

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:20-cv-10660-SDA**

Immigrant Defense Project v. United States Immigration and
Customs Enforcement
Assigned to: Magistrate Judge Stewart D. Aaron
Related Case: 1:22-cv-01153-SDA
Cause: 05:552 Freedom of Information Act

Date Filed: 12/17/2020
Date Terminated: 12/19/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Immigrant Defense Project

represented by **Nancy Babette Morawetz**
Washington Square Legal Services, Inc.
245 Sullivan Street
New York, NY 10012
212/998-6430
Fax: (212)-995-4802
Email: nancy.morawetz@nyu.edu
ATTORNEY TO BE NOTICED

Jessica Louise Rofe
Washington Square Legal Services, Inc.
245 Sullivan Street
New York, NY 10012
(212) 992-7245
Fax: (212) 995-4031
Email: jessica.rofe@nyu.edu
ATTORNEY TO BE NOTICED

Plaintiff

New Sanctuary Coalition

represented by **Nancy Babette Morawetz**
(See above for address)
ATTORNEY TO BE NOTICED

Jessica Louise Rofe
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**United States Immigration and
Customs Enforcement**

represented by **Talia Kraemer**
U.S. Attorney's Office, SDNY
86 Chambers Street, 3rd Floor
New York, NY 10007
(212)-637-2822
Fax: (212)-637-2702
Email: talia.kraemer@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christopher Kendrick Connolly
United States Attorney's Office
SDNY
86 Chambers Street
3 Floor
New York, NY 10007
(212) 637-2761
Fax: (212) 637-2786

Date Filed	#	Docket Text
12/17/2020	<u>1</u>	COMPLAINT against United States Immigration and Customs Enforcement. (Filing Fee \$ 402.00, Receipt Number ANYSDC-23084752) Document filed by Immigrant Defense Project, New Sanctuary Coalition. (Attachments: # <u>1</u> Exhibit Long-Form FOIA, # <u>2</u> Exhibit Short-Form FOIA, # <u>3</u> Exhibit FOIA Request Receipt No. 2020-ICFO-16964, # <u>4</u> Exhibit FOIA Request Receipt No. 2020-ICFO-16973, # <u>5</u> Exhibit Long-Form FOIA Administrative Appeal [No. 2020-ICFO-16964], # <u>6</u> Exhibit Short-Form FOIA Administrative Appeal [No. 2020-ICFO-16973]).(Rofe, Jessica) (Entered: 12/17/2020)
12/17/2020	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Immigrant Defense Project, New Sanctuary Coalition..(Rofe, Jessica) (Entered: 12/17/2020)
12/17/2020	<u>3</u>	CIVIL COVER SHEET filed..(Rofe, Jessica) (Entered: 12/17/2020)
12/17/2020	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Immigration and Customs Enforcement, re: <u>1</u> Complaint,.. Document filed by Immigrant Defense Project, New Sanctuary Coalition..(Rofe, Jessica) (Entered: 12/17/2020)
12/18/2020		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Jessica Louise Rofe. The party information for the following party/parties has been modified: Immigrant Defense Project, New Sanctuary Coalition, United States Immigration and Customs Enforcement. The information for the party/parties has been modified for the following reason/reasons: party role was entered incorrectly. (dnh) (Entered: 12/18/2020)
12/18/2020		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Paul A. Crotty. 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 ..(dnh) (Entered: 12/18/2020)
12/18/2020		Magistrate Judge Stewart D. Aaron 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 . (dnh) (Entered: 12/18/2020)
12/18/2020		Case Designated ECF. (dnh) (Entered: 12/18/2020)
12/18/2020	<u>5</u>	ELECTRONIC SUMMONS ISSUED as to United States Immigration and Customs Enforcement..(dnh) (Entered: 12/18/2020)
12/28/2020	<u>6</u>	NOTICE OF APPEARANCE by Talia Kraemer on behalf of United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 12/28/2020)
01/08/2021	<u>7</u>	AFFIDAVIT OF SERVICE (FOIA CASE). United States Immigration and Customs Enforcement served on 12/22/2020, answer due 1/21/2021. Service was made by MAIL. Document filed by Immigrant Defense Project; New Sanctuary Coalition..(Rofe, Jessica) (Entered: 01/08/2021)
01/19/2021	<u>8</u>	CONSENT LETTER MOTION for Extension of Time to Respond to Complaint addressed to Judge Paul A. Crotty from Talia Kraemer dated 1/19/2021. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 01/19/2021)
01/20/2021	<u>9</u>	ORDER granting <u>8</u> Letter Motion for Extension of Time. A one-week extension to January 28, 2021 is granted. SO ORDERED.. (Signed by Judge Paul A. Crotty on 1/20/2021) (ks) (Entered: 01/20/2021)
01/20/2021		Set/Reset Deadlines: United States Immigration and Customs Enforcement answer due 1/28/2021. (ks) (Entered: 01/20/2021)
01/28/2021	<u>10</u>	ANSWER to <u>1</u> Complaint,.. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 01/28/2021)
02/03/2021	<u>11</u>	ORDER FOR INITIAL PRETRIAL CONFERENCE: Initial Conference set for 2/17/2021 at 11:45 AM in Courtroom 14C, 500 Pearl Street, New York, NY 10007 before Judge Paul A. Crotty. (Signed

		by Judge Paul A. Crotty on 2/3/2021) (dgo) (Entered: 02/03/2021)
02/11/2021	<u>12</u>	NOTICE of Law Student Intern Appearance Forms. Document filed by Immigrant Defense Project, New Sanctuary Coalition..(Rofe, Jessica) (Entered: 02/11/2021)
02/12/2021	<u>13</u>	JOINT LETTER addressed to Judge Paul A. Crotty from the Parties dated 02/12/2021 re: Initial FOIA Conference. Document filed by Immigrant Defense Project, New Sanctuary Coalition. (Attachments: # <u>1</u> Exhibit A).(Rofe, Jessica) (Entered: 02/12/2021)
02/12/2021	<u>14</u>	JOINT LETTER addressed to Judge Paul A. Crotty from the Parties dated 02/21/2021 re: Civil Case Management Plan. Document filed by Immigrant Defense Project, New Sanctuary Coalition..(Rofe, Jessica) (Entered: 02/12/2021)
02/16/2021		DOCKET ANNOTATION: The February 17, 2021 IPTC is adjourned. Reason for adjournment: The Court will refer this matter to Magistrate Judge Aaron.(dgo) (Entered: 02/16/2021)
02/16/2021	<u>15</u>	ORDER OF REFERENCE TO A MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Consent under 28 U.S.C. 636(c) for all purposes (including trial). Referred to Magistrate Judge Stewart D. Aaron. SO ORDERED. (Signed by Judge Paul A. Crotty on 2/16/2021) (ks) (Entered: 02/16/2021)
02/16/2021	<u>16</u>	NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE by Immigrant Defense Project, New Sanctuary Coalition, United States Immigration and Customs Enforcement. (Case No Longer Referred to Magistrate Judge) CASE ASSIGNED to Magistrate Judge Stewart D. Aaron. (Signed by Judge Paul A. Crotty on 2/16/2021).(ks) (Entered: 02/16/2021)
02/16/2021	<u>17</u>	ORDER: No later than 2/23/2021, the parties shall file a joint letter setting forth an agreed-upon briefing schedule for their cross-motions for summary judgment. If the parties are unable to agree, they shall set forth their respective positions in the joint letter. (HEREBY ORDERED by Magistrate Judge Stewart D. Aaron) (Text Only Order) (Aaron, Stewart) (Entered: 02/16/2021)
02/23/2021	<u>18</u>	JOINT LETTER addressed to Magistrate Judge Stewart D. Aaron from the Parties dated 02/23/2021 re: Order, dated Feb. 16, 2021. Document filed by Immigrant Defense Project, New Sanctuary Coalition..(Rofe, Jessica) (Entered: 02/23/2021)
02/24/2021	<u>19</u>	ORDER FOR TELEPHONE CONFERENCE: The parties are directed to appear for a telephone conference on Wednesday, March 10, 2021, at 2:00 p.m. EST to discuss the status of this action. At the scheduled time, the parties shall each separately call (888) 278-0296 (or (214) 765-0479) and enter access code 6489745. So Ordered. (Telephone Conference set for 3/10/2021 at 02:00 PM before Magistrate Judge Stewart D. Aaron.) (Signed by Magistrate Judge Stewart D. Aaron on 2/24/2021) (js) (Entered: 02/24/2021)
03/03/2021	<u>20</u>	LAW STUDENT INTERN APPEARANCE FORMS for Muriel Carpenter. Document filed by Immigrant Defense Project, New Sanctuary Coalition. (kl) (Entered: 03/03/2021)
03/03/2021	<u>21</u>	LAW STUDENT INTERN APPEARANCE FORMS for Olivia Abrecht. Document filed by Immigrant Defense Project, New Sanctuary Coalition. (kl) (Entered: 03/03/2021)
03/10/2021	<u>22</u>	ORDER RESCHEDULING TELEPHONE CONFERENCE: The telephone conference currently scheduled for today, March 10, 2021 at 2:00 p.m. is rescheduled to 1:00 p.m. the same day. At the scheduled time, the parties shall each separately call (888) 278-0296 (or (214) 765-0479) and enter access code 6489745. SO ORDERED. (Telephone Conference set for 3/10/2021 at 01:00 PM before Magistrate Judge Stewart D. Aaron.) (Signed by Magistrate Judge Stewart D. Aaron on 3/10/2021) (Text Only Order) (kl) (Entered: 03/10/2021)
03/10/2021	<u>23</u>	ORDER: Following a telephone conference held with the parties this afternoon, the Court hereby ORDERS as follows: The parties shall continue to meet and confer to clarify and finalize the scope of Plaintiff's document requests. On Wednesday, March 17, 2021, Defendant shall file a letter setting forth an anticipated timeline for a rolling production responsive to Plaintiff's document requests, which should include, at minimum, the dates on which Defendant anticipates that it will (a) begin production of documents from the approximately-400-page "tranche" of documents discussed during today's conference; (b) complete production of documents from that tranche; (c) complete its search for other documents responsive to Plaintiff's document requests; (d) begin a rolling production of such responsive documents; and (e) complete such rolling production. Plaintiff shall file any responsive letter no later than Friday, March 19, 2021. So Ordered. (Signed by Magistrate Judge Stewart D. Aaron on 3/10/2021) (js) (Entered: 03/10/2021)

03/10/2021		Minute Entry for proceedings held before Magistrate Judge Stewart D. Aaron: Telephone Conference held on 3/10/2021. (kl) (Entered: 03/12/2021)
03/12/2021	<u>24</u>	TRANSCRIPT of Proceedings re: Telephone Conference held on 3/10/2021 before Magistrate Judge Stewart D. Aaron. Court Reporter/Transcriber: Carole Ludwig, (212) 420-0771. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/2/2021. Redacted Transcript Deadline set for 4/12/2021. Release of Transcript Restriction set for 6/10/2021..(kv) (Entered: 03/12/2021)
03/12/2021	<u>25</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Telephone Conference proceeding held on 3/10/2021 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(kv) (Entered: 03/12/2021)
03/17/2021	<u>26</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 03/17/2021)
03/19/2021	<u>27</u>	LETTER addressed to Magistrate Judge Stewart D. Aaron from Plaintiffs dated 03/19/2021 re: Response to Defendant's Status Update. Document filed by Immigrant Defense Project, New Sanctuary Coalition. (Attachments: # <u>1</u> Exhibit Model Production Orders).(Rofe, Jessica) (Entered: 03/19/2021)
03/20/2021	<u>28</u>	ORDER: The Court hereby ORDERS, as follows: 1. No later than Friday, March 26, 2021, the parties shall conclude their negotiations regarding Plaintiffs' FOIA requests. 2. No later than Tuesday, March 30, 2021, the parties shall file a joint letter setting forth: (a) any disputes regarding the scope of Plaintiffs' FOIA requests; (b) a timeline for ICE to (i) complete its search for documents responsive to Plaintiffs' document requests; (ii) begin a rolling production of such responsive documents; and (iii) complete such rolling production; and (c) a production and processing rate to be imposed upon ICE. If the parties cannot agree on any aspect of items 2(b) or 2(c), the parties' respective positions shall be stated in the joint letter. 3. On Thursday, April 1, 2021, at 2 p.m., the Court shall hold a remote telephone conference with the parties. At the scheduled time, the parties shall each separately call (888) 278-0296 (or (214) 765-0479) and enter access code 6489745. Conference set for 4/1/2021 at 02:00 PM before Magistrate Judge Stewart D. Aaron. (Signed by Magistrate Judge Stewart D. Aaron on 3/20/2021) (Aaron, Stewart) (Entered: 03/20/2021)
03/30/2021	<u>29</u>	LETTER MOTION for Extension of Time to File Joint Letter and for Adjournment of Conference addressed to Magistrate Judge Stewart D. Aaron from Talia Kraemer dated 3/30/2021. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 03/30/2021)
03/30/2021	<u>30</u>	ORDER granting <u>29</u> Letter Motion for Extension of Time. Request GRANTED. The parties shall submit their joint letter on Tuesday, April 6, 2021. The telephone conference originally scheduled for April 1, 2021 is adjourned sine die; the Court will reschedule upon its review of the parties' joint letter. So Ordered. (Signed by Magistrate Judge Stewart D. Aaron on 3/30/2021) (js) (Entered: 03/30/2021)
04/06/2021	<u>31</u>	JOINT LETTER addressed to Magistrate Judge Stewart D. Aaron from the Parties dated 04/06/2021 re: Status of Parties' Negotiations. Document filed by Immigrant Defense Project, New Sanctuary Coalition..(Rofe, Jessica) (Entered: 04/06/2021)
04/08/2021	<u>32</u>	MEMO ENDORSEMENT on re: <u>31</u> Letter filed by Immigrant Defense Project, New Sanctuary Coalition, ENDORSEMENT: The Court is not available for a conference the week of April 12. The Court shall hold a telephone conference with the parties on Tuesday, April 20, 2021 at 2:30 p.m. At the scheduled time, the parties shall each separately call (888)278-0296 (or (214)765-0479) and enter access code 6489745. In the meantime, the parties shall seek to resolve or narrow their disputes. On Friday, April 16, 2021, the parties shall file a joint letter. In that letter, Defendant shall identify its known outstanding searches, along with the date of anticipated completion for each search, and shall show cause why rolling production should be delayed until it has completed all searches. To the extent there remain disputes that the parties would like the Court to resolve as to the scope of production, the letter shall set forth each specific document request at issue, along with Defendant's objections to each such request. To the extent there remain disputes regarding a production schedule (i.e., when production should begin and/or conclude, and/or the rate at which it should proceed), each party shall set forth in the letter a proposed schedule and identify supporting precedent. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 4/8/2021) (Telephone

		Conference set for 4/20/2021 at 02:30 PM before Magistrate Judge Stewart D. Aaron.) (ks) (Entered: 04/08/2021)
04/16/2021	<u>33</u>	JOINT LETTER addressed to Magistrate Judge Stewart D. Aaron from the Parties dated 04/16/2021 re: Status of Ongoing Negotiations. Document filed by Immigrant Defense Project, New Sanctuary Coalition. (Attachments: # <u>1</u> Affidavit Fernando Pineiro, # <u>2</u> Affidavit Conrad L. Blackburn, Esq., # <u>3</u> Affidavit Whitney Braunstein).(Rofe, Jessica) (Entered: 04/16/2021)
04/20/2021		Minute Entry for proceedings held before Magistrate Judge Stewart D. Aaron: Telephone Conference held on 4/20/2021. (kl) (Entered: 04/23/2021)
04/21/2021	<u>34</u>	ORDER: Following a telephone conference with the parties on April 20, 2021, the Court hereby ORDERS, as follows: Defendant immediately shall begin processing documents at a rate of 600 pages per month. The Court anticipates that this rate will be adjusted once the Court has received more information from Defendant pursuant to the below. No later than Monday, April 26, 2021, Defendant shall file a status update with the Court that sets forth (a) a total page count of the "certain records" Defendant has identified "that have already been collected that are unlikely to be duplicated during the ongoing searches" (the "Unlikely Duplicates"); and (b) any conclusions Defendant has reached with regard to "whether reasonable email searches are feasible" in response to Complaint Ex. A Request Nos. 1(p) and 1(q) and Complaint Ex. B Request Nos. 6 and 12 (the "Requests Under Evaluation). (Joint Ltr., ECF No. 33, at 1.) No later than Monday, May 3, 2021, Defendant shall: (a) make a first monthly production, based on processing at least 600 pages of Unlikely Duplicates (or, If the Unlikely Duplicates comprise fewer than 600 pages, all the Unlikely Duplicates); and (b) file with the Court a first monthly status update, setting forth: (i) a count of document pages processed (A) since April 16, 2021 and (B) in total; (ii) a count of document pages produced (A) since April 16, 2021 and (B) in total; (iii) a count of Unlikely Duplicate pages that remain un-processed, if any; (iv) a page count of any newly identified "records unlikely to be duplicated," to the extent Defendant has continue[d] to identify" them (see Joint Ltr. at 1); and (v) any further conclusions Defendant has reached with regard to the Requests Under Evaluation. No later than Friday, May 14, 2021, Defendant shall (a) complete all outstanding searches; (b) complete deduplication of the documents returned by those searches; and (c) file a status update with the Court that sets forth a total page count of those deduplicated documents. No later than Tuesday, June 1, 2021, Defendant shall (a) make a second monthly production, based on processing at least 600 pages since its prior production, and (b) file with the Court a second monthly status update, setting forth: (i) a count of document pages processed (A) since its prior production and (B) in total; and (ii) a count of document pages produced (A) since its prior production and (B) in total. Plaintiffs are encouraged to identify to Defendant any higher- or lower-priority categories of requested documents. If they do so, Defendant shall use its best efforts to prioritize its processing and production efforts accordingly. So Ordered. (Signed by Magistrate Judge Stewart D. Aaron on 4/21/2021) (js) (Entered: 04/21/2021)
04/26/2021	<u>35</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 04/26/2021)
05/03/2021	<u>36</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 05/03/2021)
05/14/2021	<u>37</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 05/14/2021)
05/18/2021	<u>38</u>	ORDER: After review of Defendant's Status Report dated May 14, 2021 (ECF No. 37), the Court calculates that, at its current rate of document review, Defendant will require more than twelve months to complete its review of documents responsive to Plaintiffs FOIA requests. Under the circumstances, the Court hereby ORDERS that Defendant shall, in its forthcoming status letter due Tuesday, June 1, 2021 (see Order, ECF No. 34), show cause why its rate of review should not be raised from 600 documents per month to 1,200 documents per month. See Order, Austin Sanctuary Network v. U.S. Immigration and Customs Enforcement, 20-CV-01686 (LJL), ECF No. 26 (May 1, 2020). So Ordered (Signed by Magistrate Judge Stewart D. Aaron on 5/18/2021) (js) (Entered: 05/18/2021)
06/01/2021	<u>39</u>	STATUS REPORT. <i>and Response to Order to Show Cause</i> Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 06/01/2021)
06/01/2021	<u>40</u>	MEMO ENDORSEMENT on re: <u>39</u> Status Report filed by United States Immigration and Customs Enforcement. ENDORSEMENT: Plaintiff shall file any response to Defendant's "Response to Order to Show Cause" no later than Tuesday, June 8, 2021. In any such response, Plaintiff is encouraged to "identify custodians, search terms, or types of records for ICE to prioritize, so that ICE can produce those documents to Plaintiffs sooner." So Ordered. (Responses due by 6/8/2021) (Signed by

		Magistrate Judge Stewart D. Aaron on 6/1/2021) (js) (Entered: 06/01/2021)
06/08/2021	<u>41</u>	LETTER addressed to Magistrate Judge Stewart D. Aaron from Plaintiffs dated 06/08/2021 re: ECF 40. Document filed by Immigrant Defense Project, New Sanctuary Coalition..(Rofo, Jessica) (Entered: 06/08/2021)
06/09/2021	<u>42</u>	MEMO ENDORSEMENT on re: <u>41</u> Letter filed by Immigrant Defense Project, New Sanctuary Coalition. ENDORSEMENT: ENDORSEMENT: Defendant shall respond to Plaintiffs' prioritization proposal no later than Monday, June 14, 2021. So Ordered. (Signed by Magistrate Judge Stewart D. Aaron on 6/9/2021) (js) (Entered: 06/09/2021)
06/09/2021		***DELETED DOCUMENT. Deleted document number <u>43</u> Summons. The document was incorrectly filed in this case. (js) (Entered: 06/10/2021)
06/14/2021	<u>43</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 06/14/2021)
06/15/2021	<u>44</u>	MEMO ENDORSEMENT on re: <u>43</u> Status Report filed by United States Immigration and Customs Enforcement. ENDORSEMENT: No later than Thursday, July 1, 2021, Defendant shall file a letter setting forth (1) the number of pages processed (a) since June 1, 2021 and (b) in total; (2) the number of pages produced (a) since June 1, 2021 and (b) in total; and (3) a list of the folders discussed below, in order of priority as provided by Plaintiffs, with the amount of pages contained in each folder. So Ordered (Signed by Magistrate Judge Stewart D. Aaron on 6/15/2021) (js) (Entered: 06/15/2021)
07/01/2021	<u>45</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 07/01/2021)
07/02/2021	<u>46</u>	ORDER: Following review of the parties' submissions at ECF Nos. 39, 41, 43 and 45, the Court hereby ORDERS, as follows: During the months of July and August 2021, Defendant shall review and process documents at a rate of 800 pages per month. Beginning with the month of September 2021, Defendant shall review and process documents at a rate of 900 pages per month. Defendant shall review and process documents according to the folder-based prioritization scheme set forth in Defendant's status update at ECF No. 45. Beginning on August 2, 2021, and on the first day of each month thereafter (or, where the first day of the month is not a business day, on the following business day), Defendant shall (a) produce to Plaintiffs responsive documents processed during the prior month; and (b) file with the Court a status update setting forth (i) a count of document pages processed (A) since Defendants' prior status update and (B) in total; (ii) a count of document pages produced (A) since Defendants' prior status update and (B) in total; and (iii) a count of document pages remaining to be processed. So Ordered. (Signed by Magistrate Judge Stewart D. Aaron on 7/2/2021) (js) (Entered: 07/02/2021)
08/02/2021	<u>47</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 08/02/2021)
09/01/2021	<u>48</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 09/01/2021)
10/01/2021	<u>49</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 10/01/2021)
11/01/2021	<u>50</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 11/01/2021)
11/02/2021	<u>51</u>	LETTER addressed to Magistrate Judge Stewart D. Aaron from Talia Kraemer dated 11/2/2021 re: Update to Status Report. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 11/02/2021)
12/01/2021	<u>52</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Kraemer, Talia) (Entered: 12/01/2021)
12/08/2021	<u>53</u>	NOTICE OF APPEARANCE by Nancy Babette Morawetz on behalf of Immigrant Defense Project, New Sanctuary Coalition..(Morawetz, Nancy) (Entered: 12/08/2021)
01/03/2022	<u>54</u>	NOTICE OF APPEARANCE by Christopher Kendrick Connolly on behalf of United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 01/03/2022)
01/03/2022	<u>55</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 01/03/2022)

01/31/2022	<u>56</u>	LETTER MOTION for Extension of Time addressed to Magistrate Judge Stewart D. Aaron from AUSA Christopher Connolly dated January 31, 2022. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 01/31/2022)
01/31/2022	<u>57</u>	ORDER granting <u>56</u> Letter Motion for Extension of Time until Tuesday, February 8, 2022, for ICE to complete its monthly processing of potentially responsive records; produce any responsive non-exempt material; and file a status report. Request Granted. So Ordered. (Signed by Magistrate Judge Stewart D. Aaron on 1/31/2022) (js) (Entered: 01/31/2022)
02/07/2022	<u>58</u>	LETTER addressed to Magistrate Judge Stewart D. Aaron from Nancy Morawetz dated February 7, 2022 re: Filing of Related Case. Document filed by Immigrant Defense Project, New Sanctuary Coalition..(Morawetz, Nancy) (Entered: 02/07/2022)
02/07/2022	<u>59</u>	MEMO ENDORSEMENT on re: <u>58</u> Letter filed by Immigrant Defense Project, New Sanctuary Coalition. ENDORSEMENT: On the civil cover sheet accompanying the new Complaint, Plaintiffs shall list this case as a related case and shall file a Related Case Statement (available at: https://www.nysd.uscourts.gov/sites/default/files/2019-11/related-case-statement-formv10-1.pdf). In addition, as and when the new Complaint is filed, Plaintiffs shall file a letter to this ECF docket enclosing a copy of the new Complaint with the new case number. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 2/7/2021) (kl) (Entered: 02/07/2022)
02/08/2022	<u>60</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 02/08/2022)
02/10/2022	<u>61</u>	LETTER addressed to Magistrate Judge Stewart D. Aaron from Nancy Morawetz dated February 10, 2022 re: Filing of Related Case. Document filed by Immigrant Defense Project, New Sanctuary Coalition. (Attachments: # <u>1</u> Related Case Form, # <u>2</u> Complaint, # <u>3</u> Exhibits 1-5, # <u>4</u> Exhibits 6-9, # <u>5</u> Exhibit 10, # <u>6</u> Exhibits 11-13).(Morawetz, Nancy) (Entered: 02/10/2022)
03/01/2022	<u>62</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 03/01/2022)
08/08/2022	<u>63</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 08/08/2022)
08/09/2022	<u>64</u>	MEMO ENDORSEMENT on re: <u>63</u> Status Report filed by United States Immigration and Customs Enforcement. ENDORSEMENT: The parties shall file a joint letter regarding the status of this action on September 8, 2022. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 8/9/2022) (kv) (Entered: 08/09/2022)
09/08/2022	<u>65</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 09/08/2022)
09/09/2022	<u>66</u>	MEMO ENDORSEMENT on re: <u>65</u> Status Report filed by United States Immigration and Customs Enforcement. ENDORSEMENT: The parties shall file a joint letter regarding the status of this action on November 8, 2022. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 9/9/2022) (kv) Modified on 9/9/2022 (kv). (Entered: 09/09/2022)
11/08/2022	<u>67</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 11/08/2022)
11/09/2022	<u>68</u>	MEMO ENDORSEMENT on re: (67 in 1:20-cv-10660-SDA) Status Report filed by United States Immigration and Customs Enforcement, (29 in 1:22-cv-01153-SDA) Status Report filed by United States Immigration and Customs Enforcement. ENDORSEMENT: The parties shall file a joint letter regarding the status of this action on January 12, 2023. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 11/9/2022) (kl) (Entered: 11/09/2022)
01/12/2023	<u>69</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 01/12/2023)
01/12/2023	<u>70</u>	MEMO ENDORSEMENT on re: <u>69</u> Status Report filed by United States Immigration and Customs Enforcement. ENDORSEMENT: The parties shall submit a joint status report by March 8, 2023. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 1/12/2023) (kv) (Entered: 01/12/2023)
03/07/2023	<u>71</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 03/07/2023)

03/08/2023	<u>72</u>	MEMO ENDORSEMENT on re: <u>71</u> Status Report filed by United States Immigration and Customs Enforcement. ENDORSEMENT: The parties shall file a status report on Monday, May 1, 2023. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 3/8/2023) (kv) (Entered: 03/08/2023)
05/01/2023	<u>73</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 05/01/2023)
05/01/2023	<u>74</u>	MEMO ENDORSEMENT on re: <u>73</u> Status Report filed by United States Immigration and Customs Enforcement. ENDORSEMENT Application GRANTED. On Wednesday, July 19, 2023, the parties shall file a joint status letter. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 5/1/2023) (jca) (Entered: 05/01/2023)
07/19/2023	<u>75</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 07/19/2023)
07/20/2023	<u>76</u>	MEMO ENDORSEMENT on re: <u>75</u> Status Report filed by United States Immigration and Customs Enforcement. ENDORSEMENT: Application GRANTED. On Friday, September 15, 2023, the parties shall file a joint status letter. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 7/20/2023) (vfr) (Entered: 07/20/2023)
09/15/2023	<u>77</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 09/15/2023)
09/18/2023	<u>78</u>	MEMO ENDORSEMENT on re: <u>77</u> Status Report filed by United States Immigration and Customs Enforcement. ENDORSEMENT: On Wednesday, November 15, 2023, the parties shall file a joint status letter. In the status report, the parties shall set forth a plan to close this action by year end, given that the three-year anniversary of the filing of this action is approaching. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 9/18/2023) (kv) (Entered: 09/18/2023)
11/15/2023	<u>79</u>	STATUS REPORT. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 11/15/2023)
11/16/2023	<u>80</u>	ORDER: No later than Friday, December 29, 2023, the parties shall file a stipulation and proposed order of dismissal or a joint status letter. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 11/16/2023) (tg) (Entered: 11/16/2023)
12/19/2023	<u>81</u>	PROPOSED STIPULATION AND ORDER. Document filed by United States Immigration and Customs Enforcement..(Connolly, Christopher) (Entered: 12/19/2023)
12/19/2023	<u>82</u>	STIPULATION AND ORDER OF DISMISSAL: IT IS STIPULATED AND AGREED, by and between the parties, as follows: 1. This action is hereby dismissed with prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. 2. To the extent IDP seeks to challenge :ICE's withholding of records produced in response to the FOIA requests in IDP I that are also responsive to the FOIA request in IDP II, but were not also produced in IDP II, it may do so in; a motion for summary judgment brought following the conclusion of ICE's productions in IDP II. 3. To the extent IDP seeks attorney's fees or costs in connection with IDP I pursuant to FOIA's fee provision, 5 U.S.C. § 552(a)(4)(E), it may do so in a single motion encompassing fees and costs in both IDP I and IDP II, made at the conclusion of IDP II. 4. This Stipulation contains the entire agreement between the parties, and no statement, representation, promise, or agreement, oral or otherwise, between the parties or their counsel that is not included herein shall have any force or effect. 5. This Stipulation may be executed in counterparts. Facsimile or PDF signatures shall have the same force and effect as original signatures. 6. This Stipulation is subject to the approval of the Court. If the Court declines to approve the Stipulation, it shall be null and void, with no force or effect. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 12/19/2023) (kv) (Entered: 12/19/2023)