

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-01701-CJN**

REED SMITH LLP v. DEPARTMENT OF HOMELAND
SECURITY et al
Assigned to: Judge Carl J. Nichols
Cause: 05:552 Freedom of Information Act

Date Filed: 06/24/2021
Date Terminated: 08/17/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

REED SMITH LLP

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V.

Defendant

**DEPARTMENT OF HOMELAND
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Defendant

**U.S. CUSTOMS AND BORDER
PROTECTION**

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Dedra Seibel Curteman
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Date Filed	#	Docket Text
06/24/2021	<u>1</u>	COMPLAINT against DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION (Filing fee \$ 402 receipt number ADCDC-8554939) filed by REED SMITH LLP. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Civil Cover Sheet, # <u>6</u> Summons Department of Homeland Security, # <u>7</u> Summons U.S. Customs and Border Protection)(Herbst, Daniel) (Entered: 06/24/2021)
06/25/2021		Case Assigned to Judge Carl J. Nichols. (znm) (Entered: 06/25/2021)
06/25/2021	<u>2</u>	SUMMONS (2) Issued Electronically as to DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION. (Attachment: # <u>1</u> Notice and Consent)(znm) (Entered: 06/25/2021)
06/28/2021	<u>3</u>	ERRATA to Complaint by REED SMITH LLP re <u>1</u> Complaint, filed by REED SMITH LLP. (Attachments: # <u>1</u> Exhibit 1 - Corrected Complaint)(Herbst, Daniel) (Entered: 06/28/2021)
06/29/2021	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Jennifer R. Fearnow, Filing fee \$ 100, receipt number ADCDC-8562842. Fee Status: Fee Paid. by REED SMITH LLP. (Attachments: # <u>1</u> Declaration of Jennifer R. Fearnow, # <u>2</u> Text of Proposed Order)(Herbst, Daniel) (Entered: 06/29/2021)
06/29/2021	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Jesse L. Miller, Filing fee \$ 100, receipt number ADCDC-8562907. Fee Status: Fee Paid. by REED SMITH LLP. (Attachments: # <u>1</u> Declaration of Jesse L. Miller, # <u>2</u> Text of Proposed Order)(Herbst, Daniel) (Entered: 06/29/2021)

07/16/2021	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF HOMELAND SECURITY served on 7/2/2021; U.S. CUSTOMS AND BORDER PROTECTION served on 7/2/2021, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/6/2021. (Answer due for ALL FEDERAL DEFENDANTS by 8/5/2021.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 07/02/2021. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Herbst, Daniel) (Entered: 07/16/2021)
07/19/2021		MINUTE ORDER. The Court having considered Plaintiff's <u>4</u> Motion For Admission <i>Pro Hac Vice</i> of Jennifer R. Fearnow, and it appearing to the Court that the attorney referenced therein meets the requirements for <i>pro hac vice</i> admission under Local Civil Rule 83.2(d), it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that Jennifer R. Fearnow is ADMITTED to practice before the Court <i>pro hac vice</i> . Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Carl J. Nichols on July 19, 2021. (lccjn1) (Entered: 07/19/2021)
07/19/2021		MINUTE ORDER. The Court having considered Plaintiff's <u>6</u> Motion For Admission <i>Pro Hac Vice</i> of Jesse L. Miller, and it appearing to the Court that the attorney referenced therein meets the requirements for <i>pro hac vice</i> admission under Local Civil Rule 83.2(d), it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that Jesse L. Miller is ADMITTED to practice before the Court <i>pro hac vice</i> . Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Carl J. Nichols on July 19, 2021. (lccjn1) (Entered: 07/19/2021)
07/23/2021	<u>7</u>	NOTICE of Appearance by Jennifer R. Fearnow on behalf of REED SMITH LLP (Fearnow, Jennifer) (Entered: 07/23/2021)
07/23/2021	<u>8</u>	NOTICE of Appearance by Jesse Luke Miller on behalf of REED SMITH LLP (Miller, Jesse) (Entered: 07/23/2021)
08/06/2021	<u>9</u>	ANSWER to Complaint by DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION.(Tilghman, Michael) (Entered: 08/06/2021)
08/26/2021		MINUTE ORDER. Before the Court in this Freedom of Information Act case are a Complaint and an Answer. According to Local Civil Rule 16.3, the requirements of Federal Rule of Civil Procedure 26(f) are inapplicable. It is hereby ORDERED that the Parties shall confer and file a Joint Status Report on or before September 16, 2021. The Joint Status Report shall address: (1) the status of Plaintiffs FOIA request; (2) the anticipated number of documents responsive to Plaintiffs 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); (5) the possibility of prioritizing documents responsive to Plaintiffs request[s] and any discussions regarding whether Plaintiffs request[s] can be narrowed; and (6) whether the Parties anticipate summary judgment briefing and, if so, a proposed briefing schedule.Signed by Judge Carl J. Nichols on August 26, 2021. (lccjn1) (Entered: 08/26/2021)
08/26/2021		Set/Reset Deadlines: Joint Status Report due by 9/16/2021. (zcal) (Entered: 08/27/2021)
08/26/2021		Set/Reset Deadlines: Response due by 9/15/2021. Reply due by 10/15/2021. (zcal) (Entered: 08/27/2021)
09/16/2021	<u>10</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION. (Tilghman, Michael) (Entered: 09/16/2021)
09/17/2021		MINUTE ORDER. Upon consideration of the Parties' <u>10</u> Joint Status Report, it is ORDERED that the Parties shall file by October 18, 2021 an additional joint status report advising the Court of the status of this matter and including a recommendation for further proceedings. Signed by Judge Carl J. Nichols on September 17, 2021. (lccjn1) (Entered: 09/17/2021)

09/17/2021		Set/Reset Deadlines: Joint Status Report due by 10/18/2021. (zcal) (Entered: 09/17/2021)
10/18/2021	<u>11</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION. (Tilghman, Michael) (Entered: 10/18/2021)
10/19/2021		MINUTE ORDER. Upon consideration of the <u>11</u> Joint Status Report, it is ORDERED that the Parties submit an additional joint status report by November 30, 2021. Signed by Judge Carl J. Nichols on October 19, 2021. (lccjn1) (Entered: 10/19/2021)
10/19/2021		Set/Reset Deadlines: Joint Status Report due by 11/30/2021. (zcal) (Entered: 10/20/2021)
11/30/2021	<u>12</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION. (Tilghman, Michael) (Entered: 11/30/2021)
12/01/2021		MINUTE ORDER. Upon consideration of the <u>12</u> Joint Status Report, it is ORDERED that the Parties shall file, by January 31, 2022, an additional joint status report, including a proposal for further proceedings. Signed by Judge Carl J. Nichols on December 1, 2021. (lccjn1) (Entered: 12/01/2021)
01/31/2022	<u>13</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION. (Tilghman, Michael) (Entered: 01/31/2022)
02/02/2022		MINUTE ORDER. Upon consideration of the <u>13</u> Joint Status Report, it is ORDERED that the Parties shall file, by April 1, 2022, an additional joint status report, including a proposal for further proceedings. Signed by Judge Carl J. Nichols on February 2, 2022. (lccjn1) (Entered: 02/02/2022)
04/01/2022	<u>14</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION. (Tilghman, Michael) (Entered: 04/01/2022)
04/05/2022		MINUTE ORDER. Upon consideration of the <u>14</u> Joint Status Report, it is ORDERED that the Parties shall file, by June 24, 2022, an additional joint status report, including a proposal for further proceedings. Signed by Judge Carl J. Nichols on April 5, 2022. (lccjn1) (Entered: 04/05/2022)
06/24/2022	<u>15</u>	NOTICE of Appearance by Dedra Seibel Curteman on behalf of All Defendants (Curteman, Dedra) (Entered: 06/24/2022)
06/24/2022	<u>16</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION. (Curteman, Dedra) (Entered: 06/24/2022)
06/30/2022		MINUTE ORDER. Upon consideration of the <u>16</u> Joint Status Report, it is ORDERED that the Parties shall file, by August 23, 2022, an additional joint status report, including a proposal for further proceedings. Signed by Judge Carl J. Nichols on June 30, 2022. (lccjn1) (Entered: 06/30/2022)
07/05/2022	<u>17</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION. Attorney Dedra Seibel Curteman terminated. (Curteman, Dedra) (Entered: 07/05/2022)
08/23/2022	<u>18</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION. (Tilghman, Michael) (Entered: 08/23/2022)
08/26/2022		MINUTE ORDER. Upon consideration of the <u>18</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional joint status report by October 24, 2022, and every 60 days thereafter until either party moves for a briefing schedule for dispositive motions, files a dispositive motion, or the case is terminated. Signed by Judge Carl J. Nichols on August 26, 2022. (lccjn1) (Entered: 08/26/2022)
08/26/2022		Set/Reset Deadlines: Joint Status Report due by 10/24/2022. (zcal) (Entered: 08/26/2022)

09/19/2022	<u>19</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Kenneth A. Adebonojo on behalf of DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION Substituting for attorney Michael A. Tilghman II (Adebonojo, Kenneth) (Entered: 09/19/2022)
12/07/2022		MINUTE ORDER. Pursuant to the Court's previous order on August 26, 2022, ordering an additional joint status report to be filed on October 24, 2022, and every 60 days thereafter, the Parties are ORDERED to file a joint status report by December 23, 2022, including an explanation of why a joint status report was not filed on October 24, 2022. Signed by Judge Carl J. Nichols on December 7, 2022. (lccjn1) (Entered: 12/07/2022)
12/23/2022	<u>20</u>	Joint STATUS REPORT by REED SMITH LLP. (Herbst, Daniel) (Entered: 12/23/2022)
02/21/2023	<u>21</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION. (Adebonojo, Kenneth) (Entered: 02/21/2023)
04/20/2023	<u>22</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION. (Adebonojo, Kenneth) (Entered: 04/20/2023)
06/20/2023	<u>23</u>	Joint STATUS REPORT by REED SMITH LLP. (Herbst, Daniel) (Entered: 06/20/2023)
08/16/2023	<u>24</u>	STIPULATION of Dismissal (<i>Joint</i>) by REED SMITH LLP. (Herbst, Daniel) (Entered: 08/16/2023)