

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-02824-CKK**

JUDICIAL WATCH, INC. v. U.S. DEPARTMENT OF
HOMELAND SECURITY

Assigned to: Judge Colleen Kollar-Kotelly

Case: 1:21-cv-01194-CKK

Related Case: 1:23-cv-00612-CKK

Cause: 05:552 Freedom of Information Act

Plaintiff

JUDICIAL WATCH, INC.

Date Filed: 10/25/2021

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

represented by **James F. Peterson**
JUDICIAL WATCH, INC.
425 Third Street, SW
Suite 800
Washington, DC 20024
(202) 646-5172
Fax: (202) 646-5199
Email: jpeterson@judicialwatch.org
ATTORNEY TO BE NOTICED

V.

Defendant

**DEPARTMENT OF HOMELAND
SECURITY**

represented by **Hilarie Elise Snyder**
U.S. DEPARTMENT OF JUSTICE
Department of Justice, Civil Division
Federal Programs Branch
1100 L Street, NW
Washington, DC 20530
202-305-0747
Fax: 202-616-8470
Email: hilarie.e.snyder@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/25/2021	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF HOMELAND SECURITY (Filing fee \$ 402 receipt number ADCDC-8821024) filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons for US Attorney for DC, # <u>3</u> Summons for US Attorney General, # <u>4</u> Summons for U.S. Department of Homeland Security)(Peterson, James) (Entered: 10/25/2021)
10/25/2021	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by JUDICIAL WATCH, INC. (Peterson, James) (Entered: 10/25/2021)
10/26/2021		Case Assigned to Chief Judge Beryl A. Howell. (znm) (Entered: 10/26/2021)
10/26/2021	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(znm) (Entered: 10/26/2021)
10/26/2021	<u>4</u>	STANDING ORDER. Signed by Chief Judge Beryl A. Howell on October 26, 2021. (lcbah4) (Entered: 10/26/2021)
11/02/2021	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/28/2021. Answer due for ALL FEDERAL DEFENDANTS by 11/27/2021. (Attachments: # <u>1</u> Declaration of David Rothstein)(Peterson, James) (Entered: 11/02/2021)

11/02/2021	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/02/21. (Attachments: # <u>1</u> Declaration of David Rothstein)(Peterson, James) (Entered: 11/02/2021)
11/02/2021	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HOMELAND SECURITY served on 11/1/2021 (Attachments: # <u>1</u> Declaration of David Rothstein)(Peterson, James) (Entered: 11/02/2021)
11/29/2021	<u>8</u>	ANSWER to Complaint by DEPARTMENT OF HOMELAND SECURITY.(Snyder, Hilarie) (Entered: 11/29/2021)
12/13/2021	<u>9</u>	MEET AND CONFER STATEMENT. (Snyder, Hilarie) (Entered: 12/13/2021)
12/20/2021		MINUTE ORDER (paperless) ISSUING, upon consideration of the parties' <u>9</u> Meet and Confer Statement, the following SCHEDULING ORDER to govern proceedings in this matter: (1) by February 11, 2022, defendant shall complete production of the non-exempt portions of any responsive records; (2) by February 25, 2022, parties shall file a Joint Status Report identifying any disputed issues; (3) by March 31, 2022, defendant shall file any motion for summary judgment; (4) by May 2, 2022, plaintiff shall file any cross-motion for summary judgment and opposition to defendant's motion for summary judgment; (5) by June 1, 2022, defendant shall file any opposition to plaintiff's cross-motion and reply in support of its motion for summary judgment; and (6) by June 15, 2022, plaintiff shall file any reply in support of its cross-motion for summary judgment. Signed by Chief Judge Beryl A. Howell on December 20, 2021. (lcbah4) (Entered: 12/20/2021)
12/21/2021		Set/Reset Deadlines: Production of the non-exempt portions of any responsive records due by 2/11/2022; Joint Status Report due by 2/25/2022; summary judgment motions due by 3/31/2022; cross-motion and opposition to motion for summary judgment due by 5/2/2022; opposition to cross-motion and reply to opposition to motion for summary judgment due by 6/1/2022; reply to opposition to cross-motion due by 6/15/2022. (ztg) (Entered: 12/21/2021)
02/07/2022	<u>10</u>	Unopposed MOTION for Extension of Time to <i>Produce Records and To Comply with Other Deadlines</i> by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Snyder, Hilarie) (Entered: 02/07/2022)
02/08/2022		MINUTE ORDER (paperless) GRANTING the defendant's <u>10</u> Unopposed Motion for Extension of Time to Produce Records and to Comply with Other Deadlines and AMENDING the SCHEDULING ORDER as follows: (1) by March 25, 2022, defendant shall complete production of the non-exempt portions of any responsive records; (2) by April 8, 2022, parties shall file a Joint Status Report identifying any disputed issues; (3) by May 6, 2022, defendant shall file any motion for summary judgment; (4) by June 17, 2022, plaintiff shall file any cross-motion for summary judgment and opposition to defendant's motion for summary judgment; (5) by July 15, 2022, defendant shall file any opposition to plaintiff's cross-motion and reply in support of its motion for summary judgment; and (6) by July 29, 2022, plaintiff shall file any reply in support of its cross-motion for summary judgment. Signed by Chief Judge Beryl A. Howell on February 8, 2022. (lcbah4) (Entered: 02/08/2022)
02/09/2022		Set/Reset Deadlines: Defendant's completion of production of the non-exempt portions of any responsive records due by 3/25/2022; Joint Status Report due by 4/8/2022; summary judgment motion due by 5/6/2022; cross-motion and opposition to summary judgement motion due by 6/17/2022; opposition to cross-motion and reply to opposition to summary judgment motion due by 7/15/2022; reply to opposition to cross-motion due by 7/29/2022. (ztg) (Entered: 02/09/2022)
04/08/2022	<u>11</u>	Joint STATUS REPORT <i>And Motion for Extension of Schedule</i> by DEPARTMENT OF HOMELAND SECURITY. (Snyder, Hilarie) (Entered: 04/08/2022)
04/08/2022	<u>12</u>	Joint MOTION for Extension of Time to <i>for Schedule and Status Report</i> by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Snyder, Hilarie) (Entered: 04/08/2022)
04/08/2022		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>11</u> Joint Status Report, the parties to file, by May 6, 2022, a joint status report advising the Court about the status of this matter; and GRANTING the parties' <u>12</u> Joint Motion

		for Extension of Schedule and AMENDING the SCHEDULING ORDER as follows: (1) by June 2, 2022, defendant shall file any motion for summary judgment; (2) by June 30, 2022, plaintiff shall file any cross-motion for summary judgment and opposition to defendant's motion for summary judgment; (3) by August 2, 2022, defendant shall file any opposition to plaintiff's cross-motion and reply in support of its motion for summary judgment; and (4) by August 16, 2022, plaintiff shall file any reply in support of its cross-motion for summary judgment. Signed by Chief Judge Beryl A. Howell on April 8, 2022. (lcbah4) (Entered: 04/08/2022)
04/11/2022		Set/Reset Deadlines: Joint status report due by 5/6/2022; summary judgment motion due by 6/2/2022; cross-motion and opposition to summary judgment motion due by 6/30/2022; opposition to cross-motion and reply to opposition to summary judgment motion due by 8/2/2022; reply to opposition to cross-motion due by 8/16/2022. (ztg) (Entered: 04/11/2022)
05/06/2022	<u>13</u>	Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Peterson, James) (Entered: 05/06/2022)
06/02/2022	<u>14</u>	MOTION for Summary Judgment by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Statement of Facts And Index of Exhibits, # <u>2</u> Memorandum in Support, # <u>3</u> Declaration, # <u>4</u> Exhibit # 1, 3.8.2021 Email with USSS0012, # <u>5</u> Exhibit # 2, 3.8.2021 Email with USSS0014, # <u>6</u> Exhibit # 3, 6.24.2021 Email with USSS0241, # <u>7</u> Exhibit # 4, 6.24.2021 Email with USSS0248, # <u>8</u> Exhibit # 5, 6.24.2021 Email with USSS0243, # <u>9</u> Exhibit # 6, 6.24.2021 Email with USSS0252, # <u>10</u> Exhibit # 7, Portion of Draft Memo, # <u>11</u> Text of Proposed Order)(Snyder, Hilarie) (Entered: 06/02/2022)
06/30/2022	<u>15</u>	Memorandum in opposition to re <u>14</u> MOTION for Summary Judgment <i>with Statement of Facts</i> filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Peterson, James) (Entered: 06/30/2022)
06/30/2022	<u>16</u>	Cross MOTION for Summary Judgment <i>with Statement of Facts</i> by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Errata E, # <u>6</u> Exhibit F)(Peterson, James) (Entered: 06/30/2022)
08/02/2022	<u>17</u>	Memorandum in opposition to re <u>16</u> Motion for Summary Judgment filed by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Text of Proposed Order)(Snyder, Hilarie) (Entered: 08/02/2022)
08/02/2022	<u>18</u>	REPLY to opposition to motion re <u>14</u> MOTION for Summary Judgment filed by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Statement of Facts)(Snyder, Hilarie) (Entered: 08/02/2022)
08/16/2022	<u>19</u>	REPLY to opposition to motion re <u>16</u> Cross MOTION for Summary Judgment filed by JUDICIAL WATCH, INC.. (Peterson, James) Modified to add docket relationship on 8/17/2022 (zed). (Entered: 08/16/2022)
01/23/2023		MINUTE ORDER (paperless) DIRECTING the parties to SHOW CAUSE, by noon on January 25, 2023, (1) why this case is not related to <i>Judicial Watch, Inc., v. U.S. Dep't of Homeland Sec.</i> , Case No. 1:21-cv-01194-CKK (D.D.C.), see D.D.C. Local Civil Rule 40.5(a)(3); (2) why plaintiff failed to indicate the pendency of <i>Judicial Watch, Inc., v. U.S. Dep't of Homeland Sec.</i> , Case No. 1:21-cv-01194-CKK (D.D.C.), as a related case when filing the instant case, as required by D.D.C. Local Civil Rule 40.5(b)(2); and (3) why this case should not be reassigned for consolidation with <i>Judicial Watch, Inc., v. U.S. Dep't of Homeland Sec.</i> , Case No. 1:21-cv-01194-CKK (D.D.C.). Signed by Chief Judge Beryl A. Howell on January 23, 2023. (lcbah4) (Entered: 01/23/2023)
01/23/2023		Set/Reset Deadlines: Response to Show Cause due by noon on 1/25/2023. (ztg) (Entered: 01/23/2023)
01/25/2023	<u>20</u>	RESPONSE TO ORDER TO SHOW CAUSE re Order,,, filed by DEPARTMENT OF HOMELAND SECURITY. (Snyder, Hilarie) (Entered: 01/25/2023)
01/25/2023	<u>21</u>	RESPONSE TO ORDER TO SHOW CAUSE re Order,,, filed by JUDICIAL WATCH, INC.. (Peterson, James) (Entered: 01/25/2023)

01/26/2023	<u>22</u>	Case directly reassigned to Judge Colleen Kollar-Kotelly as there is an earlier related case. Chief Judge Beryl A. Howell is no longer assigned to the case. (rj) (Entered: 01/26/2023)
01/26/2023	<u>23</u>	ORDER ESTABLISHING PROCEDURES FOR CASES ASSIGNED TO JUDGE COLLEEN KOLLAR-KOTELLY. Signed by Judge Colleen Kollar-Kotelly on 1/26/23. (DM) (Entered: 01/26/2023)
06/28/2023	<u>24</u>	ORDER granting <u>14</u> Motion for Summary Judgment and denying <u>16</u> Cross-Motion for Summary Judgment. The Clerk of Court is respectfully directed to close this case. Signed by Judge Colleen Kollar-Kotelly on June 28, 2023. (lcckk1) (Entered: 06/28/2023)
06/28/2023	<u>25</u>	MEMORANDUM OPINION re <u>24</u> Order. Signed by Judge Colleen Kollar-Kotelly on June 28, 2023. (lcckk1) (Entered: 06/28/2023)