

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:19-cv-02520-GWG**

Immigrant Defense Project v. United States Immigration and
Customs Enforcement
Assigned to: Magistrate Judge Gabriel W. Gorenstein
Cause: 05:552 Freedom of Information Act

Date Filed: 03/21/2019
Date Terminated: 06/06/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Immigrant Defense Project

represented by **Lauren M. Wagner**
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V.

Defendant

**United States Immigration and
Customs Enforcement**

represented by **Steven John Kochevar**
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914-993-1928
Email: steven.kochevar@usdoj.gov
TERMINATED: 02/12/2021
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TERMINATED: 11/02/2022

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Date Filed	#	Docket Text
03/21/2019	<u>1</u>	COMPLAINT against United States Immigration and Customs Enforcement. (Filing Fee \$ 400.00, Receipt Number ANYSDC-16537649) Document filed by Immigrant Defense Project. (Attachments: # <u>1</u> Exhibit A – IDP Cardozo FOIA, # <u>2</u> Exhibit B – ICE Response to Requester, # <u>3</u> Exhibit C – ICE FOIA Admin Appeal Letter, # <u>4</u> Exhibit D – FOIA Appeal 2018-ICAP-00426; 2018-ICFO-25625, # <u>5</u> Exhibit E – October 3, 2018 Letter to ICE-FOIA, # <u>6</u> Exhibit F– November 16, 2018 Letter to ICE-FOIA, # <u>7</u> Exhibit G – November 20, 2018 ICE email, # <u>8</u> Exhibit H – February 8, 2019 Letter to ICE-FOIA, # <u>9</u> Exhibit I – February 14, 2019 ICE email, # <u>10</u> Exhibit J – Denver FOIA 201)(Cantor, Daniel) (Entered: 03/21/2019)
03/21/2019	<u>2</u>	CIVIL COVER SHEET filed. (Cantor, Daniel) (Entered: 03/21/2019)
03/21/2019	<u>3</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Immigration and Customs Enforcement, re: <u>1</u> Complaint,,. Document filed by Immigrant Defense Project. (Cantor, Daniel) Modified on 3/22/2019 (jgo). (Entered: 03/21/2019)
03/22/2019		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge P. Kevin Castel. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . 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 http://nysd.uscourts.gov/ecf_filing.php . (jgo) (Entered: 03/22/2019)
03/22/2019		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: http://nysd.uscourts.gov/forms.php . (jgo) (Entered: 03/22/2019)
03/22/2019		Case Designated ECF. (jgo) (Entered: 03/22/2019)
03/22/2019		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Daniel Lucas Cantor to RE-FILE Document No. <u>3</u> Request for Issuance of Summons,. The filing is deficient for the following reason(s): party name on 'as to' docket entry text does not exactly match initial pleading caption; party name on the PDF 'To' section does not exactly match initial pleading caption;. 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. (jgo) (Entered: 03/22/2019)
03/22/2019	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Immigration and Customs Enforcement, re: <u>1</u> Complaint,,. Document filed by Immigrant Defense Project. (Cantor, Daniel) (Entered: 03/22/2019)
03/25/2019	<u>5</u>	ORDER TO ANSWER. This Court, having received the Complaint, hereby ORDERS that: The United States Attorney for the Southern District of New York must respond within 60 days. The petitioner may file a reply within 14 days of the filing of the response. It is further ORDERED that the Clerk of Court transmit a copy of this Order and the Complaint to the United States Attorney for this District, Attention: Chief of the Civil Division. SO ORDERED. (Signed by Judge P. Kevin Castel on 3/25/2019) (rjm) Transmission to Docket Assistant Clerk for processing. (Entered: 03/25/2019)
03/25/2019		Mailed a copy of <u>5</u> Order to Answer, <u>1</u> Complaint, to United States Attorney for this District, Attention: Chief of the Civil Division, SDNY, 86 Chambers Street NY, NY

		10007. (aea) (Entered: 03/25/2019)
03/25/2019	<u>6</u>	ELECTRONIC SUMMONS ISSUED as to United States Immigration and Customs Enforcement. (dnh) (Entered: 03/25/2019)
03/28/2019	<u>7</u>	AFFIDAVIT OF SERVICE of Summons In a Civil Action, Complaint for Declaratory and Injunctive Relief, Civil Cover Sheet, Individual Practices of Judge P. Kevin Castel, Individual Practices of Magistrate Judge Gabriel W. Gorenstein, Southern District of New York Electronic Case Filing Rules & Instructions, and Order to Answer served on UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. Service was accepted by Angela Florentino-Rios. Document filed by Immigrant Defense Project. (Cantor, Daniel) (Entered: 03/28/2019)
04/18/2019	<u>8</u>	NOTICE OF APPEARANCE by Steven John Kochevar on behalf of United States Immigration and Customs Enforcement. (Kochevar, Steven) (Entered: 04/18/2019)
05/23/2019	<u>9</u>	ANSWER to <u>1</u> Complaint,, Document filed by United States Immigration and Customs Enforcement.(Kochevar, Steven) (Entered: 05/23/2019)
10/01/2020	<u>10</u>	ORDER INITIAL PRETRIAL CONFERENCE: Initial Conference set for 10/13/2020 at 12:30 PM before Judge P. Kevin Castel, as further set forth in this order. Due to the COVID-19 pandemic, conferences with the Court in civil cases will be held by teleconferencing until further notice. For initial pretrial conferences, plaintiff(s)' counsel shall, no later than 5 business days before the conference, email a copy of the agreed upon (or disputed) Civil Case Management Plan & Scheduling Order to: castelnysdchambers@nysd.uscourts.gov. The call-in information for all teleconferences is: Dial-in: (888) 363-4749 Access Code: 3667981 (Signed by Judge P. Kevin Castel on 10/1/2020) (jwh) (Entered: 10/01/2020)
10/05/2020	<u>11</u>	JOINT LETTER MOTION to Adjourn Conference <i>and Pursuant to the Court's October 1, 2020 Order (ECF No. 10)</i> addressed to Judge P. Kevin Castel from AUSA Steven J. Kochevar dated October 5, 2020. Document filed by United States Immigration and Customs Enforcement..(Kochevar, Steven) (Entered: 10/05/2020)
10/08/2020	<u>12</u>	NOTICE OF APPEARANCE by Matthew Schock on behalf of Immigrant Defense Project..(Schock, Matthew) (Entered: 10/08/2020)
10/13/2020	<u>13</u>	CONSENT TO JURISDICTION BY A US MAGISTRATE JUDGE by Immigrant Defense Project, United States Immigration and Customs Enforcement. (Case No Longer Referred to Magistrate Judge) CASE ASSIGNED to Magistrate Judge Gabriel W. Gorenstein. (Signed by Judge P. Kevin Castel on 10/8/2020). (nb) (Entered: 10/13/2020)
10/14/2020	<u>14</u>	ORDER: granting <u>11</u> Letter Motion to Adjourn Conference. The initial pretrial conference is adjourned sine die. The parties shall file a status letter to the Court on or before December 2, 2020. If the parties agree in that letter that the initial conference should be continue to be adjourned, the parties shall file a status letter to the Court every three months thereafter. The parties may request a conference or briefing schedule at any time in the interim. SO ORDERED. (Signed by Magistrate Judge Gabriel W. Gorenstein on 10/14/2020) (ama) (Entered: 10/14/2020)
12/02/2020	<u>15</u>	JOINT LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from AUSA Steven J. Kochevar dated December 2, 2020 re: Status Letter Pursuant to October 14, 2020, Order (ECF No. 14). Document filed by United States Immigration and Customs Enforcement..(Kochevar, Steven) (Entered: 12/02/2020)
02/04/2021	<u>16</u>	NOTICE OF APPEARANCE by Rebecca Ruth Friedman on behalf of United States Immigration and Customs Enforcement..(Friedman, Rebecca) (Entered: 02/04/2021)
02/11/2021	<u>17</u>	LETTER MOTION to Substitute Attorney. Old Attorney: AUSA Steven J. Kochevar, New Attorney: AUSA Rebecca R. Friedman addressed to Magistrate Judge Gabriel W. Gorenstein from AUSA Steven J. Kochevar dated February 11, 2021. Document filed by United States Immigration and Customs Enforcement..(Kochevar, Steven) (Entered: 02/11/2021)
02/12/2021	<u>18</u>	ORDER: granting <u>17</u> Letter Motion to Substitute Attorney. Application GRANTED. SO ORDERED. Attorney Steven John Kochevar terminated. (Signed by Magistrate Judge Gabriel W. Gorenstein on 2/12/2021) (ama) (Entered: 02/12/2021)

03/02/2021	<u>19</u>	JOINT LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Rebecca R. Friedman dated March 2, 2021 re: Status Update Required by the Court. Document filed by United States Immigration and Customs Enforcement..(Friedman, Rebecca) (Entered: 03/02/2021)
03/24/2021	<u>20</u>	NOTICE of Withdrawal of Attorney. Document filed by Immigrant Defense Project..(Schock, Matthew) (Entered: 03/24/2021)
03/31/2021	<u>21</u>	NOTICE OF APPEARANCE by Lauren M. Wagner on behalf of Immigrant Defense Project..(Wagner, Lauren) (Entered: 03/31/2021)
06/02/2021	<u>22</u>	JOINT LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Rebecca R. Friedman dated June 2, 2021 re: Status Update Required by the Court. Document filed by United States Immigration and Customs Enforcement..(Friedman, Rebecca) (Entered: 06/02/2021)
09/02/2021	<u>23</u>	JOINT LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Rebecca R. Friedman dated September 2, 2021 re: Status Update Required by the Court.. Document filed by United States Immigration and Customs Enforcement..(Friedman, Rebecca) (Entered: 09/02/2021)
12/03/2021	<u>24</u>	JOINT LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Rebecca R. Friedman dated December 3, 2021 re: Joint Status Letter Submitted Pursuant to the Courts October 14, 2020 Order. Document filed by United States Immigration and Customs Enforcement..(Friedman, Rebecca) (Entered: 12/03/2021)
03/02/2022	<u>25</u>	JOINT LETTER addressed to Magistrate Judge Gabriel W. Gorenstein from Rebecca R. Friedman dated March 2, 2022 re: Status Letter Pursuant to the Court's October 14, 2020 Order. Document filed by United States Immigration and Customs Enforcement..(Friedman, Rebecca) (Entered: 03/02/2022)
06/02/2022	<u>26</u>	STATUS REPORT. <i>on behalf of both parties</i> Document filed by United States Immigration and Customs Enforcement..(Friedman, Rebecca) (Entered: 06/02/2022)
09/02/2022	<u>27</u>	STATUS REPORT. <i>on Behalf of all Parties</i> Document filed by United States Immigration and Customs Enforcement..(Friedman, Rebecca) (Entered: 09/02/2022)
11/02/2022	<u>28</u>	PROPOSED ORDER FOR SUBSTITUTION OF ATTORNEY. Document filed by United States Immigration and Customs Enforcement..(Onozawa, Tomoko) (Entered: 11/02/2022)
11/02/2022	<u>29</u>	CONSENT ORDER GRANTING SUBSTITUTION OF ATTORNEY: Notice is hereby given that, subject to approval by the court, Defendant U.S. ICE substitutes Tomoko Onozawa as counsel of record in place Rebecca Ruth Friedman. The substitution of attorney is hereby approved and so ORDERED., Attorney Rebecca Ruth Friedman terminated. (Signed by Magistrate Judge Gabriel W. Gorenstein on 11/02/2022) (ama) (Entered: 11/02/2022)
11/29/2022	<u>30</u>	NOTICE OF APPEARANCE by Tomoko Onozawa on behalf of United States Immigration and Customs Enforcement..(Onozawa, Tomoko) (Entered: 11/29/2022)
12/02/2022	<u>31</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Onozawa, Tomoko) (Entered: 12/02/2022)
01/13/2023	<u>32</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Onozawa, Tomoko) (Entered: 01/13/2023)
02/28/2023	<u>33</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Onozawa, Tomoko) (Entered: 02/28/2023)
05/30/2023	<u>34</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Onozawa, Tomoko) (Entered: 05/30/2023)
06/06/2023	<u>35</u>	ORDER OF DISCONTINUANCE: Accordingly, it is hereby ORDERED that this action is dismissed with prejudice and without costs (including attorney's fees) to either party. If either party wishes to reinstate this matter, the party must make a letter application to the undersigned within 30 days seeking to reopen this matter. Any application to reopen filed after the 30-day period has expired may be denied solely for failure to meet the 30-day deadline. Any pending motions are moot. The Clerk is

		requested to close the case. SO ORDERED. (Signed by Magistrate Judge Gabriel W. Gorenstein on 6/06/2023) (ama) (Entered: 06/06/2023)
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