

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:22-cv-00873-NRB**

Emery Celli Brinckerhoff Abady Ward & Maazel LLP v. United States Department of Homeland Security et al
Assigned to: Judge Naomi Reice Buchwald
Related Case: [1:22-cv-02891-NRB](#)
Cause: 05:552 Freedom of Information Act

Date Filed: 02/01/2022
Date Terminated: 03/30/2023
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**Emery Celli Brinckerhoff Abady Ward
& Maazel LLP**

represented by **Ananda Venkata Burra**
Law Firm of Ananda V. Burra
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TERMINATED: 07/26/2022

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ATTORNEY TO BE NOTICED

V.

Defendant

United States Department of Homeland Security

represented by **Anthony Jan-Huan Sun**
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212-637-2810
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Email: anthony.sun@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

**Office of the Inspector General of the
Department of Homeland Security**

represented by **Anthony Jan-Huan Sun**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/01/2022	<u>1</u>	COMPLAINT against Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security. (Filing Fee \$ 402.00, Receipt Number ANYSDC-25668405) Document filed by Emery Celli Brinckerhoff Abady Ward & Maazel LLP. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D).(Rosenfeld, Katherine) (Entered: 02/01/2022)
02/01/2022	<u>2</u>	CIVIL COVER SHEET filed..(Rosenfeld, Katherine) (Entered: 02/01/2022)

02/01/2022	<u>3</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of Homeland Security, re: <u>1</u> Complaint,. Document filed by Emery Celli Brinckerhoff Abady Ward & Maazel LLP..(Rosenfeld, Katherine) (Entered: 02/01/2022)
02/01/2022	<u>4</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to Office of the Inspector General of the Department of Homeland Security, re: <u>1</u> Complaint,. Document filed by Emery Celli Brinckerhoff Abady Ward & Maazel LLP..(Rosenfeld, Katherine) Modified on 2/2/2022 (pc). (Entered: 02/01/2022)
02/01/2022	<u>5</u>	NOTICE OF APPEARANCE by Ananda Venkata Burra on behalf of Emery Celli Brinckerhoff Abady Ward & Maazel LLP..(Burra, Ananda) (Entered: 02/01/2022)
02/02/2022		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Naomi Reice Buchwald. 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..(pc) (Entered: 02/02/2022)
02/02/2022		Magistrate Judge Sarah L. Cave 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 . (pc) (Entered: 02/02/2022)
02/02/2022		Case Designated ECF. (pc) (Entered: 02/02/2022)
02/02/2022	<u>6</u>	ELECTRONIC SUMMONS ISSUED as to United States Department of Homeland Security..(pc) (Entered: 02/02/2022)
02/02/2022		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Katherine R. Rosenfeld to RE–FILE Document No. <u>4</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): Party name on the summons must exactly match how it appears on the complaint caption title;. 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. (pc) (Entered: 02/02/2022)
02/02/2022	<u>7</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Office of the Inspector General of the Department of Homeland Security, re: <u>1</u> Complaint,. Document filed by Emery Celli Brinckerhoff Abady Ward & Maazel LLP..(Rosenfeld, Katherine) (Entered: 02/02/2022)
02/03/2022	<u>8</u>	ELECTRONIC SUMMONS ISSUED as to Office of the Inspector General of the Department of Homeland Security..(lal) (Entered: 02/03/2022)
02/16/2022	<u>9</u>	AFFIDAVIT OF SERVICE (FOIA CASE) of Summons and Complaint, served. Office of the Inspector General of the Department of Homeland Security served on 2/4/2022, answer due 3/7/2022. Service was accepted by Derick Mayers, Authorized Civil Clerk. Document filed by Emery Celli Brinckerhoff Abady Ward & Maazel LLP..(Burra, Ananda) (Entered: 02/16/2022)
02/16/2022	<u>10</u>	CERTIFICATE OF SERVICE (FOIA CASE). Office of the Inspector General of the Department of Homeland Security served on 2/7/2022, answer due 3/9/2022. Service was made by MAIL. Document filed by Emery Celli Brinckerhoff Abady Ward & Maazel LLP..(Burra, Ananda) (Entered: 02/16/2022)
02/16/2022	<u>11</u>	AFFIDAVIT OF SERVICE (FOIA CASE) of Summons and Complaint, served. United States Department of Homeland Security served on 2/11/2022, answer due 3/14/2022. Service was accepted by Derick Mayers, Authorized Civil Clerk. Document filed by Emery Celli Brinckerhoff Abady Ward & Maazel LLP..(Burra, Ananda) (Entered: 02/16/2022)

02/16/2022	<u>12</u>	CERTIFICATE OF SERVICE (FOIA CASE). United States Department of Homeland Security served on 2/7/2022, answer due 3/14/2022. Service was made by MAIL. Document filed by Emery Celli Brinckerhoff Abady Ward & Maazel LLP..(Burra, Ananda) (Entered: 02/16/2022)
03/02/2022	<u>13</u>	NOTICE OF APPEARANCE by Anthony Jan-Huan Sun on behalf of Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 03/02/2022)
03/07/2022	<u>14</u>	ANSWER to <u>1</u> Complaint,. Document filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 03/07/2022)
04/05/2022	<u>15</u>	NOTICE OF INITIAL PRETRIAL TELECONFERENCE: This action has been assigned to me for all purposes. Counsel are directed to appear telephonically for an initial teleconference with the Court, on the date and time listed below. The dial-in and passcode information will be posted to ECF on the date of the teleconference, as further set forth herein. Date and time of teleconference: Monday, April 25, 2022 at 2:30 p.m. Initial Conference set for 4/25/2022 at 02:30 PM before Judge Naomi Reice Buchwald. (Signed by Judge Naomi Reice Buchwald on 4/5/2022) (mml) (Entered: 04/05/2022)
04/14/2022	<u>16</u>	JOINT LETTER addressed to Judge Naomi Reice Buchwald from the parties dated 4/14/2022 re: initial conference. Document filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 04/14/2022)
04/15/2022	<u>17</u>	MEMO ENDORSEMENT on re: <u>16</u> Letter, filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security. ENDORSEMENT: Application granted. In light of the foregoing update, the initial conference scheduled for April 25, 2022 is hereby canceled and will be rescheduled as needed. SO ORDERED. (Signed by Judge Naomi Reice Buchwald on 4/15/2022) (mml) (Entered: 04/15/2022)
05/13/2022	<u>18</u>	STATUS REPORT. Document filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 05/13/2022)
05/16/2022	<u>19</u>	MEMO ENDORSEMENT on re: <u>18</u> Status Report filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security. ENDORSEMENT: Application granted. SO ORDERED. (Signed by Judge Naomi Reice Buchwald on 5/16/2022) (jca) (Entered: 05/16/2022)
06/13/2022	<u>20</u>	STATUS REPORT. Document filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 06/13/2022)
06/14/2022	<u>21</u>	MEMO ENDORSEMENT on re: <u>20</u> Status Report filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security. ENDORSEMENT: Application granted. (Signed by Judge Naomi Reice Buchwald on 6/14/2022) (tg) (Entered: 06/14/2022)
07/13/2022	<u>22</u>	STATUS REPORT. Document filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 07/13/2022)
07/15/2022	<u>23</u>	MEMO ENDORSEMENT on re: <u>22</u> Status Report filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security. ENDORSEMENT: Application granted. SO ORDERED. (Signed by Judge Naomi Reice Buchwald on 7/15/2022) (tg) (Entered: 07/15/2022)
07/20/2022	<u>24</u>	MOTION for Ananda V. Burra to Withdraw as Attorney . Document filed by Emery Celli Brinckerhoff Abady Ward & Maazel LLP..(Burra, Ananda) (Entered: 07/20/2022)
07/26/2022	<u>25</u>	MEMO ENDORSED ORDER granting <u>24</u> Motion to Withdraw as Attorney. ENDORSEMENT: Application granted. SO ORDERED. Attorney Ananda Venkata Burra terminated. (Signed by Judge Naomi Reice Buchwald on 7/26/2022) (mml)

		(Entered: 07/26/2022)
08/19/2022	<u>26</u>	STATUS REPORT. Document filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 08/19/2022)
08/19/2022	<u>27</u>	MEMO ENDORSEMENT on re: <u>26</u> Status Report filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security. ENDORSEMENT: Application granted. SO ORDERED. (Signed by Judge Naomi Reice Buchwald on 8/19/2022) (kv) (Entered: 08/19/2022)
09/16/2022	<u>28</u>	STATUS REPORT. Document filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 09/16/2022)
09/19/2022	<u>29</u>	MEMO ENDORSEMENT on re: <u>28</u> Status Report filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security. ENDORSEMENT: Application granted. SO ORDERED. (Signed by Judge Naomi Reice Buchwald on 9/19/2022) (mml) (Entered: 09/19/2022)
10/17/2022	<u>30</u>	STATUS REPORT. Document filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 10/17/2022)
10/18/2022	<u>31</u>	MEMO ENDORSEMENT on re: <u>30</u> Status Report filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security. ENDORSEMENT: Application granted. SO ORDERED. (Signed by Judge Naomi Reice Buchwald on 10/18/2022) (mml) (Entered: 10/18/2022)
11/17/2022	<u>32</u>	STATUS REPORT. Document filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 11/17/2022)
11/18/2022	<u>33</u>	MEMO ENDORSEMENT on re: <u>32</u> Status Report filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security. ENDORSEMENT: Application granted. SO ORDERED. (Signed by Judge Naomi Reice Buchwald on 11/18/2022) (mml) (Entered: 11/18/2022)
12/23/2022	<u>34</u>	STATUS REPORT. Document filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 12/23/2022)
12/27/2022	<u>35</u>	MEMO ENDORSEMENT on re: <u>34</u> Status Report filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security. ENDORSEMENT: Application granted. SO ORDERED. (Signed by Judge Naomi Reice Buchwald on 12/27/2022) (tg) (Entered: 12/27/2022)
01/31/2023	<u>36</u>	STATUS REPORT. Document filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 01/31/2023)
01/31/2023	<u>37</u>	MEMO ENDORSEMENT on re: <u>36</u> Status Report filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security. ENDORSEMENT: Application granted. (Signed by Judge Naomi Reice Buchwald on 1/31/2023) (vfr) (Entered: 01/31/2023)
02/28/2023	<u>38</u>	STATUS REPORT. Document filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 02/28/2023)
02/28/2023	<u>39</u>	MEMO ENDORSEMENT: on re: <u>38</u> Status Report filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security. ENDORSEMENT: Application Granted. SO ORDERED. (Signed by Judge Naomi Reice Buchwald on 2/28/2023) (ama) (Entered: 03/01/2023)
03/29/2023	<u>40</u>	PROPOSED STIPULATION AND ORDER. Document filed by Office of the Inspector General of the Department of Homeland Security, United States Department of Homeland Security..(Sun, Anthony) (Entered: 03/29/2023)

03/30/2023	<u>41</u>	<p>STIPULATION AND ORDER OF DISMISSAL: IT IS HEREBY STIPULATED AND AGREED, by and between the parties, as follows: 1. Plaintiff hereby releases and discharges DHS, DHS–OIG, and the United States of America, including its agencies, departments, officers, employees, servants, and agents, from any and all claims and causes of action that Plaintiff asserted, or could have asserted, in this litigation arising out of the FOIA request. 2. DHS shall pay to Plaintiff the sum of EIGHT THOUSAND DOLLARS AND ZERO CENTS (\$8,000.00) in attorneys' fees and litigation costs, pursuant to 5 U.S.C. § 552(a)(4)(E), which sum Plaintiff agrees to accept as full payment of any attorneys' fees and costs Plaintiff has incurred or will incur in this action for services performed up to the date of this Stipulation and Order. 3. This action is hereby dismissed with prejudice and without costs or fees other than as provided in paragraph 2 of this Stipulation and Order, provided that the Court shall retain jurisdiction over any issues that may arise relating to this Stipulation and Order. As further set forth in this order. SO ORDERED. (Signed by Judge Naomi Reice Buchwald on 3/30/2023) (ks) (Entered: 03/30/2023)</p>
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