

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:22-cv-00321-CJN**

JAMES MADISON PROJECT et al v. CENTRAL
INTELLIGENCE AGENCY
Assigned to: Judge Carl J. Nichols
Cause: 05:552 Freedom of Information Act

Date Filed: 02/07/2022
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

JAMES MADISON PROJECT

represented by **Bradley Prescott Moss**
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Plaintiff

BRIAN J. KAREM

represented by **Bradley Prescott Moss**
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LEAD ATTORNEY
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Mark Steven Zaid
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V.

Defendant

**CENTRAL INTELLIGENCE
AGENCY**

represented by **Joseph John DeMott**
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TERMINATED: 02/13/2023
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Date Filed	#	Docket Text
02/07/2022	<u>1</u>	COMPLAINT against BRIAN J. KAREM (Filing fee \$ 402 receipt number ADCDC-9029157) filed by BRIAN J. KAREM. (Attachments: # <u>1</u> Civil Cover Sheet Civil Cover Sheet, # <u>2</u> Summons Summons – CIA, # <u>3</u> Summons Summons – AG, # <u>4</u> Summons Summons – USAO DC)(Zaid, Mark) (Entered: 02/07/2022)
02/08/2022		Case Assigned to Judge Carl J. Nichols. (znmg) (Entered: 02/08/2022)
02/15/2022	<u>2</u>	SUMMONS (3) Issued Electronically as to CENTRAL INTELLIGENCE AGENCY, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(znmg) (Entered: 02/15/2022)
02/22/2022	<u>3</u>	NOTICE of Appearance by Bradley Prescott Moss on behalf of JAMES MADISON PROJECT, BRIAN J. KAREM (Moss, Bradley) (Entered: 02/22/2022)
02/22/2022	<u>4</u>	AMENDED COMPLAINT against CENTRAL INTELLIGENCE AGENCY filed by JAMES MADISON PROJECT, BRIAN J. KAREM. (Attachments: # <u>1</u> Exhibit FAC-redlined)(Moss, Bradley) (Entered: 02/22/2022)
03/29/2022	<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 3/29/2022. Answer due for ALL FEDERAL DEFENDANTS by 4/28/2022. (Zaid, Mark) (Entered: 03/29/2022)
04/01/2022	<u>6</u>	ANSWER to <u>4</u> Amended Complaint by CENTRAL INTELLIGENCE AGENCY.(Newman, Lisa) (Entered: 04/01/2022)
04/05/2022		MINUTE ORDER. Before the Court in this Freedom of Information Act case are an Amended Complaint and an Answer. Pursuant 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 April 29, 2022. The Joint Status Report shall address: (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's 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 Plaintiff's requests and any discussions regarding whether Plaintiff's requests 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 April 5, 2022. (lccjn1) (Entered: 04/05/2022)
04/29/2022	<u>7</u>	Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY. (Newman, Lisa) (Entered: 04/29/2022)
05/02/2022		MINUTE ORDER. Upon consideration of the <u>7</u> Joint Status Report, it is ORDERED that the Parties shall file, by June 30, 2022, an additional joint status report, including a proposal for further proceedings. Signed by Judge Carl J. Nichols on May 2, 2022. (lccjn1) (Entered: 05/02/2022)
06/30/2022	<u>8</u>	Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY. (Newman, Lisa) (Entered: 06/30/2022)
07/06/2022		MINUTE ORDER. Upon consideration of the <u>8</u> Joint Status Report, it is ORDERED that the Parties shall file, by September 14, 2022, an additional joint status report, including a proposal for further proceedings. The Court notes that disagreements about production schedules may be noted in status reports, but the Court does not intend to resolve production-pace disagreements without a motion. Signed by Judge Carl J. Nichols on July 6, 2022. (lccjn1) (Entered: 07/06/2022)

08/20/2022	<u>9</u>	STANDING ORDER. Signed by Judge Carl J. Nichols on August 20, 2022. (lccjn1) (Entered: 08/20/2022)
09/14/2022	<u>10</u>	Joint STATUS REPORT by JAMES MADISON PROJECT, BRIAN J. KAREM. (Zaid, Mark) (Entered: 09/14/2022)
09/16/2022		NOTICE OF ERROR re <u>10</u> Status Report; emailed to Mark@MarkZaid.com, cc'd 3 associated attorneys -- The PDF file you docketed contained errors: 1. Please note the following for future filings; do not refile document , 2. FYI: DO NOT REFILE. Attorney signature must match ECF login/password in all future filings. (zed,) (Entered: 09/16/2022)
09/16/2022	<u>11</u>	Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY. (Newman, Lisa) (Entered: 09/16/2022)
09/19/2022		MINUTE ORDER. Upon review of the <u>11</u> Joint Status Report, it is ORDERED that Defendant shall file a Motion for Summary Judgment by November 10, 2022; Plaintiffs shall file a response by December 1, 2022; and Defendant shall file a reply, if any, by December 14, 2022. Signed by Judge Carl J. Nichols on September 19, 2022. (lccjn1) (Entered: 09/19/2022)
09/19/2022		Set/Reset Deadlines: Summary Judgment motions due by 11/10/2022. Response to Motion for Summary Judgment due by 12/1/2022. Reply to Motion for Summary Judgment due by 12/4/2022. (zcal) (Entered: 09/22/2022)
11/04/2022	<u>12</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Joseph John DeMott on behalf of All Defendants Substituting for attorney Lisa Newman (DeMott, Joseph) (Entered: 11/04/2022)
11/04/2022	<u>13</u>	MOTION for Extension of Time to <i>File Summary Judgment Brief</i> by CENTRAL INTELLIGENCE AGENCY. (DeMott, Joseph) (Entered: 11/04/2022)
11/09/2022		MINUTE ORDER. Upon consideration of Defendant's <u>13</u> Motion for Extension of Time, it is ORDERED that the Motion is GRANTED. It is further ORDERED that Defendant shall file a Motion for Summary Judgment by December 1, 2022; Plaintiffs shall file a response by December 22, 2022; and Defendant shall file a reply, if any, by January 12, 2023. Signed by Judge Carl J. Nichols on November 9, 2022. (lccjn1) (Entered: 11/09/2022)
12/01/2022	<u>14</u>	MOTION for Summary Judgment by CENTRAL INTELLIGENCE AGENCY. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration, # <u>3</u> Text of Proposed Order)(DeMott, Joseph) (Entered: 12/01/2022)
12/20/2022	<u>15</u>	Consent MOTION for Extension of Time to <i>File Opposition to Defendant's Motion for Summary Judgment</i> by JAMES MADISON PROJECT, BRIAN J. KAREM. (Attachments: # <u>1</u> Text of Proposed Order)(Moss, Bradley) (Entered: 12/20/2022)
12/21/2022		MINUTE ORDER. Upon consideration of Plaintiffs' <u>15</u> Motion for Modification to Existing Briefing Schedule, it is ORDERED that the Motion is GRANTED. It is further ordered that Plaintiffs shall file a response to Defendant's <u>14</u> Motion for Summary Judgment by January 12, 2023, and Defendant shall file a reply, if any, by February 2, 2023. Signed by Judge Carl J. Nichols on December 21, 2022. (lccjn1) (Entered: 12/21/2022)
01/12/2023	<u>16</u>	Memorandum in opposition to re <u>14</u> Motion for Summary Judgment filed by JAMES MADISON PROJECT, BRIAN J. KAREM. (Attachments: # <u>1</u> Statement of Facts Response, # <u>2</u> Text of Proposed Order)(Moss, Bradley) (Entered: 01/12/2023)
02/02/2023	<u>17</u>	REPLY to opposition to motion re <u>14</u> MOTION for Summary Judgment filed by CENTRAL INTELLIGENCE AGENCY. (DeMott, Joseph) (Entered: 02/02/2023)
02/03/2023		RESOLVED...NOTICE of Provisional/Government Not Certified Status re <u>17</u> REPLY to opposition to motion re <u>14</u> MOTION for Summary Judgment filed by CENTRAL INTELLIGENCE AGENCY. (DeMott, Joseph). Your attorney renewal/government certification has not been received. As a result, your membership with the U.S. District & Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Civil Rule 83.9, you must immediately correct your membership status by following

		<p>the appropriate instructions on this page of our website: https://www.dcd.uscourts.gov/attorney-renewal.</p> <p>Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 2/10/2023. (zbaj) Modified on 2/7/2023 (zbaj). (Entered: 02/03/2023)</p>
02/13/2023	<u>18</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Lisa Newman on behalf of CENTRAL INTELLIGENCE AGENCY Substituting for attorney Joseph DeMott (Newman, Lisa) (Entered: 02/13/2023)
05/22/2023		MINUTE ORDER. It is ORDERED that the Parties shall appear for oral argument on Defendant's <u>14</u> Motion for Summary Judgment on June 6, 2023, at 10:00 a.m. in Courtroom 17. Signed by Judge Carl J. Nichols on May 22, 2023. (lccjn1) (Entered: 05/22/2023)
06/06/2023		Set/Reset Hearings: Motion Hearing set for 6/6/2023 at 10:00 AM in Courtroom 17– In Person before Judge Carl J. Nichols. (mac) (Entered: 06/06/2023)
06/12/2023	<u>19</u>	NOTICE OF FILING REDACTED DOCUMENT & <i>Withdrawal of Argument</i> by JAMES MADISON PROJECT, BRIAN J. KAREM (Attachments: # <u>1</u> Exhibit 1 – CIA Release #1, # <u>2</u> Exhibit 2 – CIA Release #2)(Zaid, Mark) (Entered: 06/12/2023)
06/22/2023		MINUTE ORDER. It is ORDERED that the Parties shall appear for oral argument on Defendant's <u>14</u> Motion for Summary Judgment on July 14, 2023, at 10:00 A.M. in Courtroom 17. Signed by Judge Carl J. Nichols on June 22, 2023. (lccjn1) (Entered: 06/22/2023)
06/28/2023		MINUTE ORDER. It is ORDERED that the oral argument scheduled for July 14, 2023, is CONTINUED until July 31, 2023, at 1:00 P.M. in Courtroom 17. Signed by Judge Carl J. Nichols on June 28, 2023. (lccjn1) (Entered: 06/28/2023)
07/30/2023	<u>20</u>	NOTICE of Filing of Relevant Government Document for Judicial Notice by JAMES MADISON PROJECT, BRIAN J. KAREM (Attachments: # <u>1</u> Exhibit 1 – Updated IC AHI Assessment)(Zaid, Mark) (Entered: 07/30/2023)
07/31/2023		Minute Entry for proceedings held before Judge Carl J. Nichols: Motion Hearing held on 7/31/2023 re <u>14</u> MOTION for Summary Judgment filed by CENTRAL INTELLIGENCE AGENCY. Defendant's submission due by 10/2/2023. Court Reporter: Lorraine Herman. (zcam) (Entered: 07/31/2023)
08/11/2023		MINUTE ORDER. It is ORDERED that this case is STAYED pending the Government's submission, if any, due by October 2, 2023. Signed by Judge Carl J. Nichols on August 11, 2023. (lccjn1) (Entered: 08/11/2023)
10/02/2023	<u>21</u>	NOTICE of Lodging by CENTRAL INTELLIGENCE AGENCY (Newman, Lisa) (Entered: 10/02/2023)
10/06/2023		MINUTE ORDER. Upon consideration of the <u>21</u> Notice of Lodging, it is hereby ORDERED that the stay of the case is VACATED. So ORDERED by Judge Carl J. Nichols on October 6, 2023. (lccjn1) (Entered: 10/06/2023)