

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-02538-RDM**

MARTINEZ v. U.S. DEPARTMENT OF JUSTICE et al
Assigned to: Judge Randolph D. Moss
Cause: 05:552 Freedom of Information Act

Date Filed: 08/22/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

FREDDY MARTINEZ

represented by **Joshua Hart Burday**
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TERMINATED: 01/25/2022
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V.

Defendant

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Defendant

**FEDERAL BUREAU OF
INVESTIGATION**

represented by **Marsha Wellknown Yee**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/22/2019	<u>1</u>	COMPLAINT against FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-6337305) filed by FREDDY MARTINEZ. (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 Civil Cover Sheet, # <u>7</u> Summons)(Topic, Matthew) (Entered: 08/22/2019)
08/22/2019	<u>2</u>	NOTICE of Appearance by Matthew Topic on behalf of FREDDY MARTINEZ (Topic, Matthew) (Entered: 08/22/2019)
08/22/2019	<u>3</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of FREDDY MARTINEZ (Wayne, Merrick) (Entered: 08/22/2019)
08/27/2019		Case Assigned to Judge Randolph D. Moss. (zeg) (Entered: 08/27/2019)
08/27/2019	<u>4</u>	SUMMONS (4) Issued Electronically as to FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zeg) (Entered: 08/27/2019)
08/29/2019	<u>5</u>	STANDING ORDER: The parties are hereby ORDERED to comply with the directives set forth in the attached Standing Order. See document for details. Signed by Judge Randolph D. Moss on 08/29/19. (lcrdm3,) (Entered: 08/29/2019)
09/16/2019	<u>6</u>	NOTICE of Appearance by Marsha Wellknown Yee on behalf of FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE (Yee, Marsha) (Entered: 09/16/2019)
09/18/2019	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 9/3/2019 (Topic, Matthew) (Entered: 09/18/2019)
09/18/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL BUREAU OF INVESTIGATION served on 9/3/2019 (Topic, Matthew) (Entered: 09/18/2019)
09/18/2019	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 9/3/2019. (Topic, Matthew) (Entered: 09/18/2019)
09/18/2019	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/3/2019. Answer due for ALL FEDERAL DEFENDANTS by 10/3/2019. (Topic, Matthew) (Entered: 09/18/2019)
10/03/2019	<u>11</u>	ANSWER to Complaint by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE.(Yee, Marsha) (Entered: 10/03/2019)
10/03/2019		MINUTE ORDER: The parties are hereby ORDERED to appear at an Initial Scheduling Conference on October 24, 2019 at 11:00 a.m. in Courtroom 21. It is further ORDERED that the parties shall confer in advance of the Initial Scheduling Conference on (1) whether any records can be released, and (2) the proper next steps in this litigation. Signed by Judge Randolph D. Moss on 10/3/19. (lcrdm3,) (Entered: 10/03/2019)

10/03/2019		Set/Reset Hearings: Initial Scheduling Conference set for 10/24/2019 at 11:00 AM in Courtroom 28A before Judge Randolph D. Moss. (dot) (Entered: 10/04/2019)
10/22/2019	<u>12</u>	MOTION for Leave to Appear by Telephone <i>Unopposed Motion to Conduct Initial Scheduling Conference Telephonically</i> by FREDDY MARTINEZ (Attachments: # <u>1</u> Text of Proposed Order)(Burday, Joshua) (Entered: 10/22/2019)
10/23/2019		MINUTE ORDER: Upon consideration of Plaintiff's motion for leave to appear by telephone <u>12</u> , it is hereby ORDERED that the motion is GRANTED. Signed by Judge Randolph D. Moss on 10/23/19. (lcrdm3,) (Entered: 10/23/2019)
10/24/2019		Minute Entry for proceedings held before Judge Randolph D. Moss: Initial Scheduling Conference held on 10/24/2019. Joint Status Report due by 11/21/2019. (Court Reporter: Jeff Hook.) (kt) (Entered: 10/24/2019)
11/21/2019	<u>13</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 11/21/2019)
11/25/2019		MINUTE ORDER: In light of the parties' joint status report <u>13</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before March 19, 2020. Signed by Judge Randolph D. Moss on 11/25/19. (lcrdm3,) (Entered: 11/25/2019)
03/19/2020	<u>14</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 03/19/2020)
03/30/2020	<u>15</u>	Unopposed MOTION to Stay <i>Proceedings Until April 28, 2020</i> by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Michael G. Seidel Decl. dated Mar. 27, 2020, # <u>2</u> Text of Proposed Order)(Yee, Marsha) (Entered: 03/30/2020)
04/28/2020	<u>16</u>	STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> David M. Hardy Decl. dated Apr. 24, 2020)(Yee, Marsha) (Entered: 04/28/2020)
06/09/2020		MINUTE ORDER: Upon consideration of Defendant's unopposed motion to stay <u>15</u> , it is hereby ORDERED that the case is STAYED in light of the COVID-19 pandemic's impact on the FBI's ability to process records in response to Plaintiff's FOIA request. In light of the parties' joint status report <u>16</u> , it is further ORDERED that the parties shall confer and file, on or before June 22, 2020 a joint status report proposing a new production schedule in light of the Defendant's pandemic-related reduction in production capacity. Signed by Judge Randolph D. Moss on 6/9/20. (lcrdm3,) (Entered: 06/09/2020)
06/22/2020	<u>17</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 06/22/2020)
06/23/2020		MINUTE ORDER: In light of the parties' joint status report <u>17</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before December 10, 2020. Signed by Judge Randolph D. Moss on 6/23/20. (lcrdm3,) (Entered: 06/23/2020)
12/10/2020	<u>18</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 12/10/2020)
12/11/2020		MINUTE ORDER: In light of the parties' joint status report, Dkt. <u>18</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before January 13, 2021. Signed by Judge Randolph D. Moss on 12/11/2020. (lcrdm3) (Entered: 12/11/2020)
01/13/2021	<u>19</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 01/13/2021)
01/13/2021		MINUTE ORDER: In light of the parties' joint status report, Dkt. <u>19</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before April 28, 2021. Signed by Judge Randolph D. Moss on 1/13/2021. (lcrdm3) (Entered: 01/13/2021)

04/28/2021		MINUTE ORDER: On June 9, 2021, the Court ordered this case stayed "in light of the COVID-19 pandemic's impact on the FBI's ability to process records in response to Plaintiff's FOIA request." Minute Order (June 9, 2021). Given that the FBI has since begun processing records in response to Plaintiff's FOIA request, <i>see, e.g.</i> , Dkt. <u>16</u> , it is hereby ORDERED that the stay in this action is lifted. Signed by Judge Randolph D. Moss on 4/28/2021. (lcrdm3) (Entered: 04/28/2021)
04/28/2021	<u>20</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 04/28/2021)
04/28/2021		MINUTE ORDER: In light of the parties' joint status report, Dkt. <u>20</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before August 20, 2021. Signed by Judge Randolph D. Moss on 4/28/2021. (lcrdm3) (Entered: 04/28/2021)
08/19/2021	<u>21</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 08/19/2021)
08/19/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>21</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before November 22, 2021. Signed by Judge Randolph D. Moss on 08/19/2021. (lcrdm3) (Entered: 08/19/2021)
11/22/2021	<u>22</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 11/22/2021)
11/24/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>22</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before February 24, 2022. Signed by Judge Randolph D. Moss on 11/24/2021. (lcrdm3) (Entered: 11/24/2021)
01/25/2022	<u>23</u>	MOTION to Withdraw as Attorney for <i>Joshua Burday</i> by FREDDY MARTINEZ. (Attachments: # <u>1</u> Text of Proposed Order)(Topic, Matthew) (Entered: 01/25/2022)
01/25/2022		MINUTE ORDER: Upon consideration of plaintiff's motion to withdraw, Dkt. <u>23</u> , it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that Joshua Burday is GRANTED leave to withdraw as counsel for plaintiff in this matter. Signed by Judge Randolph D. Moss on 1/25/2022. (lcrdm3) (Entered: 01/25/2022)
02/24/2022	<u>24</u>	Joint STATUS REPORT by FREDDY MARTINEZ. (Topic, Matthew) (Entered: 02/24/2022)
02/25/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>24</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before May 24, 2022. Signed by Judge Randolph D. Moss on 2/25/2022. (lcrdm3) (Entered: 02/25/2022)
05/18/2022	<u>25</u>	NOTICE of Appearance by Joshua Loevy on behalf of FREDDY MARTINEZ (Loevy, Joshua) (Entered: 05/18/2022)
05/24/2022	<u>26</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 05/24/2022)
05/26/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>26</u> , it is hereby ORDERED that the parties shall file a further status report on or before October 20, 2022. Signed by Judge Randolph D. Moss on 05/26/2022. (lcrdm3) (Entered: 05/26/2022)
10/20/2022	<u>27</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 10/20/2022)
10/20/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>27</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before March 30, 2023. Signed by Judge Randolph D. Moss on 10/20/2022. (lcrdm3) (Entered: 10/20/2022)
03/27/2023	<u>28</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 03/27/2023)

03/27/2023		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>28</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before August 24, 2023. Signed by Judge Randolph D. Moss on 3/27/2023. (lcrdm3) (Entered: 03/27/2023)
08/23/2023	<u>29</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE. (Yee, Marsha) (Entered: 08/23/2023)
08/23/2023		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>29</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before January 24, 2024. Signed by Judge Randolph D. Moss on 08/23/2023. (lcrdm3) (Entered: 08/23/2023)