

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:21-cv-06197-PAC**

First Look Institute, Inc. et al v. U.S. Department of State
Assigned to: Judge Paul A. Crotty
Cause: 05:552 Freedom of Information Act

Date Filed: 07/20/2021
Date Terminated: 04/05/2023
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**First Look Institute, Inc.**

represented by **Victoria Jane Noble**
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TERMINATED: 05/27/2022
ATTORNEY TO BE NOTICED

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Plaintiff**W. Paul Smith**

represented by **Victoria Jane Noble**
(See above for address)
TERMINATED: 05/27/2022
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Debra Lea Greenberger
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V.

Defendant**U.S. Department of State**

represented by **Peter Max Aronoff**
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Date Filed	#	Docket Text
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07/20/2021	<u>1</u>	COMPLAINT against U.S. Department of State. (Filing Fee \$ 402.00, Receipt Number ANYSDC-24819088) Document filed by First Look Institute, Inc., W. Paul Smith. (Attachments: # <u>1</u> Exhibit A – Acknowledgement of Request F-2021-01122, # <u>2</u> Exhibit B – Acknowledgement of Request F-2021-01123, # <u>3</u> Exhibit C – Acknowledgement of Request F-2021-01125).(Greenberger, Debra) (Entered: 07/20/2021)
07/20/2021	<u>2</u>	CIVIL COVER SHEET filed..(Greenberger, Debra) (Entered: 07/20/2021)
07/20/2021	<u>3</u>	FILING ERROR – DEFICIENT – SUMMONS REQUESTED – WRONG SUMMONS FORM – REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Department of State, re: <u>1</u> Complaint,. Document filed by First Look Institute, Inc., W. Paul Smith..(Greenberger, Debra) Modified on 7/21/2021 (vf). (Entered: 07/20/2021)
07/20/2021	<u>4</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by First Look Institute, Inc., W. Paul Smith..(Greenberger, Debra) (Entered: 07/20/2021)
07/21/2021		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Paul A. Crotty. 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 ..(vf) (Entered: 07/21/2021)
07/21/2021		Magistrate Judge Gabriel W. Gorenstein 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 . (vf) (Entered: 07/21/2021)
07/21/2021		Case Designated ECF. (vf) (Entered: 07/21/2021)
07/21/2021		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Debra Lea Greenberger to RE-FILE Document No. <u>3</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): the form used for the summons is not the official FOIA Summons form. 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. (vf) (Entered: 07/21/2021)
07/21/2021	<u>5</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Department of State, re: <u>1</u> Complaint,. Document filed by First Look Institute, Inc., W. Paul Smith..(Greenberger, Debra) (Entered: 07/21/2021)
07/21/2021	<u>6</u>	ELECTRONIC SUMMONS ISSUED as to U.S. Department of State. (vf) (Entered: 07/21/2021)
08/06/2021	<u>7</u>	CERTIFICATE OF SERVICE of Summons and Complaint,. U.S. Department of State served on 7/22/2021, answer due 8/12/2021. Service was accepted by Portia "Doe", Administrative Assistant. Document filed by First Look Institute, Inc.; W. Paul Smith..(Greenberger, Debra) (Entered: 08/06/2021)
08/06/2021	<u>8</u>	CERTIFICATE OF SERVICE of Summons and Complaint,. U.S. Department of State served on 7/27/2021, answer due 8/17/2021. Service was accepted by Nadia B., Authorized Clerk. Document filed by First Look Institute, Inc.; W. Paul Smith..(Greenberger, Debra) (Entered: 08/06/2021)
08/06/2021	<u>9</u>	NOTICE OF APPEARANCE by Peter Max Aronoff on behalf of U.S. Department of State..(Aronoff, Peter) (Entered: 08/06/2021)
08/12/2021	<u>10</u>	MOTION for Victoria J. Noble to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-24927230. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by First Look Institute, Inc., W. Paul Smith. (Attachments: # <u>1</u> Affidavit Affidavit in Support of PHV Admission, # <u>2</u> Certificates

		of Standing (IL, CA, NY), # <u>3</u> Text of Proposed Order Proposed Order in Support of PHV Admission).(Noble, Victoria) (Entered: 08/12/2021)
08/13/2021		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>10</u> MOTION for Victoria J. Noble to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-24927230. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 08/13/2021)
08/17/2021	<u>11</u>	ORDER granting <u>10</u> Motion for Victoria J. Noble to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Paul A. Crotty)(Text Only Order) (dgo) (Entered: 08/17/2021)
08/26/2021	<u>12</u>	ANSWER to <u>1</u> Complaint,. Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 08/26/2021)
08/27/2021	<u>13</u>	ORDER FOR INITIAL PRETRIAL CONFERENCE: Initial Conference set for 9/28/2021 at 03:15 PM in Courtroom 14C, 500 Pearl Street, New York, NY 10007 before Judge Paul A. Crotty. (Signed by Judge Paul A. Crotty on 8/27/2021) (dgo) (Entered: 08/27/2021)
09/27/2021		CALENDAR ENTRY **REMINDER** : Initial Pretrial Conference scheduled to go forward on: Tuesday, September 28, 2021 @ 3:15 PM, via teleconference before Judge Paul A. Crotty, U.S.D.J. Dial-in: 888-363-4749. Access: 8539662. The submission of the joint letter and proposed CCMP is due by COB Monday, September 27, 2021.----- A PDF IS NOT ATTACHED TO THIS ENTRY ----- (By David Gonzalez – Courtroom Deputy).(dgo) (Entered: 09/27/2021)
09/27/2021	<u>14</u>	JOINT LETTER addressed to Judge Paul A. Crotty from Peter Aronoff dated 9/27/2021 re: in advance of tomorrow's conference as required by the Court's individual rules. Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 09/27/2021)
09/29/2021		Minute Entry for proceedings held before Judge Paul A. Crotty: Initial Pretrial Conference held on 9/29/2021. REMARK: Debra Greenberger appeared for the plaintiffs. AUSA Peter Aronoff appeared for the government.The parties provided a case update and the Court directed counsel to provide another update via letter by October 5, 2021. See transcript for details. (Court Reporter Sharonda Jones) (dgo) (Entered: 09/29/2021)
10/05/2021	<u>15</u>	STATUS REPORT. (<i>joint</i>) and <i>joint scheduling proposal</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 10/05/2021)
10/07/2021	<u>16</u>	MEMO ENDORSEMENT on re: <u>15</u> Status Report filed by U.S. Department of State. ENDORSEMENT: The proposed schedule is adopted. A status update is due by January 14, 2022. SO ORDERED. (Signed by Judge Paul A. Crotty on 10/7/2021) (rro) (Entered: 10/07/2021)
01/14/2022	<u>17</u>	STATUS REPORT. (<i>joint</i>) and <i>proposal for further status report by February 22, 2022</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 01/14/2022)
01/19/2022	<u>18</u>	MEMO ENDORSEMENT on re: <u>17</u> Status Report filed by U.S. Department of State. ENDORSEMENT: SO ORDERED. (Signed by Judge Paul A. Crotty on 1/19/2022) (va) (Entered: 01/19/2022)
02/22/2022	<u>19</u>	STATUS REPORT. (<i>joint</i>) and <i>proposal for further status report by March 22, 2022</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 02/22/2022)
02/23/2022	<u>20</u>	MEMO ENDORSEMENT: on re: <u>19</u> Status Report filed by U.S. Department of State. ENDORSEMENT: A status report is due by March 22, 2022. SO ORDERED. (Signed by Judge Paul A. Crotty on 2/23/2022) (ama) (Entered: 02/23/2022)
03/22/2022	<u>21</u>	STATUS REPORT. (<i>joint</i>) and <i>proposal for further status report by April 22, 2022</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 03/22/2022)
03/23/2022	<u>22</u>	MEMO ENDORSEMENT on re: <u>21</u> Status Report filed by U.S. Department of State. ENDORSEMENT: SO ORDERED. (Signed by Judge Paul A. Crotty on 3/23/2022) (va) (Entered: 03/23/2022)

04/25/2022	<u>23</u>	STATUS REPORT. <i>(joint) and proposal for further status report by May 20, 2022</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 04/25/2022)
04/26/2022	<u>24</u>	MEMO ENDORSEMENT on re: <u>23</u> Status Report filed by U.S. Department of State. ENDORSEMENT: A further status report is due by May 20, 2022. SO ORDERED. (Signed by Judge Paul A. Crotty on 4/26/2022) (va) (Entered: 04/26/2022)
05/20/2022	<u>25</u>	STATUS REPORT. <i>(joint) and proposal for further status report by June 21, 2022</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 05/20/2022)
05/24/2022	<u>26</u>	ORDER re: <u>25</u> Status Report filed by U.S. Department of State. A further status report is due by June 21, 2022. SO ORDERED. (HEREBY ORDERED by Judge Paul A. Crotty) (Text Only Order) (dgo) (Entered: 05/24/2022)
05/26/2022	<u>27</u>	NOTICE of WITHDRAWAL OF APPEARANCE. Document filed by First Look Institute, Inc., W. Paul Smith..(Noble, Victoria) (Entered: 05/26/2022)
06/21/2022	<u>28</u>	STATUS REPORT. <i>(joint) and proposal for further status report by July 29, 2022</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 06/21/2022)
06/22/2022	<u>29</u>	MEMO ENDORSEMENT on re: <u>28</u> Status Report filed by U.S. Department of State. ENDORSEMENT: SO ORDERED. (Signed by Judge Paul A. Crotty on 6/22/2022) (va) (Entered: 06/22/2022)
07/29/2022	<u>30</u>	STATUS REPORT. <i>(joint) and proposal for further status report by September 7, 2022</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 07/29/2022)
08/15/2022	<u>31</u>	MEMO ENDORSEMENT on re: <u>30</u> Status Report filed by U.S. Department of State. ENDORSEMENT: A further update is due by September 7, 2022. SO ORDERED. (Signed by Judge Paul A. Crotty on 8/15/2022) (va) (Entered: 08/15/2022)
09/07/2022	<u>32</u>	STATUS REPORT. <i>(joint) and proposal for further status report by October 7, 2022</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 09/07/2022)
09/09/2022	<u>33</u>	MEMO ENDORSEMENT on re: <u>32</u> Status Report filed by U.S. Department of State. ENDORSEMENT: A further update is due on October 7, 2022. SO ORDERED. (Signed by Judge Paul A. Crotty on 9/9/2022) (vfr) (Entered: 09/09/2022)
10/07/2022	<u>34</u>	STATUS REPORT. <i>(joint) and proposal for further status report by November 7, 2022</i> Document filed by First Look Institute, Inc., W. Paul Smith..(Greenberger, Debra) (Entered: 10/07/2022)
11/07/2022	<u>35</u>	STATUS REPORT. <i>(joint) and proposal for further status report by December 7, 2022</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 11/07/2022)
11/09/2022	<u>36</u>	MEMO ENDORSEMENT: on re: <u>35</u> Status Report filed by U.S. Department of State. ENDORSEMENT: A further update is due by December 7, 2022. SO ORDERED. (Signed by Judge Paul A. Crotty on 11/09/2022) (ama) (Entered: 11/09/2022)
12/07/2022	<u>37</u>	STATUS REPORT. <i>(joint) and proposal for further status report by January 9, 2023</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 12/07/2022)
01/06/2023	<u>38</u>	STATUS REPORT. <i>(joint) and proposal for further status report by February 10, 2023</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 01/06/2023)
01/10/2023	<u>39</u>	MEMO ENDORSEMENT: on re: <u>38</u> Status Report filed by U.S. Department of State. ENDORSEMENT: A further report is due by February 10, 2023. SO ORDERED. (Signed by Judge Paul A. Crotty on 1/10/2023) (ama) (Entered: 01/10/2023)
02/10/2023	<u>40</u>	STATUS REPORT. <i>(joint) and proposal for further status report by March 10, 2023</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 02/10/2023)
02/15/2023	<u>41</u>	MEMO ENDORSEMENT on re: <u>40</u> Status Report filed by U.S. Department of State. ENDORSEMENT: SO ORDERED. (Signed by Judge Paul A. Crotty on 2/15/2023) (va) (Entered: 02/15/2023)

03/10/2023	<u>42</u>	STATUS REPORT. <i>(joint) and proposal for further status report by April 10</i> Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 03/10/2023)
04/04/2023	<u>43</u>	PROPOSED STIPULATION AND ORDER. Document filed by U.S. Department of State..(Aronoff, Peter) (Entered: 04/04/2023)
04/05/2023	<u>44</u>	STIPULATION AND ORDER OF DISMISSAL: NOW, THEREFORE, it is hereby STIPULATED and AGREED between the parties as follows: 1. As soon as reasonably practicable after the Court has endorsed and docketed this Stipulation and Order, State shall pay to Plaintiff FLI the sum of seventeen thousand, five hundred ten dollars and ten cents (\$17,510.10) for attorneys' fees and litigation costs. This payment shall constitute full and final satisfaction of any claims by Plaintiffs for attorneys' fees and litigation costs in this matter, and is inclusive of any interest. Payment shall be made by electronic funds transfer to an account in the name of Emery Celli Brinckerhoff Abady Ward & Maazel LLP, as attorney for FLI, and counsel for FLI will provide the necessary information to counsel for the Defendant to effectuate the transfer. As further set forth in this order. This action is accordingly dismissed with prejudice and without costs or fees other than as provided in paragraph 1 of this Stipulation and Order, provided that the Court shall retain jurisdiction over any issues that might arise relating to the enforcement of this Stipulation and Order. SO ORDERED. (Signed by Judge Paul A. Crotty on 4/5/2023) (ks) (Entered: 04/05/2023)