

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:22-cv-00430-JMS-TAB**

STATE OF INDIANA et al v. BIDEN et al
Assigned to: Judge Jane Magnus-Stinson
Referred to: Magistrate Judge Tim A. Baker
Cause: 05:552 Freedom of Information Act

Date Filed: 03/04/2022
Date Terminated: 03/22/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: Federal Question

Plaintiff

STATE OF INDIANA

represented by **Betsy M. DeNardi**
INDIANA ATTORNEY GENERAL
Indiana Government Center South, 5th
Floor
302 West Washington St.
Indianapolis, IN 46204-2770
(317) 232-6231
Fax: (317) 232-7979
Email: betsy.denardi@atg.in.gov
ATTORNEY TO BE NOTICED

Corrine Lorraine Youngs
INDIANA ATTORNEY GENERAL
Indiana Government Center South, 5th
Floor
302 West Washington St.
Indianapolis, IN 46204-2770
317-966-5964
Email: Corrine.youngs@atg.in.gov
ATTORNEY TO BE NOTICED

Cory Christian Voight
INDIANA ATTORNEY GENERAL
Indiana Government Center South, 5th
Floor
302 West Washington St.
Indianapolis, IN 46204-2770
317-234-7132
Fax: 317-232-7979
Email: cory.voight@atg.in.gov
ATTORNEY TO BE NOTICED

Plaintiff

STATE OF ARIZONA
TERMINATED: 02/15/2023

represented by **Hannah Porter**
Gallagher and Kennedy
2575 E. Camelback Road
Ste 1100
Phoenix, AZ 85016
602-530-8175
Email: hannah.porter@gknet.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

STATE OF ARKANSAS

represented by **Dylan L. Jacobs**
Arkansas Attorney General
323 Center St
Suite 200
Little Rock, AR 72201

501-682-3661
Email: dylan.jacobs@arkansasag.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

STATE OF GEORGIA

represented by **Stephen John Petrany**
40 Capitol Sq SW
30334
Atlanta, GA 30334
404-458-3408
Email: spetrany@law.ga.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

STATE OF KANSAS

represented by **Jeffrey A Chanay**
Office of Kansas State Treasurer
900 SW Jackson Street
Landon State Office Building
Suite 201
Topeka, KS 66612-1235
785-296-2155
Email: jeff@treasurer.ks.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

**COMMONWEALTH OF
KENTUCKY**

represented by **Aaron John Silletto**
OFFICE OF THE ATTORNEY
GENERAL
Capitol Building, Suite 118
700 Capitol Avenue
Frankfort, KY 40601
502-696-5300
Fax: 502-564-2894
Email: aaron.silletto@ky.gov
ATTORNEY TO BE NOTICED

Plaintiff

STATE OF LOUISIANA
TERMINATED: 02/13/2023

represented by **Elisabeth Daigle**
Louisiana Department of Justice
1885 N. 3rd Street
Baton Rouge, LA 70802
(225) 326-6740
Email: daiglee@ag.louisiana.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Elizabeth B Murrill
Louisiana's Office of the Attorney General
P.O. Box 94005
Baton Rouge, LA 70804
225-326-6766
Email: murrille@ag.louisiana.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Joseph Scott St. John
Louisiana Department of Justice
1885 N. Third Street
Baton Rouge, LA 70802

(225) 485-2458
Email: stjohnj@ag.louisiana.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

STATE OF MISSOURI

represented by **Charles F. Capps**
Office of Missouri Attorney General
815 Olive Street
Suite 200
St. Louis, MO 63101
314-340-7846
Email: charles.capps@ago.mo.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

STATE OF MONTANA

represented by **Christian Brian Corrigan**
Montana Attorney General's Office
Office of the Attorney General
215 North Sanders
Helena, MT 59601
406-444-2707
Email: christian.corrigan@mt.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

STATE OF OHIO

TERMINATED: 02/13/2023

represented by **Benjamin Michael Flowers**
Ohio Attorney General's Office
30 E. Broad St.
Columbus, OH 43215
614-728-7511
Email: benjamin.flowers@ohioago.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

STATE OF OKLAHOMA

represented by **Bryan Cleveland**
Oklahoma State Department of Education
Solicitor General Unit
2500 North Lincoln Blvd
Oklahoma City, OK 73105
405-522-3274
Email: bryan.cleveland@oag.ok.gov
TERMINATED: 01/27/2023
PRO HAC VICE
ATTORNEY TO BE NOTICED

Zachary Paul West
Oklahoma Attorney General
Solicitor General Unit
313 N.E. 21st Street
Oklahoma City, OK 73105
405-521-3921
Fax: 405-521-4518
Email: zach.west@oag.ok.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

STATE OF SOUTH CAROLINA

represented by

Thomas T. Hydrick
Office of the Attorney General of South
Carolina
PO Box 11549
Columbia, SC 29211
803-734-4127
Email: thomashydrick@scag.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

STATE OF TEXAS

represented by **Samuel Grant Dorfman**
Office of the Attorney General
300 W. 15th Street
Austin, TX 78701
512-936-0631
Email: grant.dorfman@oag.texas.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

STATE OF UTAH

TERMINATED: 02/13/2023

represented by **Melissa Holyoak**
Office of the Utah Attorney General
350 N. State Street
P.O. Box 142320
Suite 230
Salt Lake City, UT 84114-2320
801-538-9600
Fax: 801-538-1121
Email: melissaholyoak@agutah.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

PRESIDENT JOSEPH R. BIDEN

TERMINATED: 01/20/2023

represented by **Joseph E. Borson**
DOJ-Civ
Federal Programs Branch
1100 L Street, NW
Washington, DC 20530
202-514-1944
Email: joseph.borson@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

**EXECUTIVE OFFICE OF THE
PRESIDENT**

TERMINATED: 01/20/2023

represented by **Joseph E. Borson**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**ATTORNEY GENERAL MERRICK
B. GARLAND**

TERMINATED: 01/20/2023

represented by **Joseph E. Borson**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

US DEPARTMENT OF JUSTICE

represented by **Joseph E. Borson**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**SEC. OF EDUCATI MIGUEL A
CARDONA**
TERMINATED: 01/20/2023

represented by **Joseph E. Borson**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

US DEPARTMENT OF EDUCATION

represented by **Joseph E. Borson**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/04/2022	<u>1</u>	COMPLAINT against All Defendants, filed by All Plaintiffs. (Filing fee \$402, receipt number AINSDC-6996452) (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit A – DOJ Oct 4 2021 Memorandum on Schools, # <u>3</u> Exhibit B – NSBA Sept 29 2021 Letter to President Biden, # <u>4</u> Exhibit C – State AGs Oct 18 2021 Letter Objecting to DOJ Memo, # <u>5</u> Exhibit D – NSBA Sept 29 2021 Email, # <u>6</u> Exhibit E – NSBA Oct 11 2021 Communication to Members, # <u>7</u> Exhibit F – NSBA Oct 5 2021 Email, # <u>8</u> Exhibit G – NSBA Oct 22 2021 Apology Letter, # <u>9</u> Exhibit H – State AGs Oct 26 2021 FOIA Request, # <u>10</u> Exhibit I – State AGs Oct 26 2021 Letter Requesting NSBA Documents, # <u>11</u> Exhibit J – Senate Judiciary Letter Dec 6 2021, # <u>12</u> Exhibit K – December 17 2021 FOIA Acknowledgement Letter, # <u>13</u> Exhibit L – Jan 5 2022 Acknowledgement Letter, # <u>14</u> Exhibit M – Education Dept Acknowledgement, # <u>15</u> Exhibit M – Education Dept Follow-up Emails)(DeNardi, Betsy) (Entered: 03/04/2022)
03/04/2022	<u>2</u>	NOTICE of Appearance by Betsy M. DeNardi on behalf of Plaintiff STATE OF INDIANA. (DeNardi, Betsy) (Entered: 03/04/2022)
03/04/2022	<u>3</u>	Proposed Summons submitted for issuance by the clerk as to All Defendants. (DeNardi, Betsy) (Entered: 03/04/2022)
03/04/2022	<u>4</u>	NOTICE of Appearance by Cory Christian Voight on behalf of Plaintiff STATE OF INDIANA. (Voight, Cory) (Entered: 03/04/2022)
03/04/2022	<u>5</u>	NOTICE of Appearance by Corrine Lorraine Youngs on behalf of Plaintiff STATE OF INDIANA. (Youngs, Corrine) (Entered: 03/04/2022)
03/07/2022	<u>6</u>	Summons Issued as to JOSEPH R. BIDEN, MIGUEL A CARDONA, EXECUTIVE OFFICE OF THE PRESIDENT, MERRICK B. GARLAND, US DEPARTMENT OF EDUCATION, US DEPARTMENT OF JUSTICE. (MAC) (Entered: 03/07/2022)
03/07/2022	<u>7</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (MAC) (Entered: 03/07/2022)
03/07/2022	<u>8</u>	PRACTICES AND PROCEDURES before Judge Jane Magnus-Stinson. (MAC) (Entered: 03/07/2022)
03/07/2022	<u>9</u>	NOTICE of Appearance by Aaron John Silletto on behalf of Plaintiff COMMONWEALTH OF KENTUCKY. (Silletto, Aaron) (Entered: 03/07/2022)
03/08/2022	<u>10</u>	MOTION for Attorney(s) Benjamin M. Flowers to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7001898), filed by Plaintiff STATE OF OHIO. (Attachments: # <u>1</u> Text of Proposed Order)(Flowers, Benjamin) (Entered: 03/08/2022)
03/08/2022	<u>11</u>	MOTION for Attorney(s) Thomas T. Hydrick to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7001995), filed by Plaintiff STATE OF SOUTH CAROLINA. (Attachments: # <u>1</u> Text of Proposed Order)(Hydrick, Thomas) (Entered: 03/08/2022)
03/08/2022	<u>12</u>	MOTION for Attorney(s) Bryan Cleveland to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7002116), filed by Plaintiff STATE OF OKLAHOMA. (Attachments: # <u>1</u> Proposed Order)(Cleveland, Bryan) (Entered: 03/08/2022)
03/08/2022	<u>13</u>	CERTIFICATE OF SERVICE by STATE OF OKLAHOMA re <u>12</u> MOTION for Attorney(s) Bryan Cleveland to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7002116) <i>Certificate of Good Standing</i> (Cleveland, Bryan) (Entered: 03/08/2022)

03/08/2022	<u>14</u>	MOTION for Attorney(s) Stephen J. Petrany to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7002371), filed by Plaintiff STATE OF GEORGIA. (Petrany, Stephen) (Entered: 03/08/2022)
03/08/2022	<u>15</u>	Submission of Proposed Order , re <u>14</u> MOTION for Attorney(s) Stephen J. Petrany to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7002371), filed by Plaintiff STATE OF GEORGIA. (Petrany, Stephen) (Entered: 03/08/2022)
03/10/2022	<u>16</u>	ORDER granting <u>10</u> Motion to Appear pro hac vice. Attorney Benjamin Michael Flowers for STATE OF OHIO added. Signed by Magistrate Judge Tim A. Baker on 3/10/2022. (SWM) (Entered: 03/10/2022)
03/10/2022	<u>17</u>	ORDER granting <u>11</u> Motion to Appear pro hac vice. Attorney Thomas T. Hydrick for STATE OF SOUTH CAROLINA added. Signed by Magistrate Judge Tim A. Baker on 3/10/2022. (SWM) (Entered: 03/10/2022)
03/10/2022	<u>18</u>	ORDER granting <u>12</u> Motion to Appear pro hac vice. Attorney Bryan Cleveland for STATE OF OKLAHOMA added. Signed by Magistrate Judge Tim A. Baker on 3/10/2022. (SWM) (Entered: 03/10/2022)
03/10/2022	<u>19</u>	ORDER granting <u>14</u> Motion to Appear pro hac vice. Attorney Stephen John Petrany for STATE OF GEORGIA added. Signed by Magistrate Judge Tim A. Baker on 3/10/2022. (SWM) (Entered: 03/10/2022)
03/10/2022	<u>20</u>	NOTICE of Appearance by Bryan Cleveland on behalf of Plaintiff STATE OF OKLAHOMA. (Cleveland, Bryan) (Entered: 03/10/2022)
03/11/2022	<u>21</u>	NOTICE of Appearance by Stephen John Petrany on behalf of Plaintiff STATE OF GEORGIA. (Petrany, Stephen) (Entered: 03/11/2022)
03/11/2022	<u>22</u>	NOTICE of Appearance by Benjamin Michael Flowers on behalf of Plaintiff STATE OF OHIO. (Flowers, Benjamin) (Entered: 03/11/2022)
03/16/2022	<u>23</u>	MOTION for Attorney(s) Jeffrey A. Chanay to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7015907), filed by Plaintiff STATE OF KANSAS. (Attachments: # <u>1</u> Text of Proposed Order)(Chanay, Jeffrey) (Entered: 03/16/2022)
03/17/2022	<u>24</u>	SUBMISSION OF PROPOSED ORDER re <u>23</u> MOTION for Attorney(s) Jeffrey A. Chanay to Appear pro hac vice , filed by Plaintiff STATE OF KANSAS. (Chanay, Jeffrey) Modified on 3/17/2022 (MAC). (Entered: 03/17/2022)
03/17/2022	<u>25</u>	ORDER granting <u>23</u> Motion to Appear pro hac vice. Attorney Jeffrey A Chanay for STATE OF KANSAS added. Signed by Magistrate Judge Tim A. Baker on 3/17/2022. (SWM) (Entered: 03/17/2022)
03/21/2022	<u>26</u>	NOTICE of Appearance by Jeffrey A Chanay on behalf of Plaintiff STATE OF KANSAS. (Chanay, Jeffrey) (Entered: 03/21/2022)
03/22/2022	<u>27</u>	MOTION for Attorney(s) Melissa Holyoak to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7023741), filed by Plaintiff STATE OF UTAH. (Attachments: # <u>1</u> Text of Proposed Order)(Holyoak, Melissa) (Entered: 03/22/2022)
03/23/2022	<u>28</u>	ORDER granting <u>27</u> Motion to Appear pro hac vice. Attorney Melissa Holyoak for STATE OF UTAH added. Signed by Magistrate Judge Tim A. Baker on 3/23/2022. (SWM) (Entered: 03/23/2022)
03/24/2022	<u>29</u>	MOTION for Attorney(s) Christian Corrigan to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7028241), filed by Plaintiff STATE OF MONTANA. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Corrigan, Christian) (Entered: 03/24/2022)
03/24/2022	<u>30</u>	RETURN of Service, filed by STATE OF INDIANA. All Defendants. (Attachments: # <u>1</u> Exhibit A - Cardona Summons, # <u>2</u> Exhibit B - Dept of Education Summons, # <u>3</u> Exhibit C - Garland Summons, # <u>4</u> Exhibit D - Dept of Justice Summons, # <u>5</u> Exhibit E - President Biden Summons, # <u>6</u> Exhibit F - Exec. Office of the President Summons, # <u>7</u> Exhibit G - US Attorney Southern District of Indiana Delivery)(DeNardi, Betsy) (Entered: 03/24/2022)

03/25/2022	<u>31</u>	ORDER granting <u>29</u> Motion to Appear pro hac vice. Attorney Christian Brian Corrigan for STATE OF MONTANA added. Signed by Magistrate Judge Tim A. Baker on 3/25/2022. (SWM) (Entered: 03/25/2022)
03/25/2022	<u>32</u>	NOTICE of Appearance by Christian Brian Corrigan on behalf of Plaintiff STATE OF MONTANA. (Corrigan, Christian) (Entered: 03/25/2022)
04/12/2022	<u>33</u>	MOTION for Attorney(s) Elizabeth Murrill to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7056053), filed by Plaintiff STATE OF LOUISIANA. (Attachments: # <u>1</u> Proposed Order)(Murrill, Elizabeth) (Entered: 04/12/2022)
04/12/2022	<u>34</u>	MOTION for Attorney(s) Elisabeth Daigle to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7056103), filed by Plaintiff STATE OF LOUISIANA. (Attachments: # <u>1</u> Proposed Order)(Daigle, Elisabeth) (Entered: 04/12/2022)
04/12/2022	<u>35</u>	MOTION for Attorney(s) Joseph Scott St. John to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7056187), filed by Plaintiff STATE OF LOUISIANA. (Attachments: # <u>1</u> Proposed Order)(St. John, Joseph) (Entered: 04/12/2022)
04/13/2022	<u>36</u>	ORDER GRANTING <u>33</u> MOTION TO APPEAR PRO HAC VICE – This cause has come before the Court upon the motion of Elizabeth Murrill, counsel for the State of Louisiana, for leave to appear and participate pro hac vice in the above captioned cause only (Dkt. <u>33</u>). Being fully advised, it is now ORDERED that the motion be, and hereby is, GRANTED. Signed by Magistrate Judge Tim A. Baker on 4/13/2022. (AKH) (Entered: 04/13/2022)
04/13/2022	<u>37</u>	ORDER GRANTING <u>34</u> MOTION TO APPEAR PRO HAC VICE – This cause has come before the Court upon the motion of Elisabeth Daigle counsel for the State of Louisiana, for leave to appear and participate pro hac vice in the above captioned cause only (Dkt. <u>34</u>). Being fully advised, it is now ORDERED that the motion be, and hereby is, GRANTED. Signed by Magistrate Judge Tim A. Baker on 4/13/2022. (AKH) (Entered: 04/13/2022)
04/13/2022	<u>38</u>	ORDER GRANTING <u>35</u> MOTION TO APPEAR PRO HAC VICE – This cause has come before the Court upon the motion of Joseph Scott St. John, counsel for the State of Louisiana, for leave to appear and participate pro hac vice in the above-captioned cause only (Dkt. <u>35</u>). Being fully advised, it is now ORDERED that the motion be, and hereby is, GRANTED. Signed by Magistrate Judge Tim A. Baker on 4/13/2022. (AKH) (Entered: 04/13/2022)
04/20/2022	<u>39</u>	MOTION for Attorney(s) Samuel Grant Dorfman to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7069137), filed by Plaintiff STATE OF TEXAS. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Dorfman, Samuel) (Entered: 04/20/2022)
04/21/2022	<u>40</u>	ORDER granting <u>39</u> Motion to Appear pro hac vice. Attorney Samuel Grant Dorfman for STATE OF TEXAS added. Signed by Magistrate Judge Tim A. Baker on 4/21/2022. (SWM) (Entered: 04/21/2022)
04/25/2022	<u>41</u>	NOTICE of Appearance by Joseph E. Borson on behalf of Defendants JOSEPH R. BIDEN, MIGUEL A CARDONA, EXECUTIVE OFFICE OF THE PRESIDENT, MERRICK B. GARLAND, US DEPARTMENT OF EDUCATION, US DEPARTMENT OF JUSTICE. (Borson, Joseph) (Entered: 04/25/2022)
04/25/2022	<u>42</u>	<i>Partial</i> ANSWER to <u>1</u> Complaint , filed by US DEPARTMENT OF EDUCATION, US DEPARTMENT OF JUSTICE.(Borson, Joseph) (Entered: 04/25/2022)
04/25/2022	<u>43</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (<i>Partial</i>), filed by Defendants JOSEPH R. BIDEN, MIGUEL A CARDONA, EXECUTIVE OFFICE OF THE PRESIDENT, MERRICK B. GARLAND. (Attachments: # <u>1</u> Brief in Support)(Borson, Joseph) (Entered: 04/25/2022)
04/26/2022	<u>44</u>	SCHEDULING ORDER: Initial Pretrial Conference set for 5/10/2022 03:30 PM (Eastern Time) in Telephonic before Magistrate Judge Tim A. Baker. Parties shall participate in this conference by counsel. The information needed by counsel of record to participate in this telephonic conference will be provided by separate notification. Counsel who attend the conference must have their appearance on file, and must be familiar with and prepared to discuss the facts and legal issues in the case, as well as

		the scope of damages. Counsel should expect to be asked specific questions concerning the case, and should be prepared to set forth all known facts that support any issue, claim, or defense, including any claim for or defense to damages. See Order for additional information. Signed by Magistrate Judge Tim A. Baker on 4/26/2022.(SWM) (Entered: 04/26/2022)
04/27/2022	<u>45</u>	NOTICE of Appearance by Joseph Scott St. John on behalf of Plaintiff STATE OF LOUISIANA. (St. John, Joseph) (Entered: 04/27/2022)
04/27/2022	<u>46</u>	NOTICE of Appearance by Elisabeth Daigle on behalf of Plaintiff STATE OF LOUISIANA. (Daigle, Elisabeth) (Entered: 04/27/2022)
04/27/2022	<u>47</u>	NOTICE of Appearance by Samuel Grant Dorfman on behalf of Plaintiff STATE OF TEXAS. (Dorfman, Samuel) (Entered: 04/27/2022)
04/28/2022	<u>48</u>	NOTICE of Appearance by Elizabeth B Murrill on behalf of Plaintiff STATE OF LOUISIANA. (Murrill, Elizabeth) (Entered: 04/28/2022)
05/10/2022	<u>50</u>	MOTION for Extension of Time to File Response to June 13, 2022 re <u>43</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (<i>Partial</i>) , filed by All Plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order)(Voight, Cory) Modified on 5/10/2022 (NLR). (Entered: 05/10/2022)
05/12/2022	<u>51</u>	ORDER ON MAY 11, 2022, TELEPHONIC INITIAL PRETRIAL CONFERENCE – Parties appeared by counsel May 11, 2022, for a telephonic initial pretrial conference. Plaintiffs' motion for extension of time [Filing No. 50] is granted, and the deadline for Plaintiffs to respond to Defendants' motion to dismiss is enlarged to June 13, 2022. Any response to that motion shall be a single, joint response on behalf of all Plaintiffs. The parties shall file a status report by August 31, 2022, addressing case status, settlement, and the need to set any scheduling deadlines. Signed by Magistrate Judge Tim A. Baker. (MGG) (Entered: 05/12/2022)
06/13/2022	<u>52</u>	RESPONSE in Opposition re <u>43</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (<i>Partial</i>) , filed by Plaintiffs COMMONWEALTH OF KENTUCKY, STATE OF ARIZONA, STATE OF ARKANSAS, STATE OF GEORGIA, STATE OF INDIANA, STATE OF KANSAS, STATE OF LOUISIANA, STATE OF MISSOURI, STATE OF MONTANA, STATE OF OHIO, STATE OF OKLAHOMA, STATE OF SOUTH CAROLINA, STATE OF TEXAS, STATE OF UTAH. (Voight, Cory) (Entered: 06/13/2022)
06/13/2022	<u>53</u>	Unopposed MOTION for Extension of Time to File Reply to July 11, 2022 re <u>43</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (<i>Partial</i>) , filed by Defendants JOSEPH R. BIDEN, MIGUEL A CARDONA, EXECUTIVE OFFICE OF THE PRESIDENT, MERRICK B. GARLAND. (Borson, Joseph) (Entered: 06/13/2022)
06/14/2022	<u>54</u>	ORDER — It is hereby ORDERED that Defendants' Unopposed Motion for an Extension of Time to File Their Reply in Support of Their Partial Motion to Dismiss, ECF No. <u>53</u> , is GRANTED. Defendants shall file their reply brief on or before July 11, 2022. Signed by Judge Jane Magnus–Stinson on 6/14/2022. (MRI) (Entered: 06/14/2022)
07/11/2022	<u>55</u>	REPLY in Support of Motion re <u>43</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (<i>Partial</i>) , filed by Defendants JOSEPH R. BIDEN, MIGUEL A CARDONA, EXECUTIVE OFFICE OF THE PRESIDENT, MERRICK B. GARLAND. (Borson, Joseph) (Entered: 07/11/2022)
08/31/2022	<u>56</u>	STATUS REPORT (<i>Joint</i>) by All Defendants. (Borson, Joseph) (Entered: 08/31/2022)
09/01/2022	<u>57</u>	MARGINAL ENTRY re <u>56</u> Status Report – The parties shall file an updated status report by October 14, 2022. Signed by Magistrate Judge Tim A. Baker on 9/1/2022.(SWM) (Entered: 09/01/2022)
10/14/2022	<u>58</u>	STATUS REPORT (<i>Joint</i>) by US DEPARTMENT OF EDUCATION, US DEPARTMENT OF JUSTICE. (Borson, Joseph) (Entered: 10/14/2022)
10/18/2022	<u>59</u>	MARGINAL ENTRY re <u>58</u> Status Report – The parties shall file an updated status report by November 14, 2022. Signed by Magistrate Judge Tim A. Baker on

		10/18/2022.(SWM) (Entered: 10/18/2022)
11/14/2022	<u>60</u>	STATUS REPORT (<i>Joint</i>) by US DEPARTMENT OF EDUCATION, US DEPARTMENT OF JUSTICE. (Borson, Joseph) (Entered: 11/14/2022)
11/18/2022	<u>61</u>	Submission <i>Text of Proposed Order Re: Doc No. 60</i> , filed by Defendants US DEPARTMENT OF EDUCATION, US DEPARTMENT OF JUSTICE. (Borson, Joseph) (Entered: 11/18/2022)
11/18/2022	<u>62</u>	ORDER re <u>60</u> Status Report—Parties shall adhere to the following briefing schedule: Defendants' Motion and Brief in Support: January 26, 2023. Plaintiffs' Cross—Motion, Brief in Support, and Opposition: February 23, 2023. Defendants' Reply in Support of Motion and Opposition to Cross—Motion: March 23, 2023. Plaintiffs' Reply: April 20, 2023. Signed by Magistrate Judge Tim A. Baker on 11/18/2022.(CBU) (Entered: 11/21/2022)
01/20/2023	<u>63</u>	ORDER – The Defendants' Motion to Dismiss, <u>43</u> , is GRANTED. The Plaintiff States' claims against President Biden, the Executive Office of the President, Attorney General Garland, and Secretary Cardona are DISMISSED under Fed. R. Civ. P. 12(b)(6). The Court directs the Clerk to terminate them as Defendants. This case remains pending against the Department of Justice and the Department of Education. The States of Arizona, Arkansas, and Missouri must each appear by counsel within 14 days. Failure to do so will result in their termination as Plaintiffs. Because these States have not appeared by counsel, they will not receive a copy of this Order via the Electronic Case Filing system. The Court therefore Orders counsel for the State of Indiana—who purported to file the response brief for these States—to provide appropriate notification to them of this Court's Order that they appear by counsel. The States of Louisiana, Ohio, Oklahoma, and Utah must each SHOW CAUSE within 14 days as to why they should not be dismissed for lack of standing to seek relief under FOIA given there is no evidence they made the FOIA request that is the basis of this lawsuit. (SEE ORDER.) Signed by Judge Jane Magnus-Stinson on 1/20/2023. (JSR) (Entered: 01/20/2023)
01/23/2023	<u>64</u>	MOTION for Attorney(s) Charles F. Capps to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7469125), filed by Plaintiff STATE OF MISSOURI. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Capps, Charles) (Entered: 01/23/2023)
01/23/2023	<u>65</u>	MOTION for Attorney(s) Zach West to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7470167), filed by Plaintiff STATE OF OKLAHOMA. (Attachments: # <u>1</u> Certificate of Good Standing)(West, Zachary) (Entered: 01/23/2023)
01/23/2023	<u>66</u>	Joint MOTION for Extension of Time to 28 days re: <i>Briefing Schedule</i> , filed by Defendants US DEPARTMENT OF EDUCATION, US DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Borson, Joseph) (Entered: 01/23/2023)
01/24/2023	<u>67</u>	RESPONSE to <i>Order to Show Cause</i> , re <u>63</u> Order on Motion to Dismiss for Failure to State a Claim, filed by Plaintiffs STATE OF LOUISIANA, STATE OF OHIO, STATE OF OKLAHOMA, STATE OF UTAH. (Flowers, Benjamin) (Entered: 01/24/2023)
01/25/2023	<u>68</u>	ORDER granting <u>64</u> Motion to Appear pro hac vice. Attorney Charles F. Capps for STATE OF MISSOURI added. Signed by Magistrate Judge Tim A. Baker on 1/25/2023. (SWM) (Entered: 01/25/2023)
01/25/2023	<u>69</u>	ORDER granting <u>65</u> Motion to Appear pro hac vice. Attorney Zachary Paul West for STATE OF OKLAHOMA added. Signed by Magistrate Judge Tim A. Baker on 1/25/2023. (SWM) (Entered: 01/25/2023)
01/25/2023	<u>70</u>	ORDER granting Parties' <u>66</u> Motion to Modify Briefing Schedule. See Order for established deadlines. Signed by Magistrate Judge Tim A. Baker on 1/25/2023. (SWM) (Entered: 01/25/2023)
01/26/2023	<u>71</u>	ORDER – The Court ORDERS the Government to file any response to the Response to Order to Show Cause by February 10, 2023. In addition to generally addressing the standing of any state that did not submit a FOIA request, the Government should

		specifically address the State of Oklahoma's contention that it signed the FOIA request at issue in this case. (See Order.) Signed by Judge Jane Magnus-Stinson on 1/26/2023. (JSR) (Entered: 01/26/2023)
01/26/2023	<u>72</u>	MOTION to Withdraw Attorney Appearance of <i>Bryan Cleveland</i> , filed by Plaintiff STATE OF OKLAHOMA. (West, Zachary) (Entered: 01/26/2023)
01/27/2023	<u>73</u>	Submission of Proposed Order , re <u>72</u> MOTION to Withdraw Attorney Appearance of <i>Bryan Cleveland</i> , filed by Plaintiff STATE OF OKLAHOMA. (West, Zachary) (Entered: 01/27/2023)
01/27/2023	<u>74</u>	MOTION for Attorney(s) Hannah Porter to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7477390), filed by Plaintiff STATE OF ARIZONA. (Attachments: # <u>1</u> Text of Proposed Order)(Porter, Hannah) (Entered: 01/27/2023)
01/27/2023	<u>75</u>	MOTION for Attorney(s) Dylan L. Jacobs to Appear pro hac vice (Filing fee \$100, receipt number AINSDC-7477965), filed by Plaintiff STATE OF ARKANSAS. (Jacobs, Dylan) (Entered: 01/27/2023)
01/27/2023	<u>76</u>	ORDER granting <u>72</u> Motion to Withdraw Attorney Appearance. Attorney Bryan Cleveland withdrawn. Signed by Magistrate Judge Tim A. Baker on 1/27/2023. (SWM) (Entered: 01/27/2023)
01/30/2023	<u>77</u>	ORDER granting <u>74</u> Motion to Appear pro hac vice. Attorney Hannah Porter for STATE OF ARIZONA added. Signed by Magistrate Judge Tim A. Baker on 1/30/2023. (SWM) (Entered: 01/30/2023)
01/30/2023	<u>78</u>	ORDER granting <u>75</u> Motion to Appear pro hac vice. Attorney Dylan L. Jacobs for STATE OF ARKANSAS added. Signed by Magistrate Judge Tim A. Baker on 22430. (SWM) (Entered: 01/30/2023)
01/31/2023	<u>79</u>	NOTICE of Appearance by Hannah Porter on behalf of Plaintiff STATE OF ARIZONA. (Porter, Hannah) (Entered: 01/31/2023)
02/10/2023	<u>80</u>	RESPONSE , re <u>71</u> Order, filed by Defendants US DEPARTMENT OF EDUCATION, US DEPARTMENT OF JUSTICE. (Borson, Joseph) (Entered: 02/10/2023)
02/13/2023	<u>81</u>	ORDER – The Court DISMISSES the claims asserted by the States of Louisiana, Ohio, and Utah WITHOUT PREJUDICE. No partial final judgment shall issue. The Clerk is DIRECTED to TERMINATE the States of Louisiana, Ohio, and Utah as parties in this case. (See Order.) Signed by Judge Jane Magnus-Stinson on 2/13/2023. (JSR) (Entered: 02/13/2023)
02/15/2023	<u>82</u>	Unopposed MOTION to Dismiss <i>Plaintiff State of Arizona's Unopposed Motion for Voluntary Dismissal</i> , filed by Plaintiff STATE OF ARIZONA. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Porter, Hannah) (Entered: 02/15/2023)
02/15/2023	<u>83</u>	ORDER GRANTING PLAINTIFF STATE OF ARIZONA'S UNOPPOSED MOTION FOR VOLUNTARY DISMISSAL – This cause has come before the Court upon the motion of Plaintiff State of Arizona for an order dismissing its claims in this case. Being fully advised, it is now ORDERED that the motion be, and hereby is, GRANTED <u>82</u> . It is FURTHER ORDERED dismissing Plaintiff State of Arizona and its claims in this case, with each party to bear its own fees and costs. Signed by Judge Jane Magnus-Stinson on 2/15/2023. (JSR) (Entered: 02/15/2023)
02/17/2023	<u>84</u>	Joint MOTION for Extension of Time to March 9, 2023 in which to <u>70</u> Order on Motion for Extension of Time to File <i>and to further extend the briefing schedule</i> , filed by Defendants US DEPARTMENT OF EDUCATION, US DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Borson, Joseph) (Entered: 02/17/2023)
02/21/2023	<u>85</u>	ORDER granting Parties' <u>84</u> Joint Motion to Modify the Briefing Schedule. See Order. Signed by Magistrate Judge Tim A. Baker on 2/21/2023. (SWM) (Entered: 02/21/2023)
03/09/2023	<u>86</u>	Joint MOTION for Extension of Time to 03/23/2023 in which to <u>85</u> Order on Motion for Extension of Time to File , filed by Defendants US DEPARTMENT OF EDUCATION, US DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of

		Proposed Order)(Borson, Joseph) (Entered: 03/09/2023)
03/10/2023	<u>87</u>	ORDER granting Parties' <u>86</u> Joint Motion to modify the briefing schedule in this case – See Order for briefing schedule. Signed by Magistrate Judge Tim A. Baker on 3/10/2023. (SWM) (Entered: 03/13/2023)
03/22/2023	<u>88</u>	**DISREGARD – SEE AMENDED STIPULATION <u>89</u> ** STIPULATION of Dismissal , as to Plaintiffs STATE OF INDIANA, COMMONWEALTH OF KENTUCKY, STATE OF ARKANSAS, STATE OF GEORGIA, STATE OF KANSAS, STATE OF MISSOURI, STATE OF MONTANA, STATE OF OKLAHOMA, STATE OF SOUTH CAROLINA, STATE OF TEXAS, Defendants US DEPARTMENT OF EDUCATION, US DEPARTMENT OF JUSTICE, filed by STATE OF INDIANA. (Voight, Cory) Modified on 3/22/2023 (MRI). (Entered: 03/22/2023)
03/22/2023	<u>89</u>	STIPULATION of Dismissal (<i>Amended</i>), as to Plaintiffs STATE OF INDIANA, COMMONWEALTH OF KENTUCKY, STATE OF ARKANSAS, STATE OF GEORGIA, STATE OF KANSAS, STATE OF MISSOURI, STATE OF MONTANA, STATE OF OKLAHOMA, STATE OF SOUTH CAROLINA, STATE OF TEXAS, Defendants US DEPARTMENT OF EDUCATION, US DEPARTMENT OF JUSTICE, filed by STATE OF INDIANA. (Voight, Cory) (Entered: 03/22/2023)
03/22/2023	<u>90</u>	MARGINAL ENTRY – Dismissal with prejudice acknowledged <u>89</u> . Signed by Judge Jane Magnus–Stinson on 3/22/2023. (JSR) (Entered: 03/22/2023)