

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:21-cv-00652-RDM**

WITTES v. UNITED STATES DEPARTMENT OF  
HOMELAND SECURITY  
Assigned to: Judge Randolph D. Moss  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/11/2021  
Date Terminated: 11/21/2023  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**BENJAMIN WITTES**

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V.

**Defendant**

**DEPARTMENT OF HOMELAND  
SECURITY**

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**TERMINATED: 05/01/2021**

Date Filed	#	Docket Text
03/11/2021	<u>1</u>	COMPLAINT <i>for Injunctive Relief</i> against UNITED STATES DEPARTMENT OF HOMELAND SECURITY ( Filing fee \$ 402 receipt number ADCDC-8296529) filed by BENJAMIN WITTES. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons Attorney General of the United States, # <u>4</u> Summons U.S. Department of Homeland Security, # <u>5</u> Summons U.S. Attorney's Office, District of Columbia)(Bracey, Kali) (Entered: 03/11/2021)
03/11/2021	<u>2</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Susan Kohlmann, Filing fee \$ 100, receipt number ADCDC-8296770. Fee Status: Fee Paid. by BENJAMIN WITTES. (Attachments: # <u>1</u> Declaration of Susan Kohlmann in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Text of Proposed Order)(Bracey, Kali) (Entered: 03/11/2021)
03/11/2021	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Jacob Tracer, Filing fee \$ 100, receipt number ADCDC-8296842. Fee Status: Fee Paid. by BENJAMIN WITTES. (Attachments: # <u>1</u> Declaration of Jake Tracer in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Text of Proposed Order)(Bracey, Kali) (Entered: 03/11/2021)
03/11/2021	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Kara Brandeisky, Filing fee \$ 100, receipt number ADCDC-8296990. Fee Status: Fee Paid. by BENJAMIN WITTES. (Attachments: # <u>1</u> Declaration of Kara Brandeisky in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Text of Proposed Order)(Bracey, Kali) (Entered: 03/11/2021)
03/11/2021		Case Assigned to Judge Randolph D. Moss. (adh, ) (Entered: 03/11/2021)
03/11/2021	<u>5</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(adh, ) (Entered: 03/11/2021)

03/23/2021	<u>6</u>	NOTICE of Appearance by Johnny Hillary Walker, III on behalf of UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Walker, Johnny) (Entered: 03/23/2021)
03/24/2021	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/15/2021. Answer due for ALL FEDERAL DEFENDANTS by 4/14/2021. (Bracey, Kali) (Entered: 03/24/2021)
03/24/2021	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF HOMELAND SECURITY served on 3/17/2021 (Bracey, Kali) (Entered: 03/24/2021)
03/24/2021	<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 03/19/2021. (Bracey, Kali) (Entered: 03/24/2021)
04/06/2021	<u>10</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 04/06/2021. (lcrdm1) (Entered: 04/06/2021)
04/06/2021		MINUTE ORDER: Upon consideration of Plaintiff's Motion for Admission Pro Hac Vice, Dkt. <u>2</u> , it is hereby ORDERED that the motion is GRANTED. Susan J. Kohlmann is hereby granted leave to appear pro hac vice in this case. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to to LCvR 83.6(a)/LCrR 44.5(a). Click for Instructions.</b> Signed by Judge Randolph D. Moss on 04/06/2021. (lcrdm1) (Entered: 04/06/2021)
04/06/2021		MINUTE ORDER: Upon consideration of Plaintiff's Motion for Admission Pro Hac Vice, Dkt. <u>3</u> , it is hereby ORDERED that the motion is GRANTED. Jacob L. Tracer is hereby granted leave to appear pro hac vice in this case. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to to LCvR 83.6(a)/LCrR 44.5(a). Click for Instructions.</b> Signed by Judge Randolph D. Moss on 04/06/2021. (lcrdm1) (Entered: 04/06/2021)
04/06/2021		MINUTE ORDER: Upon consideration of Plaintiff's Motion for Admission Pro Hac Vice, Dkt. <u>4</u> , it is hereby ORDERED that the motion is GRANTED. Kara V. Brandeisky is hereby granted leave to appear pro hac vice in this case. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to to LCvR 83.6(a)/LCrR 44.5(a). Click for Instructions.</b> Signed by Judge Randolph D. Moss on 04/06/2021. (lcrdm1) (Entered: 04/06/2021)
04/12/2021	<u>11</u>	NOTICE of Appearance by Jacob Tracer on behalf of BENJAMIN WITTES (Tracer, Jacob) (Entered: 04/12/2021)
04/12/2021	<u>12</u>	NOTICE of Appearance by Kara V. Brandeisky on behalf of BENJAMIN WITTES (Brandeisky, Kara) (Entered: 04/12/2021)
04/12/2021	<u>13</u>	NOTICE of Appearance by Susan J. Kohlmann on behalf of BENJAMIN WITTES (Kohlmann, Susan) (Entered: 04/12/2021)
04/14/2021	<u>14</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF HOMELAND SECURITY.(Walker, Johnny) (Entered: 04/14/2021)
04/14/2021		MINUTE ORDER: It is hereby ORDERED that, on or before May 5, 2021, the parties shall confer and file a joint status report addressing (1) any documents still to be produced pursuant to FOIA; (2) an anticipated schedule for processing and producing any such documents; and (3) any substantive areas of disagreement between the parties. It is FURTHER ORDERED that the parties shall appear telephonically for an Initial Scheduling Conference on May 12, 2021 at 11:00 a.m, before Judge Randolph D. Moss. The parties can obtain a teleconference number and access code from the deputy clerk prior to the conference. Signed by Judge Randolph D. Moss on 04/14/2021. (lcrdm1) (Entered: 04/14/2021)
05/01/2021	<u>15</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Stephanie R. Johnson on behalf of UNITED STATES DEPARTMENT OF HOMELAND SECURITY Substituting for attorney Johnny Hillary Walker, III (Johnson, Stephanie) (Entered: 05/01/2021)

05/05/2021	<u>16</u>	Joint STATUS REPORT by BENJAMIN WITTES. (Bracey, Kali) (Entered: 05/05/2021)
05/05/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>16</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before June 16, 2021. It is further ORDERED that the Initial Scheduling Conference set for May 12, 2021, is VACATED and RESCHEDULED for June 23, 2021 at 10:00 a.m. to take place telephonically. The parties can obtain a teleconference number and access code from the deputy clerk prior to the conference. Signed by Judge Randolph D. Moss on 05/05/2021. (lcrdm1) (Entered: 05/05/2021)
06/16/2021	<u>17</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 06/16/2021)
06/17/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>17</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before August 2, 2021. It is further ORDERED that the initial scheduling conference set for June 23, 2021 is VACATED and RESCHEDULED to 10:00 a.m. on August 23, 2021 to take place telephonically. The parties may obtain a teleconference number and access code from the Deputy Clerk. Signed by Judge Randolph D. Moss on 06/17/2021. (lcrdm1) (Entered: 06/17/2021)
08/02/2021	<u>18</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 08/02/2021)
08/04/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>18</u> , it is hereby ORDERED that the Initial Scheduling Conference previously set for August 23, 2021, is VACATED and RESCHEDULED for September 28, 2021, at 1:30 p.m. to take place telephonically. The parties may obtain a teleconference number and access code from the Deputy Clerk. Signed by Judge Randolph D. Moss on 08/04/21. (lcrdm1) (Entered: 08/04/2021)
08/27/2021	<u>19</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to BENJAMIN WITTES. Attorney Kara V. Brandeisky terminated. (Brandeisky, Kara) (Entered: 08/27/2021)
09/15/2021	<u>20</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 09/15/2021)
09/16/2021		MINUTE ORDER: Upon consideration 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 October 15, 2021. It is further ORDERED that the Initial Scheduling Conference set for September 28, 2021, is VACATED and RESCHEDULED for 1:30 p.m. on October 22, 2021, by telephone. The parties may obtain a teleconference number and access code from the Deputy Clerk. Signed by Judge Randolph D. Moss on 09/16/2021. (lcrdm1) (Entered: 09/16/2021)
10/15/2021	<u>21</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 10/15/2021)
10/16/2021		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 15, 2021. It is further ORDERED that the Initial Scheduling Conference set for October 22, 2021, is VACATED and RESCHEDULED for 11:00 a.m. on November 29, 2021, by telephone. The parties may obtain a teleconference number and access code from the Deputy Clerk. Signed by Judge Randolph D. Moss on 10/16/2021. (lcrdm1) (Entered: 10/16/2021)
11/15/2021	<u>22</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 11/15/2021)
11/15/2021		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 December 15, 2021. It is further ORDERED that the Initial Scheduling Conference set for November 29, 2021, is VACATED and RESCHEDULED for 2:00 p.m. on January 6, 2022, by telephone. Signed by Judge Randolph D. Moss on 11/15/2021. (lcrdm1) (Entered: 11/15/2021)

12/14/2021	<u>23</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 12/14/2021)
12/14/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>23</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before January 15, 2022. It is further ORDERED that the Initial Scheduling Conference set for January 6, 2022, is hereby VACATED and will be rescheduled at date and time to be set in a later order of the Court. Signed by Judge Randolph D. Moss on 12/14/2021. (lcrdm1) (Entered: 12/14/2021)
12/17/2021		Set/Reset Deadlines: Joint Status Report due by 1/15/2022. (kt) (Entered: 12/17/2021)
01/14/2022	<u>24</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 01/14/2022)
01/18/2022		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 February 15, 2022. Signed by Judge Randolph D. Moss on 1/18/2022. (lcrdm1) (Entered: 01/18/2022)
02/16/2022	<u>25</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 02/16/2022)
02/17/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>25</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before March 15, 2022. Signed by Judge Randolph D. Moss on 2/17/2022. (lcrdm1) (Entered: 02/17/2022)
03/15/2022	<u>26</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 03/15/2022)
03/15/2022		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 joint status report on or before April 15, 2022. Signed by Judge Randolph D. Moss on 3/15/2022. (lcrdm1) (Entered: 03/15/2022)
04/15/2022	<u>27</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 04/15/2022)
04/18/2022		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 May 16, 2022. Signed by Judge Randolph D. Moss on 4/18/2022. (lcrdm1) (Entered: 04/18/2022)
05/16/2022	<u>28</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 05/16/2022)
05/18/2022		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 June 15, 2022. Signed by Judge Randolph D. Moss on 5/18/2022. (lcrdm1) (Entered: 05/18/2022)
06/15/2022	<u>29</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 06/15/2022)
06/17/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>29</u> , the parties are hereby ORDERED to appear by video before Judge Randolph D. Moss at 11:30 a.m. on June 28, 2022, for a status conference to discuss Plaintiff's request for a briefing schedule for a partial motion for summary judgment. Signed by Judge Randolph D. Moss on 6/17/2022. (lcrdm1) (Entered: 06/17/2022)
06/28/2022		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Status Conference held on 6/28/2022. Defendant's pre-motion statement is due by 7/19/2022; Plaintiff's pre-motion statement response is due by 8/9/2022. A Pre-motion Conference is set for 8/19/2022, at 9:00 AM, by video, before Judge Randolph D. Moss. The parties shall use the same link for connecting to the hearing. (Court Reporter: Jeff Hook.) (kt) (Entered: 06/28/2022)

07/15/2022	<u>30</u>	Consent MOTION for Extension of Time to <i>FILE DEFENDANTS PRE-MOTION STATEMENT</i> by DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 07/15/2022)
07/15/2022		MINUTE ORDER: Upon consideration of Defendant's consent motion for an extension of time to file pre-motion statements, Dkt. <u>30</u> , it is hereby ORDERED that the motion is GRANTED. The parties shall adhere to the following revised schedule: Defendant shall file its pre-motion statement on or before August 2, 2022, and Plaintiff shall file his response on or before August 23, 2022. It is further ORDERED that the pre-motion conference set for August 19, 2022, is hereby VACATED and RESCHEDULED for 2:00 p.m. on September 19, 2022, to occur by video. Signed by Judge Randolph D. Moss on 7/15/2022. (lcrdm1) (Entered: 07/15/2022)
08/02/2022	<u>31</u>	NOTICE DEFENDANTS PRE-MOTION STATEMENT by DEPARTMENT OF HOMELAND SECURITY (Johnson, Stephanie) (Entered: 08/02/2022)
08/23/2022	<u>32</u>	RESPONSE re <u>31</u> Notice (Other) / Plaintiff's Response to Defendant's Pre-Motion Statement filed by BENJAMIN WITTES. (Bracey, Kali) (Entered: 08/23/2022)
08/25/2022		MINUTE ORDER: Due to a conflict in the Court's calendar, it is hereby ORDERED that the pre-motion conference currently scheduled for September 19, 2022, at 2:00 p.m., is VACATED and RESCHEDULED for September 21, 2022, at 1:30 p.m., via Zoom. Signed by Judge Randolph D. Moss on 08/25/2022. (lcrdm1) (Entered: 08/25/2022)
09/21/2022		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Pre-motion Conference held on 9/21/2022. For the reasons stated on the record, Defendant shall file a Status Report no later than 9/28/2022. (Court Reporter: Jeff Hook.) (kt) (Entered: 09/21/2022)
09/21/2022	<u>33</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Andrew Elliott, Filing fee \$ 100, receipt number ADCDC-9540872. Fee Status: Fee Paid. by BENJAMIN WITTES. (Attachments: # <u>1</u> Declaration in Support, # <u>2</u> Exhibit A - Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Bracey, Kali) (Entered: 09/21/2022)
09/23/2022		MINUTE ORDER: Upon consideration of Defendant's Motion for Admission Pro Hac Vice, Dkt. <u>33</u> , it is hereby ORDERED that the motion is GRANTED. Andrew Elliott is hereby granted leave to appear pro hac vice in this case. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for Instructions.</b> Signed by Judge Randolph D. Moss on 09/23/2022. (lcr dm1) (Entered: 09/23/2022)
09/26/2022	<u>34</u>	TRANSCRIPT OF VIDEO PRE-MOTION CONFERENCE before Judge Randolph D. Moss held on September 21, 2022. Page Numbers: 1 - 24. Date of Issuance: September 26, 2022. Court Reporter: Jeff Hook. Telephone number: 202-354-3373. Transcripts may be ordered by submitting the <u>Transcript Order Form</u>  For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.  <b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.  Redaction Request due 10/17/2022. Redacted Transcript Deadline set for 10/27/2022. Release of Transcript Restriction set for 12/25/2022.(Hook, Jeff) (Entered: 09/26/2022)
09/28/2022	<u>35</u>	STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 09/28/2022)

10/11/2022	<u>36</u>	NOTICE of Appearance by Andrew Elliott on behalf of BENJAMIN WITTES (Elliott, Andrew) (Entered: 10/11/2022)
10/11/2022		MINUTE ORDER: Upon consideration of Defendant's status report, Dkt. <u>35</u> , it is hereby ORDERED that Defendant shall file a further status report on or before October 21, 2022. Signed by Judge Randolph D. Moss on 10/11/2022. (lcrdm1) (Entered: 10/11/2022)
10/18/2022	<u>37</u>	Supplemental STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 10/18/2022)
10/26/2022		MINUTE ORDER: Upon consideration of the pre-motion conference held September 21, 2022, as well as Defendant's October 18, 2022 status report, Dkt. <u>37</u> , it is hereby ORDERED that summary judgment briefing in this case is deferred until Defendant has completed processing all non-exempt records or until Plaintiff demonstrates some additional basis for permitting partial summary judgment briefing before that time. The Court's usual and preferred practice is to avoid repeated rounds of briefing in a single FOIA dispute. At the pre-motion conference, Plaintiff posited a potential scenario that might have justified departing from that approach: he suggested that the governmental activity to which his FOIA request is in the main directed, Defendant's apparent collection of open-source intelligence about Plaintiff and another journalist, may be ongoing. Given the important First Amendment interests potentially at stake, this scenario might have justified resolving on an expedited basis whether Defendant's withholdings in the documents produced to date were appropriate. Defendant has since represented to the Court that it ordered the practice or practices at issue to be discontinued on July 31, 2020, and that Defendant is not aware of any violations of that order. Dkt. <u>37</u> . As a result, the Court concludes that partial summary judgment briefing is not warranted at this time. It is further ORDERED that the parties shall file a further joint status report on or before December 19, 2022. Signed by Judge Randolph D. Moss on 10/26/2022. (lcrdm1) (Entered: 10/26/2022)
12/19/2022	<u>38</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Johnson, Stephanie) (Entered: 12/19/2022)
12/20/2022	<u>39</u>	NOTICE OF SUBSTITUTION OF COUNSEL by John Bardo on behalf of DEPARTMENT OF HOMELAND SECURITY Substituting for attorney Stephanie R. Johnson (Bardo, John) (Entered: 12/20/2022)
12/20/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>38</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before February 20, 2023. Signed by Judge Randolph D. Moss on 12/20/2022. (lcrdm1) (Entered: 12/20/2022)
02/17/2023	<u>40</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Bardo, John) (Entered: 02/17/2023)
02/17/2023		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>40</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before April 21, 2023. Signed by Judge Randolph D. Moss on 2/17/2023. (lcrdm1) (Entered: 02/17/2023)
04/21/2023	<u>41</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Bardo, John) (Entered: 04/21/2023)
04/21/2023		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>41</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before June 20, 2023. Signed by Judge Randolph D. Moss on 4/21/2023. (lcrdm1) (Entered: 04/21/2023)
06/20/2023	<u>42</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Bardo, John) (Entered: 06/20/2023)
06/21/2023		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>42</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before August 21, 2023. Signed by Judge Randolph D. Moss on 6/21/2023. (lcrdm1) (Entered: 06/21/2023)

08/21/2023	<u>43</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Bardo, John) (Entered: 08/21/2023)
08/21/2023		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>43</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before October 20, 2023. Signed by Judge Randolph D. Moss on 8/21/2023. (lcrdm1) (Entered: 08/21/2023)
10/20/2023	<u>44</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Bardo, John) (Entered: 10/20/2023)
10/23/2023		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>44</u> , the parties are hereby ORDERED to submit a further joint status report on or before November 20, 2023. Signed by Judge Randolph D. Moss on 10/23/2023. (lcrdm1) (Entered: 10/23/2023)
11/20/2023	<u>45</u>	STIPULATION of Dismissal / <i>Stipulation of Voluntary Dismissal With Prejudice</i> by BENJAMIN WITTES. (Bracey, Kali) (Entered: 11/20/2023)
11/21/2023		MINUTE ORDER: Pursuant to the parties' Stipulation of Dismissal, Dkt. <u>45</u> , it is hereby ORDERED that the case is DISMISSED with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Each party is to bear its own costs and attorney's fees. The Clerk of Court is directed to terminate this case. Signed by Judge Randolph D. Moss on 11/21/2023. (lcrdm1) (Entered: 11/21/2023)