

**U.S. District Court
U.S. District of Minnesota (DMN)
CIVIL DOCKET FOR CASE #: 0:21-cv-01148-JRT-JFD**

Contreras & Metelska, P.A. v. U.S. Immigration & Customs
Enforcement (ICE) et al
Assigned to: Chief Judge John R. Tunheim
Referred to: Magistrate Judge John F. Docherty
Cause: 05:552 Freedom of Information Act

Date Filed: 05/04/2021
Date Terminated: 11/06/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Contreras & Metelska, P.A.**

represented by **Nicholas Ratkowski**
Ratkowski Law PLLC
332 Minnesota Street
Suite W1610
Saint Paul, MN 55101
651-755-5150
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**U.S. Immigration & Customs
Enforcement (ICE)**

represented by **Ana H Voss**
United States Attorney's Office
300 S 4th St Ste 600
Minneapolis, MN 55415
612-664-5600
Fax: 612-664-5788
Email: ana.voss@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**U.S. Department of Homeland Security
(DHS)**

represented by **Ana H Voss**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/04/2021	<u>1</u>	COMPLAINT against U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE) (filing fee \$ 402, receipt number AMNDC-8723414) filed by Contreras & Metelska, P.A.. Filer requests summons issued. (Attachments: # <u>1</u> Exhibit(s) FOIA Complaint (Exh. 1), # <u>2</u> Exhibit(s) FOIA Instructions (Exh. 2), # <u>3</u> Exhibit(s) Proof of Submission (Exh. 3), # <u>4</u> Civil Cover Sheet) (Ratkowski, Nicholas) Modified text on 5/4/2021 (MMP). (Entered: 05/04/2021)
05/04/2021	2	TEXT ONLY ENTRY: CLERK'S NOTICE OF INITIAL CASE ASSIGNMENT. Case assigned to Chief Judge John R. Tunheim per 3rd 4th Master list, referred to Magistrate Judge Tony N. Leung. Please use case number 21-cv-1148 (JRT/TNL). (MMP) (Entered: 05/04/2021)
05/04/2021	<u>3</u>	Summons Issued as to U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE). (MMP) (Entered: 05/04/2021)

05/04/2021	<u>4</u>	SUMMONS Returned Executed as to USA by Contreras & Metelska, P.A.. U.S. Department of Homeland Security (DHS) served on 5/4/2021, answer due 7/6/2021; U.S. Immigration & Customs Enforcement (ICE) served on 5/4/2021, answer due 7/6/2021. (Ratkowski, Nicholas) (Entered: 05/04/2021)
06/04/2021	<u>5</u>	NOTICE of Appearance by Ana H Voss on behalf of U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE). (Voss, Ana) (Entered: 06/04/2021)
06/04/2021	<u>6</u>	ANSWER to Complaint filed by U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE). (Voss, Ana) (Entered: 06/04/2021)
06/04/2021	<u>7</u>	NOTICE OF AND ORDER FOR PRETRIAL SCHEDULING CONFERENCE: Pretrial Conference set for 7/16/2021 at 10:00 AM in Judge's Chambers 9W (MPLS) before Magistrate Judge Tony N. Leung. Signed by Magistrate Judge Tony N. Leung on 6/4/2021. (Attachments: # <u>1</u> Consent Form) (HAM) (Entered: 06/04/2021)
06/11/2021	<u>8</u>	(Text-Only) ORDER/NOTICE TO ATTORNEY. In recognition of the current efforts locally and nationally to protect persons from unnecessary potential exposure to COVID-19, the Pretrial Scheduling Conference in this case will be held by telephone. A call-in number will be provided by the Court. The parties are not required to conduct any applicable meet and confers in person. Ordered by Magistrate Judge Tony N. Leung on 6/11/2021. (HAM) (Entered: 06/11/2021)
07/07/2021	<u>9</u>	REPORT of Rule 26(f) Planning Meeting. Filed by Contreras & Metelska, P.A.. Jointly Signed by Contreras & Metelska, P.A., U.S. Immigration & Customs Enforcement, and U.S. Department of Homeland Security.(Ratkowski, Nicholas) (Entered: 07/07/2021)
07/16/2021	<u>10</u>	Minute Entry for proceedings held before Magistrate Judge Tony N. Leung: Initial Pretrial Conference held on 7/16/2021. Pretrial scheduling order will be issued. (HAM) (Entered: 07/16/2021)
07/16/2021	<u>11</u>	PRETRIAL SCHEDULING ORDER: Amended Pleadings due by 12/31/2021. Motions (non-disp) due 12/31/2021. Motions (disp) due by 2/1/2022. Signed by Magistrate Judge Tony N. Leung on 7/16/2021. (HAM) (Entered: 07/16/2021)
07/16/2021	<u>12</u>	ORDER FOR SETTLEMENT CONFERENCE: Confidential Letter to Court due by 1/4/2022. Settlement Conference set for 1/11/2022 at 09:30 AM in Courtroom 9W (MPLS) before Magistrate Judge Tony N. Leung. Signed by Magistrate Judge Tony N. Leung on 7/16/2021. (HAM) (Entered: 07/16/2021)
08/05/2021	<u>13</u>	(Text-Only) CLERK'S NOTICE OF REASSIGNMENT OF MAGISTRATE JUDGE. Due to the appointment of Magistrate Judge John F. Docherty, this case is reassigned to him. Magistrate Judge Tony N. Leung is no longer assigned to the case. NOTE: the new case number is 0:21-cv-01148-JRT-JFD . Please use this case number for all subsequent pleadings. Please contact Trisha Stahlmann, at 651-848-1186, for scheduling or other matters related to Magistrate Judge John F. Docherty. (JAT) (Entered: 08/05/2021)
10/20/2021	<u>14</u>	(Text-Only) NOTICE: Status Conference set for 11/12/2021 at 09:00 AM via Telephone Conference (no courtroom) before Magistrate Judge John F. Docherty. Chambers will provide call-in instructions. (TJS) Modified text on 10/21/2021 (TJS). (Entered: 10/20/2021)
11/12/2021	<u>15</u>	(Text-Only) Minute Entry for proceedings held before Magistrate Judge John F. Docherty: Status Conference held on 11/12/2021. Appearances: Nicholas Ratkowski, Ana Voss. (TJS) (Entered: 11/12/2021)
12/23/2021	<u>16</u>	REQUEST (JOINT) FOR MODIFICATION OF PRETRIAL SCHEDULING ORDER by U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE). (Voss, Ana) (Entered: 12/23/2021)
12/23/2021	<u>17</u>	PROPOSED ORDER TO JUDGE re <u>16</u> Request. (Voss, Ana) (Entered: 12/23/2021)
12/29/2021	<u>18</u>	AMENDED PRETRIAL SCHEDULING ORDER: Amended Pleadings due by 3/30/2022. Motions (non-disp) due 3/30/2022. Motions (disp) due by 5/11/2022. Signed by Magistrate Judge John F. Docherty on 12/29/2021.(TJS) (Entered: 12/29/2021)

12/30/2021	<u>19</u>	AMENDED ORDER FOR SETTLEMENT CONFERENCE: Joint update letter due 2/24/2022 . Status conference set for 3/10/2022 at 9:00 AM . Parties are directed to meet and confer by 3/28/2022 . Confidential Letter to Court due by 4/4/2022 . Settlement Conference set for 4/11/2022 at 09:30 AM before Magistrate Judge John F. Docherty. Signed by Magistrate Judge John F. Docherty on 12/30/2021.(TJS) (Entered: 12/30/2021)
02/28/2022	<u>20</u>	STIPULATION re <u>18</u> Order/Notice of Setting/Resetting Hearings/Deadlines, <u>19</u> Order/Notice of Setting/Resetting Hearings/Deadlines, by Contreras & Metelska, P.A.. Jointly Signed by U.S. Immigration & Customs Enforcement and U.S. Department of Homeland Security. (Ratkowski, Nicholas) (Entered: 02/28/2022)
02/28/2022	<u>21</u>	PROPOSED ORDER TO JUDGE re <u>20</u> Stipulation,. (Ratkowski, Nicholas) (Entered: 02/28/2022)
03/01/2022	<u>22</u>	SECOND AMENDED SCHEDULING ORDER on <u>20</u> Stipulation: Motions (non-disp) due 5/30/2022. Motions (disp) due by 7/11/2022. Signed by Magistrate Judge John F. Docherty on 3/1/2022.(TJS) (Entered: 03/01/2022)
03/01/2022	<u>23</u>	SECOND AMENDED ORDER FOR SETTLEMENT CONFERENCE: Joint update letter due by 8/29/2022 . Status conference set for 9/12/2022 at 9:30 AM . Parties are directed to meet and confer by 9/27/2022 Confidential Letter to Court due by 10/4/2022 . Settlement Conference set for 10/11/2022 at 10:00 AM in Courtroom 6A (STP) before Magistrate Judge John F. Docherty. Signed by Magistrate Judge John F. Docherty on 3/1/2022.(TJS) (Entered: 03/01/2022)
03/30/2022	<u>24</u>	MOTION to Alter/Amend/Correct Other Orders <u>23</u> Order/Notice of Setting/Resetting Hearings/Deadlines, <u>22</u> Scheduling Order filed by Contreras & Metelska, P.A.. (Ratkowski, Nicholas) (Entered: 03/30/2022)
03/30/2022	<u>25</u>	PROPOSED ORDER TO JUDGE re <u>24</u> MOTION to Alter/Amend/Correct Other Orders <u>23</u> Order/Notice of Setting/Resetting Hearings/Deadlines, <u>22</u> Scheduling Order filed by Contreras & Metelska, P.A..(Ratkowski, Nicholas) (Entered: 03/30/2022)
03/30/2022	<u>26</u>	THIRD AMENDED PRETRIAL SCHEDULING ORDER granting <u>24</u> motion to alter/amend/correct orders: Amended Pleadings due by 12/30/2022. Motions (non-disp) due 2/28/2023. Motions (disp) due by 4/11/2023. Signed by Magistrate Judge John F. Docherty on 3/30/2022.(TJS) (Entered: 03/30/2022)
12/29/2022	<u>27</u>	AMENDED COMPLAINT against U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE). filed by Contreras & Metelska, P.A.. No summons requested . (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3, # <u>4</u> Exhibit(s) 4) (Ratkowski, Nicholas) (Entered: 12/29/2022)
01/12/2023	<u>28</u>	ANSWER to <u>27</u> Amended Complaint filed by U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE). (Voss, Ana) (Entered: 01/12/2023)
03/23/2023	<u>29</u>	(Text-Only) NOTICE: Status Conference set for 3/31/2023 at 09:30 AM via Zoom Audio Conference (no courtroom) before Magistrate Judge John F. Docherty.(TJS) (Entered: 03/23/2023)
03/31/2023	<u>30</u>	Minute Entry for proceedings held before Magistrate Judge John F. Docherty: Status Conference held on 3/31/2023. (TJS) (Entered: 03/31/2023)
03/31/2023	<u>31</u>	STIPULATION for <i>Briefing Schedule</i> by U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE). Jointly Signed by Contreras & Metelska, P.A.. (Voss, Ana) (Entered: 03/31/2023)
03/31/2023	<u>32</u>	PROPOSED ORDER TO JUDGE re <u>31</u> Stipulation. (Voss, Ana) (Entered: 03/31/2023)
04/06/2023	<u>33</u>	(Text-Only) ORDER approving <u>31</u> Stipulation for Briefing Schedule. See Stipulation for schedule. Ordered by Judge John R. Tunheim on 4/6/2023.(HMA) (Entered: 04/06/2023)
04/25/2023	<u>34</u>	MOTION for Summary Judgment filed by U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE). (Voss, Ana) (Entered: 04/25/2023)

04/25/2023	<u>35</u>	NOTICE OF HEARING ON MOTION <u>34</u> MOTION for Summary Judgment : Date and time to be determined. (Voss, Ana) (Entered: 04/25/2023)
04/25/2023	<u>36</u>	MEMORANDUM in Support re <u>34</u> MOTION for Summary Judgment filed by U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE). (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Voss, Ana) (Entered: 04/25/2023)
04/25/2023	<u>37</u>	Declaration of Fernando Pineiro in Support of <u>34</u> MOTION for Summary Judgment filed by U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE). (Attachments: # <u>1</u> Exhibit(s), # <u>2</u> Exhibit(s))(Voss, Ana) (Entered: 04/25/2023)
04/25/2023	<u>38</u>	Declaration of Ana Voss in Support of <u>34</u> MOTION for Summary Judgment filed by U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE). (Attachments: # <u>1</u> Exhibit(s))(Voss, Ana) (Entered: 04/25/2023)
05/22/2023	<u>39</u>	Cross MOTION for Summary Judgment filed by Contreras & Metelska, P.A.. (Ratkowski, Nicholas) (Entered: 05/22/2023)
05/22/2023	<u>40</u>	NOTICE OF HEARING ON MOTION <u>39</u> Cross MOTION for Summary Judgment : Date and time to be determined. (Ratkowski, Nicholas) (Entered: 05/22/2023)
05/22/2023	<u>41</u>	PROPOSED ORDER TO JUDGE re <u>39</u> Cross MOTION for Summary Judgment filed by Contreras & Metelska, P.A..(Ratkowski, Nicholas) (Entered: 05/22/2023)
05/22/2023	<u>42</u>	MEMORANDUM re <u>34</u> MOTION for Summary Judgment , <u>39</u> Cross MOTION for Summary Judgment filed by Contreras & Metelska, P.A.. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ratkowski, Nicholas) (Entered: 05/22/2023)
05/22/2023	<u>43</u>	EXHIBIT List re <u>42</u> Memorandum, <u>39</u> Cross MOTION for Summary Judgment filed by Contreras & Metelska, P.A.. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3, # <u>4</u> Exhibit(s) 4, # <u>5</u> Exhibit(s) 5, # <u>6</u> Exhibit(s) 6)(Ratkowski, Nicholas) (Entered: 05/22/2023)
05/22/2023	<u>44</u>	SEALED EXHIBIT 7 re <u>42</u> Memorandum, <u>39</u> Cross MOTION for Summary Judgment filed by Plaintiff.(Ratkowski, Nicholas) (Entered: 05/22/2023)
05/22/2023	<u>45</u>	Redacted Document for <u>44</u> 7 (<i>redacted version of Sealed Exhibit 7</i>) filed by Contreras & Metelska, P.A..(Ratkowski, Nicholas) (Entered: 05/22/2023)
06/13/2023	<u>46</u>	MEMORANDUM in Opposition re <u>39</u> Cross MOTION for Summary Judgment filed by U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE). (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Voss, Ana) (Entered: 06/13/2023)
06/13/2023	<u>47</u>	DECLARATION of Fernando Pineiro, Jr. in Opposition to <u>39</u> Cross MOTION for Summary Judgment filed by U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE).(Voss, Ana) (Entered: 06/13/2023)
06/13/2023	<u>48</u>	DECLARATION of Ana H. Voss in Opposition to <u>39</u> Cross MOTION for Summary Judgment filed by U.S. Department of Homeland Security (DHS), U.S. Immigration & Customs Enforcement (ICE). (Attachments: # <u>1</u> Exhibit(s) Exhibit D, # <u>2</u> Exhibit(s) Exhibit E)(Voss, Ana) (Entered: 06/13/2023)
06/19/2023	<u>49</u>	LETTER to Request Permission to Exceed Word/Line Limits . (Ratkowski, Nicholas) (Entered: 06/19/2023)
06/21/2023	50	(Text–Only) ORDER in Response to <u>49</u> Letter to Request Permission to Exceed Word/Line Limits. Permission granted. Plaintiff may use up to 2500 words for their reply. Ordered by Judge John R. Tunheim on 6/21/2023.(HMA) (Entered: 06/21/2023)
06/27/2023	<u>51</u>	MEMORANDUM re 50 Order in Response to Letter/Request/E–mail, <u>34</u> MOTION for Summary Judgment , <u>39</u> Cross MOTION for Summary Judgment filed by Contreras & Metelska, P.A.. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ratkowski, Nicholas) (Entered: 06/27/2023)

06/27/2023	<u>52</u>	EXHIBIT List (Supplemental) re <u>51</u> Memorandum, <u>39</u> Cross MOTION for Summary Judgment , <u>43</u> Exhibit, filed by Contreras & Metelska, P.A.. (Attachments: # <u>1</u> Exhibit(s) 8, # <u>2</u> Exhibit(s) 9)(Ratkowski, Nicholas) (Entered: 06/27/2023)
07/28/2023	53	(Text-Only) NOTICE of Non-Compliance with <u>Local Rule 5.6 Filing Under Seal in Connection with Civil Motion Practice</u> for <u>44</u> Exhibit filed by attorney Nicholas Ratkowski. Please file the <i>Joint Motion</i> on or before 8/4/2023 according to the rule. (TJS) (Entered: 07/28/2023)
08/10/2023	54	VACATED PER <u>57</u> ORDER: (Text-Only) ORDER/NOTICE TO ATTORNEY. No joint motion for continued sealing has been filed with regard to Dkt. No. 44. Therefore, this document should no longer be sealed. The Clerk is directed to unseal Dkt. No. 44 28 days after the issuance of this Order unless a timely motion for further consideration is filed pursuant to Local Rule 5.6(d)(3). Ordered by Magistrate Judge John F. Docherty on 8/10/2023.(TJS) Modified text on 8/15/2023 (kt). (Entered: 08/10/2023)
08/11/2023	<u>55</u>	JOINT MOTION REGARDING CONTINUED SEALING re <u>44</u> Exhibit filed by Contreras & Metelska, P.A.. (Ratkowski, Nicholas) (Entered: 08/11/2023)
08/11/2023	<u>56</u>	PROPOSED ORDER TO JUDGE re <u>55</u> JOINT MOTION REGARDING CONTINUED SEALING re <u>44</u> Exhibit filed by Contreras & Metelska, P.A..(Ratkowski, Nicholas) (Entered: 08/11/2023)
08/14/2023	<u>57</u>	ORDER granting <u>55</u> Joint Motion Regarding Continued Sealing. Permanent Sealing GRANTED for Document Number(s): 44. Order on continued sealing becomes final on 9/11/2023 unless further timely submissions are filed. Signed by Magistrate Judge John F. Docherty on 8/14/2023. (TJS) (Entered: 08/14/2023)
08/24/2023	<u>58</u>	AMENDED NOTICE of Hearing on Motion: <u>34</u> MOTION for Summary Judgment : Motion Hearing set for 9/22/2023 at 02:00 PM in Video Conference (no courtroom) before Judge John R. Tunheim. (Voss, Ana) (Entered: 08/24/2023)
09/22/2023	59	(Text-Only) MINUTE ENTRY for proceedings held before Judge John R. Tunheim on 9/22/2023: Oral Arguments Motion Hearing. Court Reporter: Kristine Mousseau Minneapolis Courthouse, Courtroom 14E Time: 3:12 PM 4:10 PM Total Time: 58 APPEARANCES: For Plaintiff(s): Nicholas Ratkowski For Defendant(s): Ana Voss PROCEEDINGS: Hearing on: <u>34</u> MOTION for Summary Judgment filed by U.S. Immigration & Customs Enforcement (ICE), U.S. Department of Homeland Security (DHS), <u>39</u> Cross MOTION for Summary Judgment filed by Contreras & Metelska, P.A.. Motions taken under advisement. Written order forthcoming. (HMA) (Entered: 09/25/2023)
10/06/2023	<u>60</u>	ORDER GRANTING IN CAMERA REVIEW IN PART Signed by Judge John R. Tunheim on 10/6/2023.(KKM) (Entered: 10/06/2023)
11/06/2023	<u>61</u>	MEMORANDUM OPINION AND ORDER ON CROSS MOTIONS FOR SUMMARY JUDGMENT granting <u>34</u> and denying <u>39</u> . (Written Opinion) Signed by Judge John R. Tunheim on 11/6/2023. (KKM) (Entered: 11/06/2023)