

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:23-cv-06286-JGK**

American Civil Liberties Union Foundation v. United States
Immigration and Customs Enforcement et al
Assigned to: Judge John G. Koeltl
Cause: 05:552 Freedom of Information Act

Date Filed: 07/20/2023
Date Terminated: 10/25/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: Federal Question

Plaintiff

**American Civil Liberties Union
Foundation**

represented by **Emma Curtis Winger**
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V.

Defendant

**United States Department of Homeland
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Defendant

**United States Immigration and
Customs Enforcement**

represented by **Jessica F. Rosenbaum**
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Date Filed	#	Docket Text
07/20/2023	<u>1</u>	COMPLAINT against United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Filing Fee \$ 402.00, Receipt Number ANYSDC-28031271)Document filed by American Civil Liberties Union Foundation..(Belsher, Amy) (Entered: 07/20/2023)
07/20/2023	<u>2</u>	FILING ERROR – DUPLICATE DOCKET ENTRY –COMPLAINT against United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Filing Fee \$ 402.00, Receipt Number ANYSDC-28031332)Document filed by American Civil Liberties Union Foundation. (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, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H).(Belsher, Amy) Modified on 7/21/2023 (pc). (Entered: 07/20/2023)
07/20/2023	<u>3</u>	CIVIL COVER SHEET filed..(Belsher, Amy) (Entered: 07/20/2023)
07/20/2023	<u>4</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by American Civil Liberties Union Foundation..(Belsher, Amy) (Entered: 07/20/2023)
07/21/2023		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge John G. Koeltl. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district–judges . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at https://nysd.uscourts.gov/rules/ecf–related–instructions.. (pc) (Entered: 07/21/2023)
07/21/2023		Magistrate Judge Katharine H. Parker is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018–06/AO–3.pdf . (pc) (Entered: 07/21/2023)
07/21/2023		Case Designated ECF. (pc) (Entered: 07/21/2023)
07/21/2023		***NOTICE TO ATTORNEY REGARDING DEFICIENT PLEADING. Notice to Attorney Amy Belsher to RE–FILE Document No. <u>2</u> Complaint,. The filing is deficient for the following reason(s): Complaint was already filed and accepted. An Amended Complaint can be filed with the exhibits attached or leave from Judge's Chambers can be acquired to file a Corrected Complaint. (pc) (Entered: 07/21/2023)
07/21/2023	<u>5</u>	LETTER MOTION for Leave to File Corrected Complaint addressed to Judge John G. Koeltl from Amy Belsher dated 07/21/2023. Document filed by American Civil Liberties Union Foundation..(Belsher, Amy) (Entered: 07/21/2023)
07/24/2023	<u>6</u>	ORDER granting <u>5</u> Letter Motion for Leave to File Document. APPLICATION GRANTED. SO ORDERED. (Signed by Judge John G. Koeltl on 7/24/2023) (rro) (Entered: 07/24/2023)
07/25/2023	<u>7</u>	CORRECTED COMPLAINT against United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Filing Fee \$ 402.00, Receipt Number ANYSDC-28048681)Document filed by American Civil Liberties Union Foundation. (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, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H).(Belsher, Amy) Modified on 7/26/2023 (pc). (Entered: 07/25/2023)
07/25/2023	<u>8</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Immigration and Customs Enforcement, re: <u>7</u> Complaint,. Document filed by American Civil Liberties Union Foundation..(Belsher, Amy) (Entered: 07/25/2023)
07/25/2023	<u>9</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of Homeland Security, re: <u>7</u> Complaint,. Document filed by American Civil Liberties Union Foundation..(Belsher, Amy) (Entered: 07/25/2023)
07/26/2023	<u>10</u>	MOTION for Emma Curtis Winger to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC–28057420. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Affidavit of Emma Winger, # <u>2</u> Exhibit Certificates of Good Standing, # <u>3</u> Proposed Order Granting Motion for Pro Hac Vice Admission).(Winger, Emma) (Entered: 07/26/2023)
07/26/2023	<u>11</u>	ELECTRONIC SUMMONS ISSUED as to United States Immigration and Customs Enforcement..(pc) (Entered: 07/26/2023)
07/26/2023	<u>12</u>	ELECTRONIC SUMMONS ISSUED as to United States Department of Homeland Security..(pc) (Entered: 07/26/2023)
07/26/2023		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>10</u> MOTION for Emma Curtis Winger to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC–28057420. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (sgz) (Entered: 07/26/2023)
07/27/2023	<u>13</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>10</u> Motion for Emma Curtis Winger to Appear Pro Hac Vice. (Signed by Judge John G. Koeltl on 7/27/2023) (ama) (Entered: 07/27/2023)
07/28/2023		Minute Entry for proceedings held before Judge John G. Koeltl: Initial Conference set for 11/15/2023 at 03:00 PM before Judge John G. Koeltl. Dial-in: 888 363–4749, with access code 8140049. (Fletcher, Donnie) (Entered: 07/28/2023)
07/28/2023	<u>14</u>	NOTICE OF APPEARANCE by Emma Curtis Winger on behalf of American Civil Liberties Union Foundation..(Winger, Emma) (Entered: 07/28/2023)
07/31/2023	<u>15</u>	NOTICE OF APPEARANCE by Raul A. Pinto on behalf of American Civil Liberties Union Foundation..(Pinto, Raul) (Entered: 07/31/2023)
08/01/2023	<u>16</u>	AFFIDAVIT OF SERVICE. All Defendants. Service was made by Mail. Document filed by American Civil Liberties Union Foundation..(Belsher, Amy) (Entered: 08/01/2023)
08/07/2023	<u>17</u>	NOTICE OF APPEARANCE by Jessica F. Rosenbaum on behalf of United States Department of Homeland Security, United States Immigration and Customs Enforcement..(Rosenbaum, Jessica) (Entered: 08/07/2023)
08/31/2023	<u>18</u>	ANSWER to <u>7</u> Complaint,. Document filed by United States Department of Homeland Security, United States Immigration and Customs Enforcement..(Rosenbaum, Jessica) (Entered: 08/31/2023)
09/05/2023	<u>19</u>	ORDER The parties are directed to submit a Rule 26(f) report by September 15, 2023. SO ORDERED. (Signed by Judge John G. Koeltl on 9/4/2023) (jca) (Entered: 09/05/2023)
09/06/2023	<u>20</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Eunice Hyunhye Cho to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number ANYSDC–28244545. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Affidavit Eunice Cho, # <u>2</u> Exhibit Certificates of Good Standing—Eunice Cho, # <u>3</u> Proposed Order Admit Eunice Cho Pro Hac Vice).(Cho, Eunice) Modified on 9/6/2023 (va). (Entered: 09/06/2023)

09/06/2023		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE–FILE Document No. <u>20</u> MOTION for Eunice Hyunhye Cho to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number ANYSDC–28244545. Motion and supporting papers to be reviewed by Clerk's Office staff. The filing is deficient for the following reason(s): expired Certificate of Good Standing from Supreme Court of Washington, District of Columbia Court of Appeals, and State Bar of Georgia. Re–file the motion as a Motion to Appear Pro Hac Vice – attach the correct signed PDF – select the correct named filer/filers – attach valid Certificates of Good Standing issued within the past 30 days – attach Proposed Order. (va) (Entered: 09/06/2023)
09/07/2023	<u>21</u>	JOINT LETTER MOTION for Extension of Time (<i>Adjournment of Deadline to Submit Rule 26(f) Report</i>) addressed to Judge John G. Koeltl from Jessica F. Rosenbaum dated September 7, 2023. Document filed by United States Department of Homeland Security, United States Immigration and Customs Enforcement..(Rosenbaum, Jessica) (Entered: 09/07/2023)
09/07/2023	<u>22</u>	ORDER granting <u>21</u> Letter Motion for Extension of Time. APPLICATION GRANTED. SO ORDERED. (Signed by Judge John G. Koeltl on 9/7/2023) (tg) (Entered: 09/08/2023)
09/11/2023	<u>23</u>	MOTION for Eunice Hyunhye Cho to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Affidavit Eunice Cho, # <u>2</u> Exhibit Certificates of Good Standing—Eunice Cho, # <u>3</u> Proposed Order Admit Eunice Cho Pro Hac Vice).(Cho, Eunice) (Entered: 09/11/2023)
09/12/2023		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>23</u> MOTION for Eunice Hyunhye Cho to Appear Pro Hac Vice. Motion and supporting papers to be reviewed by Clerk's Office staff. The document has been reviewed and there are no deficiencies. (va) (Entered: 09/12/2023)
09/13/2023	<u>24</u>	ORDER granting <u>23</u> Motion for Eunice H. Cho to Appear Pro Hac Vice. (Signed by Judge John G. Koeltl on 9/13/2023) (ate) (Entered: 09/13/2023)
10/20/2023	<u>25</u>	STATUS REPORT. Document filed by American Civil Liberties Union Foundation..(Winger, Emma) (Entered: 10/20/2023)
10/23/2023	<u>26</u>	MEMO ENDORSEMENT on re: <u>25</u> Status Report filed by American Civil Liberties Union Foundation ENDORSEMENT: The plaintiff should file the Notice of Voluntary Dismissal by 10/26/23, SO ORDERED. (Signed by Judge John G. Koeltl on 10/23/2023) (ks) (Entered: 10/23/2023)
10/23/2023	<u>27</u>	FILING ERROR – DEFICIENT DOCKET ENTRY FILED AGAINST PARTY ERROR – STIPULATION OF VOLUNTARY DISMISSAL It is hereby stipulated and agreed by and between the parties and/or their respective counsel(s) that the above–captioned action is voluntarily dismissed, without prejudice against the defendant(s) All Defendants pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. Document filed by American Civil Liberties Union Foundation. Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers) ...(Cho, Eunice) Modified on 10/24/2023 (tp). (Entered: 10/23/2023)
10/24/2023		***NOTICE TO ATTORNEY REGARDING DEFICIENT VOLUNTARY DISMISSAL. Notice to Attorney Eunice Cho. RE–FILE Document No. <u>27</u> Stipulation of Voluntary Dismissal. The filing is deficient for the following reason(s): the wrong party/parties whom the voluntary dismissal is against was/were selected (Do Not Select Any Group); the stipulation of voluntary dismissal was not signed by all parties who have appeared. Re–file the document using the event type Stipulation of Voluntary Dismissal found under the event list Other Documents – select the correct filer/filers – select the correct party/parties the voluntary dismissal is against – and attach the correct signed (scanned <i>ink signature image</i>) PDF. (tp) (Entered: 10/24/2023)
10/24/2023	<u>28</u>	STIPULATION OF VOLUNTARY DISMISSAL It is hereby stipulated and agreed by and between the parties and/or their respective counsel(s) that the above–captioned action is voluntarily dismissed, without prejudice against the defendant(s) United States Department of Homeland Security, United States Immigration and Customs

		Enforcement pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. Document filed by American Civil Liberties Union Foundation. Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers) ...(Cho, Eunice) (Entered: 10/24/2023)
10/25/2023	<u>29</u>	STIPULATION OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE: IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff American Civil Liberties Union Foundation and Defendants U.S. Immigration and Customs Enforcement and U.S. Department of Homeland Security, by and through their counsel, that the above-captioned action brought pursuant to the Freedom of Information Act is voluntarily dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Each side will bear its own fees and costs. The Clerk is directed to close this case. SO ORDERED. (Signed by Judge John G. Koeltl on 10/25/2023) (ks) (Entered: 10/25/2023)