	<u>20</u>	<p>Joint MOTION to Dispense with Mediation by State of Florida. (Christmas, Natalie) (Entered: 11/09/2022)</p>

11/28/2022	<u>21</u>	NOTICE of Attorney Appearance by Christopher A. Eiswerth on behalf of U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, United States Department of Homeland Security. Attorney Christopher A. Eiswerth added to party U.S. Citizenship and Immigration Services(pty:dft), Attorney Christopher A. Eiswerth added to party U.S. Customs and Border Protection(pty:dft), Attorney Christopher A. Eiswerth added to party U.S. Immigration and Customs Enforcement(pty:dft), Attorney Christopher A. Eiswerth added to party United States Department of Homeland Security(pty:dft). (Eiswerth, Christopher) (Entered: 11/28/2022)
02/15/2023	22	PAPERLESS ORDER CANCELLING CALENDAR CALL AND TRIAL SETTING. The Calendar Call set for Thursday, March 9, 2023, at 1:30 p.m., in the Miami Division, and the Trial Setting set to begin on Monday, March 13, 2023, at 9:30 a.m., in the Fort Pierce Division are CANCELLED . Signed by Judge Jose E. Martinez on 2/15/2023. (jea) (Entered: 02/15/2023)
02/22/2023	<u>23</u>	ORDER denying <u>13</u> Motion for Judgment on the Pleadings. The clerk is DIRECTED to ADMINISTRATIVELY CLOSE this action for statistical purposes only. The Parties are ORDERED to file a joint status report every forty-five days from the date of this Order. Signed by Judge Jose E. Martinez on 2/22/2023. <i>See attached document for full details.</i> (nan) (Entered: 02/23/2023)
02/22/2023		Civil Case Terminated. Closing Case. Per Order, DE# <u>23</u> (nan) (Entered: 02/23/2023)