

**U.S. District Court  
California Northern District (Oakland)  
CIVIL DOCKET FOR CASE #: 4:21-cv-07665-JST**

Habeas Corpus Resource Center v. Federal Bureau of  
Investigations et al  
Assigned to: Judge Jon S. Tigar  
Cause: 05:552 Freedom of Information Act

Date Filed: 09/30/2021  
Date Terminated: 04/10/2023  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Habeas Corpus Resource Center**

represented by **Whitney Tipton**  
Habeas Corpus Resource Center  
303 Second St.  
Suite 400 South  
San Francisco, Ca 94701  
415-348-3800  
Fax: 415-348-3873  
Email: [wtipton@hrc.ca.gov](mailto:wtipton@hrc.ca.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andras Farkas**  
Habeas Corpus Resource Center  
CA  
303 Second Street  
Suite 400 South  
San Francisco, CA 94107  
415-348-3800  
Email: [afarkas@hrc.ca.gov](mailto:afarkas@hrc.ca.gov)  
*ATTORNEY TO BE NOTICED*

**Jessica M Salyers**  
Habeas Corpus Resource Center  
303 Second st. Suite 400 South  
Suite 201  
San Francisco, CA 94107  
United Sta  
602-382-2788  
Email: [jessica\\_salyers@fd.org](mailto:jessica_salyers@fd.org)  
*ATTORNEY TO BE NOTICED*

**Rachel Gabrielle Schaefer**  
525 S. Griffin Street, Suite 629  
Dallas, TX 75202  
214-767-2746  
Email: [rachel\\_schaefer@fd.org](mailto:rachel_schaefer@fd.org)  
*TERMINATED: 10/21/2022*

V.

**Defendant**

**Federal Bureau of Investigations**

represented by **Shiwon Choe**  
United States Attorney's Office  
Northern District of California  
450 Golden Gate Avenue, Box 36055  
San Francisco, CA 94102  
(415) 436-6967  
Email: [shiwon.choe@usdoj.gov](mailto:shiwon.choe@usdoj.gov)  
*LEAD ATTORNEY*

**Defendant**

U.S. Department of Justice

represented by **Shiwon Choe**  
 (See above for address)  
**LEAD ATTORNEY**  
 ATTORNEY TO BE NOTICED

| Date Filed | #         | Docket Text   |
|------------|-----------|---|
| 09/30/2021 | <u>1</u>  | FEE PAID (Filing fee\$402,receipt number 0971-16449266). (Salyers, Jessica) (Filed on 9/30/2021) (Entered: 09/30/2021)  |
| 09/30/2021 | <u>2</u>  | Proposed Summons. (Salyers, Jessica) (Filed on 9/30/2021) (Entered: 09/30/2021)   |
| 09/30/2021 |           | <b>Electronic filing error.</b> Complaint and Civil Cover Sheet missing. No judge assignment will be made until the document is e-filed. Submit your document using Civil Events > Other Filings > Other Documents > Civil Cover Sheet Re: 1 New Case Filing Fee filed by Habeas Corpus Resource Center (mbcS, COURT STAFF) (Filed on 9/30/2021) (Entered: 09/30/2021)  |
| 09/30/2021 | <u>3</u>  | Civil Cover Sheet by Habeas Corpus Resource Center v. <i>Federal Bureau of Investigations et al.</i> (Attachments: # <u>1</u> Civil Cover Sheet)(Salyers, Jessica) (Filed on 9/30/2021) Modified on 10/1/2021 (mbcS, COURT STAFF). Modified on 10/1/2021 (msrS, COURT STAFF). (Entered: 09/30/2021)   |
| 10/01/2021 | <u>4</u>  | Case assigned to Magistrate Judge Donna M. Ryu.<br><br>Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at <a href="http://cand.uscourts.gov/ecf/caseopening">http://cand.uscourts.gov/ecf/caseopening</a> .<br><br>Standing orders can be downloaded from the court's web page at <a href="http://www.cand.uscourts.gov/judges">www.cand.uscourts.gov/judges</a> . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 10/15/2021. (mbcS, COURT STAFF) (Filed on 10/1/2021) (Entered: 10/01/2021) |
| 10/01/2021 |           | <b>Electronic filing error.</b> Incorrect event used. [err101]Please re-file Complaint in its entirety. Re: <u>3</u> Civil Cover Sheet filed by Habeas Corpus Resource Center (msrS, COURT STAFF) (Filed on 10/1/2021) (Entered: 10/01/2021)  |
| 10/01/2021 | <u>5</u>  | COMPLAINT against All Defendants. Filed byHabeas Corpus Resource Center. (Salyers, Jessica) (Filed on 10/1/2021) (Entered: 10/01/2021)  |
| 10/01/2021 | <u>6</u>  | Proposed Summons. (Salyers, Jessica) (Filed on 10/1/2021) (Entered: 10/01/2021)   |
| 10/01/2021 | <u>7</u>  | <b>Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 12/29/2021. Initial Case Management Conference set for 1/5/2022 01:30 PM in Oakland, Courtroom 4, 3rd Floor. (msrS, COURT STAFF) (Filed on 10/1/2021) (Entered: 10/01/2021)</b>  |
| 10/01/2021 | <u>8</u>  | Summons Issued as to Federal Bureau of Investigations, U.S. Department of Justice. (msrS, COURT STAFF) (Filed on 10/1/2021) (Entered: 10/01/2021)   |
| 10/07/2021 | <u>9</u>  | SUMMONS Returned Executed (FOIA) by Habeas Corpus Resource Center. All Defendants. (Salyers, Jessica) (Filed on 10/7/2021) (Entered: 10/07/2021)  |
| 10/08/2021 | <u>10</u> | NOTICE of Appearance by Rachel Gabrielle Schaefer (Schaefer, Rachel) (Filed on 10/8/2021) (Entered: 10/08/2021)   |
| 10/12/2021 | <u>11</u> | CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Habeas Corpus Resource Center.. (Salyers, Jessica) (Filed on 10/12/2021) (Entered: 10/12/2021)   |

|            |           |   |
|------------|-----------|---|
| 11/08/2021 | <u>12</u> | NOTICE of Appearance by Shiwon Choe (Choe, Shiwon) (Filed on 11/8/2021) (Entered: 11/08/2021)   |
| 11/08/2021 | <u>13</u> | ANSWER to Complaint by Federal Bureau of Investigations, U.S. Department of Justice. (Choe, Shiwon) (Filed on 11/8/2021) (Entered: 11/08/2021)  |
| 11/08/2021 | <u>14</u> | CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Federal Bureau of Investigations, U.S. Department of Justice.. (Choe, Shiwon) (Filed on 11/8/2021) (Entered: 11/08/2021)   |
| 11/08/2021 | 15        | <p>CLERK'S NOTICE OF IMPENDING REASSIGNMENT TO A U.S. DISTRICT COURT JUDGE: The Clerk of this Court will now randomly reassign this case to a District Judge because either (1) a party has not consented to the jurisdiction of a Magistrate Judge, or (2) time is of the essence in deciding a pending judicial action for which the necessary consents to Magistrate Judge jurisdiction have not been secured. You will be informed by separate notice of the district judge to whom this case is reassigned.</p> <p>ALL HEARING DATES PRESENTLY SCHEDULED BEFORE THE CURRENT MAGISTRATE JUDGE ARE VACATED AND SHOULD BE RE-NOTICED FOR HEARING BEFORE THE JUDGE TO WHOM THIS CASE IS REASSIGNED.</p> <p><i>This is a text only docket entry; there is no document associated with this notice. (ig, COURT STAFF) (Filed on 11/8/2021) (Entered: 11/08/2021)</i></p>   |
| 11/09/2021 | <u>16</u> | <b>ORDER REASSIGNING CASE. Case reassigned using a proportionate, random, and blind system pursuant to General Order No. 44 to Judge Jon S. Tigar for all further proceedings. Magistrate Judge Donna M. Ryu no longer assigned to case, Notice: The assigned judge participates in the Cameras in the Courtroom Pilot Project. See General Order No. 65 and <a href="http://cand.uscourts.gov/cameras">http://cand.uscourts.gov/cameras</a>. Signed by the Clerk on 11/9/2021. (Attachments: # <u>1</u> Notice of Eligibility for Video Recording)(anj, COURT STAFF) (Filed on 11/9/2021) (Entered: 11/09/2021)</b>  |
| 11/09/2021 | <u>17</u> | <p>CLERK'S NOTICE SETTING CASE MANAGEMENT CONFERENCE. Case Management Statement due by 2/1/2022. Initial Case Management Conference set for 2/8/2022 02:00 PM in Oakland, – Videoconference Only. This proceeding will be held via a Zoom webinar.</p> <p><b>Webinar Access:</b> All counsel, members of the public, and media may access the webinar information at <a href="https://www.cand.uscourts.gov/jst">https://www.cand.uscourts.gov/jst</a></p> <p><b>Court Appearances:</b> Advance d notice is required of counsel or parties who wish to be identified by the court as making an appearance or will be participating in the argument at the hearing. One list of names of all counsel appearing for all parties must be sent in one email to the CRD at JSTCRD@cand.uscourts.gov no later than February 7, 2022 by 2:00 p.m.</p> <p><b>General Order 58.</b> Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p><b>Zoom Guidance and Setup:</b> <a href="https://www.cand.uscourts.gov/z oom/">https://www.cand.uscourts.gov/z oom/</a>.</p> <p>Case Management Statement due by 2/1/2022. Initial Case Management Conference set for 2/8/2022 02:00 PM in Oakland, – Videoconference Only. (mll, COURT STAFF) (Filed on 11/9/2021) (Entered: 11/09/2021)</p> |
| 12/15/2021 | <u>18</u> | ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options (Salyers, Jessica) (Filed on 12/15/2021) (Entered: 12/15/2021)  |
| 12/16/2021 | <u>19</u> | ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options (Choe, Shiwon) (Filed on 12/16/2021) (Entered: 12/16/2021)  |
| 01/24/2022 | <u>20</u> | JOINT CASE MANAGEMENT STATEMENT filed by Federal Bureau of Investigations, U.S. Department of Justice. (Choe, Shiwon) (Filed on 1/24/2022) (Entered: 01/24/2022)  |

|            |           |  |
|------------|-----------|--|
| 02/02/2022 | 21        | <p><b>ORDER CONTINUING CASE MANAGEMENT CONFERENCE</b><br/> Because it appears that the parties are currently successfully pursuing informal resolution of Plaintiff's claims, see ECF No. 20 at 2, the case management conference scheduled for February 8, 2022 is continued to May 10, 2022 at 2:00 p.m. An updated joint case management statement is due May 3, 2022.<br/> <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (Tigar, Jon) (Filed on 2/2/2022) (Entered: 02/02/2022)</p>  |
| 02/03/2022 | 22        | <p><b>CLERK'S NOTICE SETTING ZOOM HEARING.</b> <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i>. Case Management Statement due by 5/3/2022. Initial Case Management Conference set for 5/10/2022 02:00 PM in Oakland, – Videoconference Only. This proceeding will be held via a Zoom webinar.</p> <p><b>Webinar Access:</b> All counsel, members of the public, and media may access the webinar information at <a href="https://www.cand.uscourts.gov/jst">https://www.cand.uscourts.gov/jst</a></p> <p><b>Court Appearances:</b> Advanced notice is required of counsel or parties who wish to be identified by the court as making an appearance or will be participating in the argument at the hearing. One list of names of all counsel appearing for all parties must be sent in one email to the CRD at JSTCRD@cand.uscourts.gov no later than May 9, 2022 by 2:00 p.m.</p> <p><b>General Order 58.</b> Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p><b>Zoom Guidance and Setup:</b> <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a>.</p> <p>Case Management Statement due by 5/3/2022. Initial Case Management Conference set for 5/10/2022 02:00 PM in Oakland, – Videoconference Only. (mll, COURT STAFF) (Filed on 2/3/2022) (Entered: 02/03/2022)</p> |
| 05/02/2022 | <u>23</u> | <p>CASE MANAGEMENT STATEMENT filed by Federal Bureau of Investigations, U.S. Department of Justice. (Choe, Shiwon) (Filed on 5/2/2022) (Entered: 05/02/2022)</p>   |
| 05/09/2022 | <u>24</u> | <p><b>ORDER CONTINUING CASE MANAGEMENT CONFERENCE. Case Management Statement due by 8/8/2022. Initial Case Management Conference set for 8/16/2022 02:00 PM in Oakland, – Videoconference Only. This proceeding will be held via a Zoom webinar.</b></p> <p><b>Webinar Access:</b> All counsel, members of the public, and media may access the webinar information at <a href="https://www.cand.uscourts.gov/jst">https://www.cand.uscourts.gov/jst</a></p> <p><b>Court Appearances:</b> Advanced notice is required of counsel or parties who wish to be identified by the court as making an appearance or will be participating in the argument at the hearing. One list of names of all counsel appearing for all parties must be sent in one email to the CRD at JSTCRD@cand.uscourts.gov no later than August 15, 2022 by 2:00 p.m.</p> <p><b>General Order 58.</b> Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p><b>Zoom Guidance and Setup:</b> <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a>.</p> <p><b>Case Management Statement due by 8/8/2022. Initial Case Management Conference set for 8/16/2022 02:00 PM in Oakland, – Videoconference Only.. Signed by Judge Jon S. Tigar on May 9, 2022. (mll, COURT STAFF) (Filed on 5/9/2022) (Entered: 05/09/2022)</b></p>   |
| 08/05/2022 | <u>25</u> | <p>CASE MANAGEMENT STATEMENT filed by Federal Bureau of Investigations, U.S. Department of Justice. (Choe, Shiwon) (Filed on 8/5/2022) (Entered: 08/05/2022)</p>   |

|            |           |   |
|------------|-----------|---|
| 08/16/2022 | 26        | <p><b>ORDER CONTINUING CASE MANAGEMENT CONFERENCE</b><br/> The Court having reviewed the parties' most recent case management statement, ECF No. 25, and it appearing that there currently are no matters requiring the Court's attention, the case management conference scheduled for August 16, 2022 is CONTINUED to November 15, 2022 at 2:00 p.m. An updated joint case management statement is due November 8, 2022.<br/> <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (Tigar, Jon) (Filed on 8/16/2022) (Entered: 08/16/2022)</p>   |
| 08/16/2022 | 27        | <p><b>CLERK'S NOTICE SETTING ZOOM HEARING.</b> <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i>. Case Management Statement due by 11/8/2022. Initial Case Management Conference set for 11/15/2022 02:00 PM in Oakland, – Videoconference Only. This proceeding will be held via a Zoom webinar.</p> <p><b>Webinar Access:</b> All counsel, members of the public, and media may access the webinar information at <a href="https://www.cand.uscourts.gov/jst">https://www.cand.uscourts.gov/jst</a></p> <p><b>Court Appearances:</b> Advanced notice is required of counsel or parties who wish to be identified by the court as making an appearance or will be participating in the argument at the hearing. One list of names of all counsel appearing for all parties must be sent in one email to the CRD at JSTCRD@cand.uscourts.gov no later than November 14, 2022 by 2:00 p.m.</p> <p><b>General Order 58.</b> Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p><b>Zoom Guidance and Setup:</b> <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a>.</p> <p>Case Management Statement due by 11/8/2022. Initial Case Management Conference set for 11/15/2022 02:00 PM in Oakland, – Videoconference Only. (mll, COURT STAFF) (Filed on 8/16/2022) (Entered: 08/16/2022)</p> |
| 10/21/2022 | <u>28</u> | <p>NOTICE of Substitution of Counsel by Rachel Gabrielle Schaefer (Schaefer, Rachel) (Filed on 10/21/2022) (Entered: 10/21/2022)</p>  |
| 11/08/2022 | <u>29</u> | <p>CASE MANAGEMENT STATEMENT filed by Federal Bureau of Investigations, U.S. Department of Justice. (Choe, Shiwon) (Filed on 11/8/2022) (Entered: 11/08/2022)</p>   |
| 11/10/2022 | <u>30</u> | <p>NOTICE of Appearance by Andras Farkas (Farkas, Andras) (Filed on 11/10/2022) (Entered: 11/10/2022)</p>   |
| 11/14/2022 | <u>31</u> | <p><b>SCHEDULING ORDER. Amended Pleadings due by 12/2/2022. Motions due by 3/15/2023. Cross Motions due by 4/17/2023. Responses due by 5/18/2023. Replies due by 6/8/2023. Signed by Judge Jon S. Tigar on November 14, 2022.</b> (mll, COURT STAFF) (Filed on 11/14/2022) (Entered: 11/14/2022)</p>  |
| 03/15/2023 | <u>32</u> | <p>MOTION for Summary Judgment filed by Federal Bureau of Investigations, U.S. Department of Justice. Motion Hearing set for 7/13/2023 02:00 PM in Oakland, – Videoconference Only before Judge Jon S. Tigar. Responses due by 4/17/2023. Replies due by 5/18/2023. (Attachments: # <u>1</u> Declaration of Joseph E. Bender, Jr., # <u>2</u> Exhibit A–P, # <u>3</u> Proposed Order)(Choe, Shiwon) (Filed on 3/15/2023) (Entered: 03/15/2023)</p>  |
| 03/29/2023 | <u>33</u> | <p>First MOTION to Dismiss Pursuant to FRCP 41(a)(2) filed by Habeas Corpus Resource Center. Motion Hearing set for 6/1/2023 02:00 PM in Oakland, – Videoconference Only before Judge Jon S. Tigar. Responses due by 4/12/2023. Replies due by 4/19/2023. (Farkas, Andras) (Filed on 3/29/2023) (Entered: 03/29/2023)</p>   |
| 04/03/2023 | 34        | <p>CLERKS NOTICE SETTING TELEPHONIC HEARING. Telephone Conference set for 4/6/2023 09:30 AM in Oakland, – Telephonic Only before Judge Jon S. Tigar.</p>  |

|            |           |   |
|------------|-----------|---|
|            |           | <p>This proceeding will be held by AT&amp;T Conference Line. The court circulates the following conference number to allow the equivalent of a public hearing by telephone.</p> <p>For conference line information, see: <a href="https://apps.cand.uscourts.gov/telhrg/">https://apps.cand.uscourts.gov/telhrg/</a></p> <p>All counsel, members of the public and press please use the following dial-in information below to access the conference line:</p> <p>Dial In: 1(877) 336-1831</p> <p>Access Code: 6116340</p> <p>Court Appearances: Advanced notice is required of counsel or parties who wish to be identified by the court as making an appearance or will be participating in the argument at the hearing. One list of names of all counsel appearing for all parties must be sent in one email to the CRD at JSTCRD@cand.uscourts.gov no later than April 5, 2023 by Noon.</p> <p>The Court may be in session with proceedings in progress when you connect to the conference line. Therefore, mute your phone if possible and wait for the Court to address you before speaking on the line. For call clarity, parties shall NOT use speaker phone or earpieces for these calls, and where at all possible, parties shall use landlines.</p> <p>PLEASE NOTE: Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited. See General Order 58 at Paragraph III.</p> <p>Telephone Conference set for 4/6/2023 09:30 AM in Oakland, – Telephonic Only before Judge Jon S. Tigar. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mll, COURT STAFF) (Filed on 4/3/2023) (Entered: 04/03/2023)</p> |
| 04/06/2023 | <u>35</u> | <b>ORDER ENLARGING BRIEFING SCHEDULE. Signed by Judge Jon S. Tigar on April 6, 2023. (mll, COURT STAFF) (Filed on 4/6/2023) (Entered: 04/06/2023)</b>   |
| 04/06/2023 | 36        | <p>CLERK'S NOTICE Continuing Motion Hearing. Set/Reset Deadlines as to <u>32</u> MOTION for Summary Judgment . Responses due by 6/15/2023. Replies due by 7/13/2023. Motion Hearing set for 7/27/2023 02:00 PM in Oakland, – Videoconference Only before Judge Jon S. Tigar. This proceeding will be held via a Zoom webinar.</p> <p><b>Webinar Access:</b> All counsel, members of the public, and media may access the webinar information at <a href="https://www.cand.uscourts.gov/jst">https://www.cand.uscourts.gov/jst</a></p> <p><b>Court Appearances:</b> Advanced notice is required of counsel or parties who wish to be identified by the court as making an appearance or will be participating in the argument at the hearing. One list of names of all counsel appearing for all parties must be sent in one email to the CRD at JSTCRD@cand.uscourts.gov no later than July 26, 2023 by 2:00 p.m.</p> <p><b>General Order 58.</b> Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p><b>Zoom Guidance and Setup:</b> <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a>.</p> <p>Responses due by 6/15/2023. Replies due by 7/13/2023. Motion Hearing set for 7/27/2023 02:00 PM in Oakland, – Videoconference Only before Judge Jon S. Tigar. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (Related documents(s) <u>32</u> )(mll, COURT STAFF) (Filed on 4/6/2023) (Entered: 04/06/2023)</p>  |
| 04/06/2023 | 37        | <b>Minute Entry for proceedings held before Judge Jon S. Tigar: Telephone Conference held on 4/6/2023. Hearing held via AT&amp;T conference. Case progress</b>  |

|            |           |  |
|------------|-----------|--|
|            |           | <p><b>discussed. No new dates set. Total Time in Court: 22 minutes. Court Reporter: Not Reported. Plaintiff Attorney: Andras Farkas, Whitney Tipton. Defendant Attorney: Shiwon Choe. (This is a text-only entry generated by the court. There is no document associated with this entry.) (mll, COURT STAFF) (Date Filed: 4/6/2023) (Entered: 04/06/2023)</b></p> |
| 04/10/2023 | <u>38</u> | <p>STIPULATION <i>of Dismissal with Prejudice</i> filed by Federal Bureau of Investigations, U.S. Department of Justice. (Choe, Shiwon) (Filed on 4/10/2023) (Entered: 04/10/2023)</p>   |