

**U.S. District Court
 District of Columbia (Washington, DC)
 CIVIL DOCKET FOR CASE #: 1:19-cv-01389-CJN**

LEGACY FOUNDATION v. FEDERAL ELECTION
 COMMISSION
 Assigned to: Judge Carl J. Nichols
 Cause: 05:552 Freedom of Information Act

Date Filed: 05/14/2019
 Date Terminated: 05/22/2023
 Jury Demand: None
 Nature of Suit: 895 Freedom of
 Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff

LEGACY FOUNDATION

represented by **Jason Brett Torchinsky**
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V.

Defendant

**FEDERAL ELECTION
 COMMISSION**

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Date Filed	#	Docket Text
05/14/2019	<u>1</u>	COMPLAINT against FEDERAL ELECTION COMMISSION (Filing fee \$ 400 receipt number 0090-6122835) filed by The Legacy Foundation. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Appendix Appendix A, # <u>6</u> Appendix Appendix B)(Torchinsky, Jason) (Attachment 1 replaced on 5/16/2019) (zef,). (Entered: 05/14/2019)

05/14/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by The Legacy Foundation (Torchinsky, Jason) (Main Document 2 replaced on 5/16/2019) (zef,). (Entered: 05/14/2019)
05/16/2019		Case Assigned to Judge Colleen Kollar-Kotelly. (zef,) (Entered: 05/16/2019)
05/16/2019	<u>3</u>	SUMMONS (3) Issued Electronically as to FEDERAL ELECTION COMMISSION, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 05/16/2019)
06/24/2019	<u>4</u>	ENTERED IN ERROR.....CERTIFICATE OF SERVICE by LEGACY FOUNDATION . (Torchinsky, Jason) Modified on 6/27/2019 (jf). (Entered: 06/24/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Colleen Kollar-Kotelly is no longer assigned to the case. (ztnr) (Entered: 06/24/2019)
06/27/2019		NOTICE OF CORRECTED DOCKET ENTRY: Document No. re <u>4</u> Certificate of Service was entered in error and counsel was instructed to refile said pleading using the "Service of Process" event (jf) (Entered: 06/27/2019)
06/27/2019	<u>5</u>	ENTERED IN ERROR.....RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. LEGACY FOUNDATION served on 6/27/2019 (Torchinsky, Jason) Modified on 6/28/2019 (jf). (Entered: 06/27/2019)
06/28/2019		NOTICE OF CORRECTED DOCKET ENTRY: Document No. re <u>5</u> Summons Returned Executed as to Federal Defendant was entered in error and counsel was instructed to refile said pleading as to the correct defendant(s). Should counsel need assistance, please contact the ECF Help Desk @ (202) 354-3190 to speak with a civil case administrator. (jf) (Entered: 06/28/2019)
06/28/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL ELECTION COMMISSION served on 6/14/2019 (Torchinsky, Jason) (Entered: 06/28/2019)
07/03/2019	<u>7</u>	NOTICE of Appearance by Robert William Bonham, III on behalf of FEDERAL ELECTION COMMISSION (Bonham, Robert) (Entered: 07/03/2019)
07/03/2019	<u>8</u>	NOTICE of Appearance by Harry Jacobs Summers on behalf of FEDERAL ELECTION COMMISSION (Summers, Harry) (Entered: 07/03/2019)
07/03/2019	<u>9</u>	NOTICE of Appearance by Kevin Deeley on behalf of FEDERAL ELECTION COMMISSION (Deeley, Kevin) (Entered: 07/03/2019)
07/03/2019	<u>10</u>	ANSWER to Complaint by FEDERAL ELECTION COMMISSION.(Bonham, Robert) (Entered: 07/03/2019)
08/13/2019		MINUTE ORDER. Before the Court in this Freedom of Information Act case are a Complaint and an Answer. The requirements of Local Civil Rule 16.3 and Federal Rule of Civil Procedure 26(f) appear to be inapplicable. It is hereby ORDERED that the Parties shall confer and file a Joint Status Report on or before September 13, 2019. The Joint Status Report shall address: (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for stay is likely under <i>Open America v. Watergate Special Prosecution Force</i> , 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the Parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Carl J. Nichols on August 13, 2019. (lccjn1) (Entered: 08/13/2019)
08/14/2019		Set/Reset Deadlines: Joint Status Report due by 9/13/2019. (mac) (Entered: 08/14/2019)
09/13/2019	<u>11</u>	Joint STATUS REPORT by FEDERAL ELECTION COMMISSION. (Attachments: # <u>1</u> Text of Proposed Order)(Bonham, Robert) (Entered: 09/13/2019)
09/26/2019		MINUTE ORDER. In light of the Parties' <u>11</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before October 16, 2019. Signed by Judge Carl J. Nichols on September 26, 2019. (lccjn3) (Entered: 09/26/2019)

09/26/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 10/16/2019. (zcdw) (Entered: 09/29/2019)
10/16/2019	<u>12</u>	Joint STATUS REPORT by FEDERAL ELECTION COMMISSION. (Attachments: # <u>1</u> Text of Proposed Order)(Bonham, Robert) (Entered: 10/16/2019)
10/21/2019	<u>13</u>	Joint MOTION to Stay by FEDERAL ELECTION COMMISSION (Attachments: # <u>1</u> Text of Proposed Order)(Bonham, Robert) (Entered: 10/21/2019)
10/23/2019		MINUTE ORDER. Upon consideration of the Parties' <u>13</u> Joint Motion to Stay, it is hereby ORDERED that the Motion is GRANTED and that this litigation is stayed until the Commission regains a complement of at least four FEC Commissioners. The Parties shall promptly notify the Court once the Commission regains a complement of at least four Commissioners. In addition, within 60 days after the date the Commission regains four members, the Parties shall file a Joint Status Report regarding the status of the attorney's fee and costs dispute and, if necessary, proposing a schedule for further proceedings. Signed by Judge Carl J. Nichols on October 23, 2019. (lccjn3) (Entered: 10/23/2019)
10/23/2019		Case Stayed. (zcdw) (Entered: 10/23/2019)
06/17/2020	<u>14</u>	NOTICE of Restoration of Quorum by FEDERAL ELECTION COMMISSION (Bonham, Robert) (Entered: 06/17/2020)
06/22/2020		MINUTE ORDER. In light of the Parties' <u>14</u> Joint Notice of Restoration of Quorum, and consistent with the Court's October 23, 2019 Minute Order, it is hereby ORDERED that the Parties shall submit a Joint Status Report on or before August 4, 2020. It is further ORDERED that the stay in this matter is lifted. Signed by Judge Carl J. Nichols on June 22, 2020. (lccjn3) (Entered: 06/22/2020)
06/22/2020		Set/Reset Deadlines: Joint Status Report due by 8/4/2020. (zcal) (Entered: 06/23/2020)
08/04/2020	<u>15</u>	Joint STATUS REPORT by FEDERAL ELECTION COMMISSION. (Attachments: # <u>1</u> Text of Proposed Order)(Bonham, Robert) (Entered: 08/04/2020)
08/28/2020		Set/Reset Deadlines: Motion due by 8/31/2020. Response due by 9/28/2020. Reply due by 10/19/2020. (zcal) (Entered: 09/01/2020)
08/31/2020	<u>16</u>	MOTION for Attorney Fees by LEGACY FOUNDATION (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit)(Torchinsky, Jason) (Entered: 08/31/2020)
08/31/2020		MINUTE ORDER. In light of the Parties' <u>15</u> Joint Status Report, it is hereby ORDERED that: on or before August 31, 2020, Plaintiff shall file its Motion for Attorney's Fees and Costs; on or before September 28, 2020, Defendant shall file its Opposition; and on or before October 19, 2020, Plaintiff shall file its Reply.. Signed by Judge Carl J. Nichols on August 28, 2020. (lccjn3) (Entered: 08/31/2020)
09/28/2020	<u>17</u>	Memorandum in opposition to re <u>16</u> MOTION for Attorney Fees filed by FEDERAL ELECTION COMMISSION. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order)(Bonham, Robert) (Entered: 09/28/2020)
10/19/2020	<u>18</u>	REPLY to opposition to motion re <u>16</u> MOTION for Attorney Fees filed by LEGACY FOUNDATION. (Torchinsky, Jason) (Entered: 10/19/2020)
10/30/2020	<u>19</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to FEDERAL ELECTION COMMISSION. Attorney Robert William Bonham, III terminated. (Bonham, Robert) (Entered: 10/30/2020)
05/22/2023	<u>20</u>	ORDER denying <u>16</u> Motion for Attorney Fees. Signed by Judge Carl J. Nichols on May 22, 2023. (lccjn3) (Entered: 05/22/2023)