

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-01580-ABJ**

BAKAJ v. DEPARTMENT OF HOMELAND SECURITY
Assigned to: Judge Amy Berman Jackson
Cause: 05:552 Freedom of Information Act

Date Filed: 05/29/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**ANDREW BAKAJ**

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V.

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TERMINATED: 10/11/2022

Date Filed	#	Docket Text
05/29/2019	<u>1</u>	COMPLAINT against DEPARTMENT OF HOMELAND SECURITY (Filing fee \$ 400 receipt number 0090-6152948) filed by ANDREW BAKAJ. (Attachments: # <u>1</u>

		Civil Cover Sheet, # <u>2</u> Summons DHS, # <u>3</u> Summons USADC, # <u>4</u> Summons USAG)(Moss, Bradley) (Entered: 05/29/2019)
05/29/2019	<u>2</u>	Ex Parte MOTION File Complaint Using a Pseudonym and Using Counsel's Address by ANDREW BAKAJ (Attachments: # <u>1</u> Exhibit 1 – Moss Declaration, # <u>2</u> Text of Proposed Order)(Moss, Bradley) Modified event on 6/11/2019 (znmw). (Entered: 05/29/2019)
05/30/2019	<u>3</u>	NOTICE of Appearance by Mark Steven Zaid on behalf of ANDREW BAKAJ (Zaid, Mark) (Entered: 05/30/2019)
06/04/2019		Case Assigned to Judge Amy Berman Jackson. (zef,) (Entered: 06/04/2019)
06/04/2019	<u>4</u>	SUMMONS (3) Issued Electronically as to DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 06/04/2019)
06/26/2019	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 06/18/2019. (Attachments: # <u>1</u> Exhibit USAG receipt)(Moss, Bradley) (Entered: 06/26/2019)
06/26/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/18/2019. Answer due for ALL FEDERAL DEFENDANTS by 7/18/2019. (Attachments: # <u>1</u> Exhibit USADC receipt)(Moss, Bradley) (Entered: 06/26/2019)
07/08/2019	<u>7</u>	MOTION for Leave to File <i>First Amended Complaint</i> by ANDREW BAKAJ (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A – First Amended Complaint, # <u>3</u> Text of Proposed Order)(Moss, Bradley) (Entered: 07/08/2019)
07/18/2019	<u>8</u>	MOTION for Summary Judgment by DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Declaration)(Peterson, Benton) (Entered: 07/18/2019)
07/31/2019	<u>9</u>	NOTICE of Appearance by Benton Gregory Peterson on behalf of DEPARTMENT OF HOMELAND SECURITY (Peterson, Benton) (Entered: 07/31/2019)
07/31/2019	<u>10</u>	MOTION for Extension of Time to <i>File Response to Defendant's Motion for Summary Judgment</i> by ANDREW BAKAJ (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Moss, Bradley) (Entered: 07/31/2019)
08/01/2019		MINUTE ORDER. Plaintiff must inform the Court by tomorrow August 2, 2019 of the government's position on his motion for extension of time <u>10</u> in accordance with the local rules. See LCvR 7(m) (concerning parties' duty to confer on nondispositive motions). SO ORDERED. Signed by Judge Amy Berman Jackson on 08/01/2019. (lcabj3) (Entered: 08/01/2019)
08/01/2019	<u>11</u>	RESPONSE TO ORDER OF THE COURT by ANDREW BAKAJ (Moss, Bradley) Modified event title on 8/9/2019 (znmw). (Entered: 08/01/2019)
08/01/2019		MINUTE ORDER granting <u>10</u> Motion for Extension of Time. Plaintiff must file his response to defendant's motion for summary judgment by August 16, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 08/01/2019. (lcabj3) (Entered: 08/01/2019)
08/16/2019	<u>12</u>	Consent MOTION for Leave to File <i>First Amended Complaint</i> by ANDREW BAKAJ (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A – First Amended Complaint, # <u>3</u> Text of Proposed Order)(Moss, Bradley) (Entered: 08/16/2019)
08/20/2019		MINUTE ORDER granting <u>12</u> Consent Motion for Leave to File. The Clerk of Court is directed to file plaintiff's First Amended Complaint. Dkt. # 12–2. SO ORDERED. Signed by Judge Amy Berman Jackson on 08/20/2019. (lcabj3) (Entered: 08/20/2019)
08/20/2019	<u>13</u>	First AMENDED COMPLAINT against DEPARTMENT OF HOMELAND SECURITY filed by ANDREW BAKAJ.(jf) (Entered: 08/21/2019)
08/28/2019	<u>14</u>	ANSWER to <u>13</u> Amended Complaint by DEPARTMENT OF HOMELAND SECURITY.(Peterson, Benton) (Entered: 08/28/2019)

08/29/2019		MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure appear to be inapplicable. Defendant shall file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiff, on or before September 26, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 08/29/2019. (lcabj3) (Entered: 08/29/2019)
08/29/2019		MINUTE ORDER finding as moot <u>7</u> Motion for Leave to File. Signed by Judge Amy Berman Jackson on 08/29/2019. (lcabj3) (Entered: 08/29/2019)
08/29/2019		MINUTE ORDER finding as moot <u>8</u> Motion for Summary Judgment. Signed by Judge Amy Berman Jackson on 08/29/2019. (lcabj3) (Entered: 08/29/2019)
09/12/2019	<u>15</u>	MOTION to Modify <i>Minute Order Dated August 29, 2019</i> by ANDREW BAKAJ (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 09/12/2019)
09/26/2019	<u>16</u>	Memorandum in opposition to re <u>15</u> MOTION to Modify <i>Minute Order Dated August 29, 2019</i> filed by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Peterson, Benton) (Entered: 09/26/2019)
09/26/2019	<u>17</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 09/26/2019)
09/30/2019		MINUTE ORDER denying <u>15</u> Motion to Modify. In light of defendant's status report <u>17</u> which indicates that the government is still processing the FOIA request, the Court will deny without prejudice plaintiff's motion to revise the Court's August 29, 2019 Minute Order. SO ORDERED. Signed by Judge Amy Berman Jackson on 09/30/2019. (lcabj3) (Entered: 09/30/2019)
09/30/2019		MINUTE ORDER. In light of defendant's status report <u>17</u> , it is ORDERED that defendant shall file another status report by October 28, 2019. The parties are encouraged to revisit the possibility of narrowing plaintiff's request by agreement. Signed by Judge Amy Berman Jackson on 9/30/19. (DMK) (Entered: 09/30/2019)
09/30/2019		Set/Reset Deadlines: Defendant shall file another status report by 10/28/2019. The parties are encouraged to revisit the possibility of narrowing plaintiff's request by agreement. (jth) (Entered: 09/30/2019)
10/03/2019		MINUTE ORDER granting <u>2</u> Motion for Leave to File Complaint Using Counsel's Address. Plaintiff must file a notice under seal providing his home address to the Court by October 7, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/3/2019. (lcabj3,) (Entered: 10/03/2019)
10/03/2019		Set/Reset Deadlines: Plaintiff must file a notice under seal providing his home address to the Court by 10/7/2019. (jth) (Entered: 10/03/2019)
10/25/2019	<u>18</u>	MOTION for Extension of Time to (<i>Nunc Pro Tunc</i>) for an Extension of Time to Comply with the Court's October 3, 2019, Order by ANDREW BAKAJ (Attachments: # <u>1</u> Text of Proposed Order)(Moss, Bradley) (Entered: 10/25/2019)
10/25/2019		MINUTE ORDER granting <u>18</u> plaintiff's Nunc Pro Tunc Motion for Extension of Time. The plaintiff must file a notice under seal providing his home address to the Court by October 28, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/25/2019. (lcabj3) (Entered: 10/25/2019)
10/27/2019		Set/Reset Deadlines: The plaintiff must file a notice under seal providing his home address to the Court by 10/28/2019. (jth) (Entered: 10/27/2019)
10/28/2019	<u>19</u>	SEALED DOCUMENT filed by ANDREW BAKAJ(This document is SEALED and only available to authorized persons.)(Moss, Bradley) (Entered: 10/28/2019)
10/28/2019	<u>20</u>	NOTICE of Filing Under Seal by ANDREW BAKAJ (Moss, Bradley) (Entered: 10/28/2019)
10/28/2019	<u>21</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 10/28/2019)
10/30/2019		MINUTE ORDER. In light of the defendant's status report <u>21</u> , it is ORDERED that defendant shall submit another status report by December 4, 2019. Signed by Judge Amy Berman Jackson on 10/30/2019. (lcabj3) (Entered: 10/30/2019)

12/04/2019	<u>22</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 12/04/2019)
12/05/2019		MINUTE ORDER. In light of defendant's <u>22</u> status report, defendant must submit another status report by January 17, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/5/2019. (lcabj3) (Entered: 12/05/2019)
01/17/2020	<u>23</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 01/17/2020)
01/21/2020		MINUTE ORDER. In light of the parties' <u>23</u> joint status report, the parties must submit another status report by February 14, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/21/2020. (lcabj3) (Entered: 01/21/2020)
02/14/2020	<u>24</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 02/14/2020)
02/20/2020		MINUTE ORDER. In light of defendant's <u>24</u> status report, defendant must file another status report by March 17, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/20/2020. (lcabj3) (Entered: 02/20/2020)
03/17/2020	<u>25</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 03/17/2020)
03/17/2020	<u>26</u>	Consent MOTION to Stay <i>Production</i> by DEPARTMENT OF HOMELAND SECURITY (Peterson, Benton) (Entered: 03/17/2020)
03/18/2020		MINUTE ORDER. In light of defendant's <u>26</u> status report and consent motion to stay production, the ongoing production schedule is suspended pending further order of the Court, and the parties must file a status report by April 21, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 3/18/2020. (lcabj3) (Entered: 03/18/2020)
04/21/2020	<u>27</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 04/21/2020)
04/27/2020		MINUTE ORDER. In light of defendant's <u>27</u> status report, defendant must submit another status report by May 19, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/27/2020. (lcabj3) (Entered: 04/27/2020)
05/19/2020	<u>28</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 05/19/2020)
05/20/2020		MINUTE ORDER. In light of defendant's <u>28</u> status report, defendant must submit another status report by June 16, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/20/2020. (lcabj3) (Entered: 05/20/2020)
06/16/2020	<u>29</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 06/16/2020)
06/17/2020		MINUTE ORDER. In light of defendant's <u>29</u> status report, defendant must file another status report by July 14, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 6/17/2020. (lcabj3) (Entered: 06/17/2020)
07/14/2020	<u>30</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 07/14/2020)
07/15/2020		MINUTE ORDER. In light of defendant's <u>30</u> status report, defendant must submit another status report by August 11, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 7/15/2020. (lcabj3) (Entered: 07/15/2020)
08/11/2020	<u>31</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 08/11/2020)
08/13/2020		MINUTE ORDER. In light of defendant's <u>31</u> status report, it is ORDERED that defendant must file another status report by September 10, 2020. While the Court fully supports the agency's commitment to telework, it notes that it may be necessary for the agency to devise a method for complying with its FOIA obligations at the same time. SO ORDERED. Signed by Judge Amy Berman Jackson on 8/13/2020. (lcabj3) (Entered: 08/13/2020)

09/10/2020	<u>32</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Declaration)(Peterson, Benton) (Entered: 09/10/2020)
09/10/2020		MINUTE ORDER. In light of defendant's <u>32</u> status report, defendant must submit another status report by October 13, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/10/2020. (lcabj3) (Entered: 09/10/2020)
10/09/2020	<u>33</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 10/09/2020)
10/21/2020		MINUTE ORDER. In light of defendant's <u>33</u> status report, defendant must submit another status report by November 10, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/21/2020. (lcabj2) (Entered: 10/21/2020)
11/10/2020	<u>34</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 11/10/2020)
11/10/2020	<u>35</u>	RESPONSE re <u>34</u> STATUS REPORT filed by ANDREW BAKAJ. (Attachments: # <u>1</u> Exhibit 1 – DHS FOIA Letter)(Zaid, Mark) Modified on 11/11/2020 to correct docket text and add docket link (zjf). (Entered: 11/10/2020)
11/12/2020		MINUTE ORDER. In light of defendant's <u>34</u> status report, defendant must submit another status report by December 8, 2020. The Court further ORDERS that if defendant seeks another extension, it must provide more specific information about whether the SCIF is in use for any FOIA purposes at that time. Signed by Judge Amy Berman Jackson on 11/12/20. (lcabj2) (Entered: 11/12/2020)
12/08/2020	<u>36</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 12/08/2020)
12/08/2020		MINUTE ORDER. In light of defendant's <u>36</u> status report, defendant must submit another status report by January 8, 2021. Signed by Judge Amy Berman Jackson on 12/8/20. (lcabj2) (Entered: 12/08/2020)
12/08/2020	<u>37</u>	RESPONSE re <u>36</u> Status Report filed by ANDREW BAKAJ. (Zaid, Mark) (Entered: 12/08/2020)
01/08/2021	<u>38</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 01/08/2021)
01/08/2021	<u>39</u>	RESPONSE re <u>38</u> Status Report filed by ANDREW BAKAJ. (Zaid, Mark) (Entered: 01/08/2021)
01/08/2021		MINUTE ORDER. The Court recognizes that plaintiff has an ongoing interest in the timely receipt of the materials he has requested and in the timely adjudication of his case. But this is far from the only matter on the Court's calendar that has felt the impact of the international pandemic. The <u>36</u> status report filed by defendant on December 8, 2020, reflects that while it took a long time, the agency is taking steps to meet its FOIA obligations notwithstanding the ongoing disruption in its operations. Under all of the circumstances set forth in the <u>38</u> January 8, 2021 status report then, and after consideration of plaintiff's <u>39</u> response, defendant is ORDERED to complete its review of the documents in the SCIF and file an updated status report by February 8, 2021. Signed by Judge Amy Berman Jackson on 1/8/21. (lcabj2) (Entered: 01/08/2021)
02/08/2021	<u>40</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 02/08/2021)
02/08/2021	<u>41</u>	RESPONSE re <u>40</u> Status Report <i>and Request for Order to Show Cause</i> filed by ANDREW BAKAJ. (Attachments: # <u>1</u> Exhibit 1 – AUSA E–mail, # <u>2</u> Text of Proposed Order)(Zaid, Mark) (Entered: 02/08/2021)
02/08/2021	42	MOTION for Order to Show Cause Why Sanctions Are Not Appropriate by ANDREW BAKAJ. (See Docket Entry <u>41</u> to view documents) (zjf) (Entered: 02/09/2021)
02/09/2021		NOTICE OF ERROR re <u>41</u> Response to Document; emailed to Mark@MarkZaid.com, cc'd 8 associated attorneys -- The PDF file you docketed contained errors: 1. Two–part docket entry, 2. DO NOT REFILE(FYI)– Counsel is reminded to docket all

		parts of their pleading(s) (zjf,) (Entered: 02/09/2021)
02/09/2021		MINUTE ORDER. Upon review of defendant's <u>40</u> status report and plaintiff's <u>41</u> response, it is ORDERED that defendant must submit a further status report on March 17, 2021. It is FURTHER ORDERED that plaintiff's 42 "Motion for Order to Show Cause Why Sanctions Are Not Appropriate" is DENIED. Signed by Judge Amy Berman Jackson on 2/9/21. (lcabj2) (Entered: 02/09/2021)
03/17/2021	<u>43</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 03/17/2021)
03/18/2021		MINUTE ORDER. Upon review of defendant's <u>43</u> status report, it is ORDERED that defendant must submit a further status report by April 14, 2021. It is FURTHER ORDERED that if the consulting agency reviews are not complete by this time, the status report must include an explanation of why they are not. Signed by Judge Amy Berman Jackson on 3/18/21. (lcabj2) (Entered: 03/18/2021)
04/14/2021	<u>44</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Declaration)(Peterson, Benton) (Entered: 04/14/2021)
04/14/2021	<u>45</u>	RESPONSE re <u>44</u> Status Report filed by ANDREW BAKAJ. (Zaid, Mark) (Entered: 04/14/2021)
04/21/2021	<u>46</u>	ORDER. The Court ORDERS that defendant must provide another status report to the Court by May 21, 2021. If the report does not announce that the CIA's review of the two sets of records has been completed, defendant must supplement the report with the declaration of an individual with personal knowledge explaining why this has not occurred. See order for details. Signed by Judge Amy Berman Jackson on 4/21/21. (lcabj2) (Entered: 04/21/2021)
05/21/2021	<u>47</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 05/21/2021)
05/24/2021		MINUTE ORDER. In light of defendant's <u>47</u> status report, it is ORDERED that the parties meet and confer and advise the Court by June 14, 2021, whether there are any issues that remain to be resolved in this matter. If so, the parties should file a proposed schedule for briefing in this case by June 14, 2021. The parties' proposed briefing schedule should not anticipate the filing of simultaneous motions from each side; rather, it should propose dates for a dispositive motion, an opposition (and cross motion, if any, supported by a single memorandum), a reply (and cross-opposition, if any, supported by a single memorandum), and a cross-reply (if any). Dates contained in the report should be expressed as specific dates (month/day/year) rather than as time frames (e.g., "60 days after the entry of the scheduling order"). Signed by Judge Amy Berman Jackson on 5/24/21. (lcabj2) (Entered: 05/24/2021)
06/14/2021	<u>48</u>	Joint MOTION for Scheduling Order by ANDREW BAKAJ. (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 06/14/2021)
06/15/2021		MINUTE ORDER granting the parties' <u>48</u> joint motion for scheduling order. It is ORDERED that defendant's dispositive motion is due by September 9, 2021; plaintiff's opposition and cross motion, if any, to be supported by a single memorandum of points and authorities, is due by October 11, 2021; defendant's reply and cross opposition, if any, to be supported by a single memorandum of points and authorities, is due by November 1, 2021; and plaintiff's cross reply, if any, is due by November 22, 2021. Signed by Judge Amy Berman Jackson on 6/15/21. (lcabj2) (Entered: 06/15/2021)
09/07/2021	<u>49</u>	MOTION to Stay re Order on Motion for Scheduling Order,, Set/Reset Deadlines,, by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Peterson, Benton) (Entered: 09/07/2021)
09/07/2021	<u>50</u>	Memorandum in opposition to re <u>49</u> MOTION to Stay re Order on Motion for Scheduling Order,, Set/Reset Deadlines,, filed by ANDREW BAKAJ. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Zaid, Mark) (Entered: 09/07/2021)
09/09/2021		MINUTE ORDER. After considering both the motion <u>49</u> and opposition <u>50</u> , the Court will GRANT IN PART AND DENY IN PART the motion to stay <u>49</u> . The motion to suspend the schedule for the filing of dispositive motions will be granted, but the Court

		is not content to stay the case for an unspecified period of time and leave the matter pending as proposed by the defense. Plaintiff's consternation with the circumstances and the delay is justified, even if his snide, argumentative tone is not. There was apparent negligence on the government's part, but in the absence of any reason to believe that the error was intentional, it makes sense to adjust the briefing schedule to ensure that the recently located records are reviewed and processed. Moreover, the record reflects that plaintiff was afforded additional time in this case whenever he requested it. But the remaining record review needs to be completed in a timely, indeed accelerated, fashion, and the proposed schedule is unacceptable. Therefore, it is ORDERED that the schedule for the filing of dispositive motions set out in the Court's June 15, 2021 Minute Order is hereby SUSPENDED, and it is FURTHER ORDERED that the defendant, through the agency to which the records have been referred, will process and make four monthly productions of the remaining records beginning on October 15, 2021, and that the process will be completed by January 17, 2022. Defendant must file a status report with the Court on October 18, 2021, and every 30 days thereafter. Signed by Judge Amy Berman Jackson on 9/9/21. (lcabj2) (Entered: 09/09/2021)
10/18/2021	<u>51</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 10/18/2021)
10/19/2021		MINUTE ORDER. In light of defendant's <u>51</u> status report, defendant must submit another status report by November 18, 2021. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/19/2021. (lcabj2) (Entered: 10/19/2021)
11/18/2021	<u>52</u>	NOTICE of Appearance by Darrell C. Valdez on behalf of DEPARTMENT OF HOMELAND SECURITY (Valdez, Darrell) (Entered: 11/18/2021)
11/18/2021	<u>53</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Valdez, Darrell) (Entered: 11/18/2021)
11/18/2021		MINUTE ORDER. In light of defendant's <u>53</u> status report, defendant must submit another status report by December 17, 2021. SO ORDERED. Signed by Judge Amy Berman Jackson on 11/18/2021. (lcabj2) (Entered: 11/18/2021)
12/17/2021	<u>54</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Valdez, Darrell) (Entered: 12/17/2021)
12/23/2021		MINUTE ORDER. In light of defendant's <u>54</u> status report, defendant must submit another status report by January 24, 2022. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/23/2021. (lcabj2) (Entered: 12/23/2021)
01/24/2022	<u>55</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Valdez, Darrell) (Entered: 01/24/2022)
01/25/2022		MINUTE ORDER. In light of defendant's <u>55</u> status report, the parties must submit a joint status report by February 11, 2022, which includes a proposed schedule for further proceedings if necessary. SO ORDERED. Signed by Judge Amy Berman Jackson on 01/25/2022. (lcabj2) (Entered: 01/25/2022)
02/11/2022	<u>56</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Valdez, Darrell) (Entered: 02/11/2022)
02/14/2022		MINUTE ORDER. In light of defendant's <u>56</u> status report, defendant must submit another status report by March 11, 2022, if the case has not been resolved in the interim. SO ORDERED. Signed by Judge Amy Berman Jackson on 02/14/2022. (lcabj2) (Entered: 02/14/2022)
03/11/2022	<u>57</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Valdez, Darrell) (Entered: 03/11/2022)
03/11/2022		MINUTE ORDER. In light of defendant's <u>57</u> status report, the parties must submit a joint status report by March 25, 2022, which includes a proposed schedule for further proceedings if necessary. SO ORDERED. Signed by Judge Amy Berman Jackson on 03/11/2022. (lcabj2) (Entered: 03/11/2022)
03/25/2022	<u>58</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Valdez, Darrell) (Entered: 03/25/2022)

03/31/2022		MINUTE ORDER. In light of defendant's <u>58</u> status report, it is ORDERED that the parties must submit a status report, which is supposed to be a joint status report, by April 25, 2022. Signed by Judge Amy Berman Jackson on 03/31/2022. (lcabj2) (Entered: 03/31/2022)
04/25/2022	<u>59</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 04/25/2022)
04/27/2022		MINUTE ORDER. In light of the <u>59</u> joint status report, defendant's motion for summary judgment is due by July 25, 2022; plaintiff's opposition is due by August 25, 2022; and defendant's reply is due by September 15, 2022. The parties must also submit a joint status report by June 15, 2022. SO ORDERED. Signed by Judge Amy Berman Jackson on 04/27/2022. (lcabj2) (Entered: 04/27/2022)
06/16/2022	<u>60</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 06/16/2022)
07/22/2022	<u>61</u>	MOTION for Extension of Time to by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Peterson, Benton) (Entered: 07/22/2022)
07/26/2022		MINUTE ORDER granting the <u>61</u> Motion for Extension. Defendant must file its motion for summary judgment by September 26, 2022; plaintiff must file an opposition, combined with a cross-motion for summary judgment, if any, in a single memorandum of points and authorities, by October 26, 2022; defendant must file a reply and cross-opposition, if any, in a single memorandum of points and authorities, by November 16, 2022; and plaintiff must file a cross-reply, if any, by December 7, 2022. Defendant must also submit a status report by August 26, 2022. SO ORDERED. Signed by Judge Amy Berman Jackson on 07/26/2022. (lcabj2) (Entered: 07/26/2022)
08/25/2022	<u>62</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 08/25/2022)
08/25/2022		MINTUE ORDER. In light of the <u>62</u> status report, defendant must submit another status report by September 23, 2022. SO ORDERED. Signed by Judge Amy Berman Jackson on 08/25/2022. (lcabj2) (Entered: 08/25/2022)
09/23/2022	<u>63</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 09/23/2022)
09/23/2022	<u>64</u>	Unopposed MOTION for Extension of Time to File by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Peterson, Benton) (Entered: 09/23/2022)
09/23/2022		MINUTE ORDER granting <u>64</u> Motion for Extension of Time to File. Defendant's motion for summary judgment must be filed by October 6, 2022. SO ORDERED. Signed by Judge Amy Berman Jackson on 09/23/2022. (lcabj2) (Entered: 09/23/2022)
10/06/2022	<u>65</u>	Unopposed MOTION for Extension of Time to by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Peterson, Benton) (Entered: 10/06/2022)
10/07/2022		MINUTE ORDER granting <u>65</u> Motion for Extension of Time to File. Defendant's motion for summary judgment must be filed by October 7, 2022. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/07/2022. (lcabj2) (Entered: 10/07/2022)
10/07/2022	<u>66</u>	MOTION for Extension of Time to File by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Peterson, Benton) (Entered: 10/07/2022)
10/11/2022		MINUTE ORDER granting <u>66</u> Motion for Extension of Time to File. Defendant's motion for summary judgment must be filed by October 14, 2022. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/11/2022. (lcabj2) (Entered: 10/11/2022)
10/11/2022	<u>67</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to DEPARTMENT OF HOMELAND SECURITY. Attorney Darrell C. Valdez terminated. (Valdez, Darrell) (Entered: 10/11/2022)

10/14/2022	<u>68</u>	MOTION for Summary Judgment by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Declaration Rufus, # <u>2</u> Exhibit Vaughn Index, # <u>3</u> Declaration Blaine, # <u>4</u> Text of Proposed Order)(Peterson, Benton) (Entered: 10/14/2022)
10/26/2022	<u>69</u>	MOTION for Extension of Time to File Response/Reply to <i>Defendant's Motion for Summary Judgment</i> by ANDREW BAKAJ. (Attachments: # <u>1</u> Text of Proposed Order)(Moss, Bradley) (Entered: 10/26/2022)
10/26/2022		MINUTE ORDER granting <u>69</u> Motion for Enlargement of Time to Respond. Plaintiff must respond to the <u>68</u> motion by November 28, 2022. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/26/2022. (lcabj2) (Entered: 10/26/2022)
11/22/2022	<u>70</u>	MOTION to Stay <i>Briefing Schedule</i> by ANDREW BAKAJ. (Attachments: # <u>1</u> Text of Proposed Order)(Moss, Bradley) (Entered: 11/22/2022)
11/22/2022		MINUTE ORDER granting <u>70</u> Motion to Stay. It is ORDERED that the parties must submit a joint status report by January 6, 2023, if the case has not been dismissed in the interim. Signed by Judge Amy Berman Jackson on 11/22/2022. (lcabj2) (Entered: 11/22/2022)
01/06/2023	<u>71</u>	Joint STATUS REPORT by ANDREW BAKAJ. (Moss, Bradley) (Entered: 01/06/2023)
01/10/2023		MINUTE ORDER. In light of the <u>71</u> joint status report, plaintiff must respond to the <u>68</u> motion by February 6, 2023, and defendant must file a reply by March 8, 2023. SO ORDERED. Signed by Judge Amy Berman Jackson on 01/10/2023. (lcabj2) (Entered: 01/10/2023)
02/14/2023		MINUTE ORDER. On January 10, 2023, the Court ordered plaintiff to respond to the <u>68</u> motion for summary judgment by February 6, 2023. As of February 14, 2023, plaintiff has failed to respond or file a motion for extension of time. If plaintiff does not respond to the <u>68</u> motion by February 27, 2023, the Court may accept as undisputed defendant's Statement of Material Facts Not In Genuine Dispute, and may grant the motion without the benefit of the plaintiff's position. SO ORDERED. Signed by Judge Amy Berman Jackson on 02/14/2023. (lcabj2) (Entered: 02/14/2023)
02/23/2023	<u>72</u>	ERRATA by DEPARTMENT OF HOMELAND SECURITY re <u>68</u> Motion for Summary Judgment. (Attachments: # <u>1</u> Exhibit)(Peterson, Benton) (Entered: 02/23/2023)
02/27/2023	<u>73</u>	Memorandum in opposition to re <u>68</u> Motion for Summary Judgment filed by ANDREW BAKAJ. (Attachments: # <u>1</u> Statement of Facts Response to Statement of Facts, # <u>2</u> Exhibit 1 – May 2022 ROI, # <u>3</u> Exhibit 2 – Original ROI, # <u>4</u> Text of Proposed Order Proposed Order)(Zaid, Mark) (Entered: 02/27/2023)
03/02/2023	<u>74</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>68</u> MOTION for Summary Judgment by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Peterson, Benton) (Entered: 03/02/2023)
03/02/2023		MINUTE ORDER granting <u>74</u> Motion for Extension of Time to File Response/Reply. Defendant must file a reply in support of the <u>68</u> motion for summary judgment by March 27, 2023. SO ORDERED. Signed by Judge Amy Berman Jackson on 03/02/2023. (lcabj2) (Entered: 03/02/2023)
03/27/2023	<u>75</u>	MOTION for Extension of Time to File by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Peterson, Benton) (Entered: 03/27/2023)
03/28/2023	<u>76</u>	REPLY to opposition to motion re <u>68</u> MOTION for Summary Judgment filed by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) Modified to add link on 3/29/2023 (znmw). (Entered: 03/28/2023)
03/28/2023		MINUTE ORDER granting <u>75</u> Motion for Extension of Time to File Reply. Defendant's reply <u>76</u> , filed on March 28, 2023, is therefore deemed timely. SO ORDERED. Signed by Judge Amy Berman Jackson on 03/28/2023. (lcabj2) (Entered: 03/28/2023)
09/19/2023	<u>77</u>	ORDER. For the reasons stated in the accompanying Memorandum Opinion, it is ORDERED that defendant's Motion for Summary Judgment <u>68</u> is GRANTED.This is

		a final, appealable order. See Order for details. SO ORDERED. Signed by Judge Amy Berman Jackson on 09/19/2023. (lcabj2) (Entered: 09/19/2023)
09/19/2023	<u>78</u>	MEMORANDUM OPINION. Signed by Judge Amy Berman Jackson on 09/19/2023. (lcabj2) (Entered: 09/19/2023)