

**U.S. District Court
Middle District of Florida (Orlando)
CIVIL DOCKET FOR CASE #: 6:21-cv-01169-RBD-LHP**

Llamas et al v. U.S. Customs and Border Protection et al
Assigned to: Judge Roy B. Dalton, Jr.
Referred to: Magistrate Judge Leslie Hoffman Price
Cause: 05:0552 Freedom of Information Act

Date Filed: 07/18/2021
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Noelle Llamas

represented by **Elizabeth E. Bourdon**
Ninth Judicial Circuit Public Defender's
Office
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ATTORNEY TO BE NOTICED

Plaintiff

Ken Klippenstein

represented by **Elizabeth E. Bourdon**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

U.S. Customs and Border Protection

represented by **Erik Kenneth Stegeby**
US Attorney's Office – FLM
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400 N Tampa St
Tampa, FL 33602-4798
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LEAD ATTORNEY
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Adam R Smart
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Orlando, FL 32801
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TERMINATED: 10/15/2021
ATTORNEY TO BE NOTICED

Defendant

**U.S. Immigration and Customs
Enforcement**

represented by **Erik Kenneth Stegeby**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Adam R Smart
(See above for address)
TERMINATED: 10/15/2021
ATTORNEY TO BE NOTICED

Defendant

U.S. Department of Homeland Security

represented by **Erik Kenneth Stegeby**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Adam R Smart
(See above for address)
TERMINATED: 10/15/2021
ATTORNEY TO BE NOTICED

Defendant

Federal Bureau of Investigation

represented by **Erik Kenneth Stegeby**
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Adam R Smart
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TERMINATED: 10/15/2021
ATTORNEY TO BE NOTICED

Defendant

United States Marshals Service

represented by **Erik Kenneth Stegeby**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Adam R Smart
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TERMINATED: 10/15/2021
ATTORNEY TO BE NOTICED

Defendant

United States Department of Justice

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Adam R Smart
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TERMINATED: 10/15/2021
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/18/2021	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 402 receipt number AFLMDC-18487220) filed by All Plaintiffs. (Attachments: # <u>1</u> Civil Cover Sheet)(Bourdon, Elizabeth) (Entered: 07/18/2021)
07/18/2021	<u>2</u>	PROPOSED summons to be issued by KEN KLIPPENSTEIN, NOELLE LLAMAS. (Bourdon, Elizabeth) (Entered: 07/18/2021)
07/18/2021	<u>3</u>	PROPOSED summons to be issued by KEN KLIPPENSTEIN, NOELLE LLAMAS. (Bourdon, Elizabeth) (Entered: 07/18/2021)
07/18/2021	<u>4</u>	PROPOSED summons to be issued by KEN KLIPPENSTEIN, NOELLE LLAMAS. (Bourdon, Elizabeth) (Entered: 07/18/2021)
07/18/2021	<u>5</u>	PROPOSED summons to be issued by KEN KLIPPENSTEIN, NOELLE LLAMAS. (Bourdon, Elizabeth) (Entered: 07/18/2021)

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07/18/2021	<u>9</u>	PROPOSED summons to be issued by KEN KLIPPENSTEIN, NOELLE LLAMAS. (Bourdon, Elizabeth) (Entered: 07/18/2021)
07/19/2021	<u>10</u>	NEW CASE ASSIGNED to Judge Roy B. Dalton, Jr. and Magistrate Judge Leslie R. Hoffman. New case number: 6:21-cv-1169-RBD-LRH. (SJB) (Entered: 07/19/2021)
07/19/2021	<u>11</u>	SUMMONS issued as to All Defendants, U.S. Attorney and U.S. Attorney General. (LDJ) (Entered: 07/19/2021)
07/23/2021	<u>12</u>	INITIAL ORDER re Case Management and Deadlines. Signed by Judge Roy B. Dalton, Jr. on 7/23/2021. (BIA) (ctp) (Entered: 07/23/2021)
07/30/2021	<u>13</u>	NOTICE of a related action per Local Rule 1.07(c) by Ken Klippenstein, Noelle Llamas. Related case(s): No (Bourdon, Elizabeth) (Entered: 07/30/2021)
07/30/2021	<u>14</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>12</u> Order pdf by Ken Klippenstein, Noelle Llamas identifying Corporate Parent The Intercept for Ken Klippenstein, Noelle Llamas. (Bourdon, Elizabeth) (Entered: 07/30/2021)
08/10/2021	<u>15</u>	Remark: Doc. <u>14</u> has been reviewed. Signed by Judge Roy B. Dalton, Jr. on 8/9/2021. (LLM) (Entered: 08/10/2021)
08/16/2021	<u>16</u>	Unopposed MOTION for Extension of Time until 9/18/21 to File Answer re <u>1</u> Complaint by All Defendants. (Smart, Adam) Motions referred to Magistrate Judge Leslie R. Hoffman. Modified text on 8/16/2021 (LDJ). (Entered: 08/16/2021)
08/16/2021	<u>17</u>	ORDER granting <u>16</u> Motion for Extension of Time to Respond re <u>1</u> Complaint. All Defendants' answer or response due by 9/20/2021. Signed by Magistrate Judge Leslie R. Hoffman on 8/16/2021. (MKH) (Entered: 08/16/2021)
09/10/2021	<u>18</u>	ORDER directing compliance to <u>12</u> Initial Order. On or before September 24, 2021, the Defendants are DIRECTED to file a Certificate of Interested Persons and Corporate Disclosure Statement that comply with the Court's order. Signed by Judge Roy B. Dalton, Jr. on 9/10/2021. (BIA) (Entered: 09/10/2021)
09/13/2021	<u>19</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>18</u> Order directing compliance by Federal Bureau of Investigation, U.S. Customs and Border Protection, U.S. Department of Homeland Security, U.S. Department of Justice, U.S. Immigration and Customs Enforcement, U.S. Marshals Service. (Smart, Adam) (Entered: 09/13/2021)
09/14/2021	<u>20</u>	Remark: Doc. <u>19</u> has been reviewed. Signed by Judge Roy B. Dalton, Jr. on 9/14/2021. (LLM) (Entered: 09/14/2021)
09/20/2021	<u>21</u>	ANSWER and affirmative defenses to <u>1</u> Complaint by Federal Bureau of Investigation, U.S. Customs and Border Protection, U.S. Department of Homeland Security, U.S. Department of Justice, U.S. Immigration and Customs Enforcement, U.S. Marshals Service.(Smart, Adam) (Entered: 09/20/2021)
09/28/2021	<u>22</u>	CASE MANAGEMENT REPORT. (Smart, Adam) (Entered: 09/28/2021)
10/07/2021	<u>23</u>	ORDER Setting Hearing. Preliminary Pretrial Conference set for 10/18/2021 at 02:00 PM in Orlando Courtroom 5 D before Magistrate Judge Leslie R. Hoffman. Signed by Magistrate Judge Leslie R. Hoffman on 10/7/2021. (MKH) (Entered: 10/07/2021)
10/14/2021	<u>24</u>	Unopposed MOTION to Continue <i>Preliminary Pretrial Conference</i> by Federal Bureau of Investigation, U.S. Customs and Border Protection, U.S. Department of Homeland Security, U.S. Department of Justice, U.S. Immigration and Customs Enforcement, U.S. Marshals Service. (Smart, Adam) Modified text on 10/15/2021 (LDJ). (Entered: 10/14/2021)

10/15/2021	<u>25</u>	Notice of substitution of AUSA. Erik Kenneth Stegeby substituting for AUSA Adam R. Smart. (Stegeby, Erik) (Entered: 10/15/2021)
10/15/2021	<u>26</u>	ORDER granting <u>24</u> Defendants' Unopposed Motion to Continue Preliminary Pretrial Conference. TAKE NOTICE that the preliminary pretrial conference to be held before the undersigned is hereby RESCHEDULED for Thursday October 28, 2021 at 3:00 p.m. in Courtroom No. 5D, Fifth Floor, U.S. Courthouse, 401 W. Central Boulevard, Orlando, Florida. Lead counsel for the parties shall attend the conference in person. Signed by Magistrate Judge Leslie R. Hoffman on 10/15/2021. (MKH) (Entered: 10/15/2021)
10/15/2021		Reset hearing: Preliminary Pretrial Conference set for 10/28/2021 at 03:00 PM in Orlando Courtroom 5 D before Magistrate Judge Leslie R. Hoffman. (ECJ) (Entered: 10/15/2021)
10/28/2021	<u>28</u>	Minute Entry. In Person Proceedings held before Magistrate Judge Leslie R. Hoffman: PRELIMINARY PRETRIAL CONFERENCE held on 10/28/2021. (DIGITAL) (ECJ) (Entered: 10/29/2021)
10/29/2021	<u>27</u>	REPORT AND RECOMMENDATIONS re <u>22</u> Case Management Report. Signed by Magistrate Judge Leslie R. Hoffman on 10/29/2021. (MKH) (Entered: 10/29/2021)
11/22/2021	<u>29</u>	ORDER adopting <u>27</u> REPORT AND RECOMMENDATIONS re <u>22</u> Case Management Report. The Court will enter a Case Management and Scheduling Order reflecting the recommendations in the R&R. Signed by Judge Roy B. Dalton, Jr. on 11/22/2021. (BIA) (ctp) (Entered: 11/22/2021)
12/02/2021	<u>30</u>	Scheduling Order adopting Magistrate Judge Leslie R.Hoffman's Report and Recommendation <u>29</u>, SCHEDULING ORDER: Amended Pleadings due by 4/30/2022 Dispositive motions due by 8/31/2022 Signed by Judge Roy B. Dalton, Jr. on 12/1/2021. (YG) (Entered: 12/02/2021)
08/31/2022	<u>31</u>	Unopposed MOTION for Extension of Time to File Summary Judgment Motions, Responses and Replies by All Defendants. (Stegeby, Erik) Motions referred to Magistrate Judge Leslie Hoffman Price. (Entered: 08/31/2022)
09/06/2022	<u>32</u>	ENDORSED ORDER GRANTING Defendant's Unopposed Motion for an Extension of Time to File Summary Judgment Motions (Doc. <u>31</u>). Deadlines are reset as follows: Summary Judgment Motion due December 29, 2022; Response to Summary Judgment Motion due by January 27, 2023; and Reply to Response to Summary Judgment Motion due by February 11, 2023. Signed by Judge Roy B. Dalton, Jr. on 9/6/2022. (Rex, Jennifer) (Entered: 09/06/2022)
09/07/2022		Set/reset deadlines/hearings: Dispositive motions due by 12/29/2022, Responses due by 1/27/2023, and Replies due by 2/11/2023. (LMF) (Entered: 09/07/2022)
12/27/2022	<u>33</u>	Joint MOTION for Extension of Time to File Dispositive Motions by All Defendants. (Stegeby, Erik) Motions referred to Magistrate Judge Leslie Hoffman Price. (Entered: 12/27/2022)
12/28/2022	<u>34</u>	ENDORSED ORDER granting <u>33</u> Joint Motion for Extension of Time to File Summary Judgment Motions. The deadline for filing summary judgment motions is extended to February 27, 2023, the deadline for filing responses is extended to March 29, 2023, and the deadline for filing reply briefs is extended to April 12, 2023. Signed by Magistrate Judge Leslie Hoffman Price on 12/28/2022. (TNP) (Entered: 12/28/2022)
02/27/2023	<u>35</u>	Joint MOTION for Extension of Time to File Response/Reply to file Summary Judgment Motion by U.S. Customs and Border Protection. (Stegeby, Erik) Motions referred to Magistrate Judge Leslie Hoffman Price. (Entered: 02/27/2023)
02/27/2023	<u>36</u>	ORDER granting <u>35</u> Joint Motion for an Extension of Time to File Summary Judgment Motions. See PDF Order. Signed by Magistrate Judge Leslie Hoffman Price on 2/27/2023. (MKH) (Entered: 02/27/2023)
06/26/2023	<u>37</u>	STRICKEN per <u>37</u> Order --- Joint MOTION to Stay by All Defendants. (Stegeby, Erik) Modified to strike on 6/30/2023 (JK). (Entered: 06/26/2023)

06/29/2023	<u>38</u>	ORDER striking <u>37</u> Joint Motion to Stay Case. Signed by Magistrate Judge Leslie Hoffman Price on 6/29/2023. (MKH) (Entered: 06/29/2023)
06/30/2023	<u>39</u>	Amended MOTION to Stay by Ken Klippenstein, Noelle Llamas. (Bourdon, Elizabeth) (Entered: 06/30/2023)
07/11/2023	<u>40</u>	ORDER granting in part and denying in part <u>39</u> Amended Joint Motion to Stay Case. This cause is hereby STAYED for a period of ninety (90) days from the date of this Order. On or before expiration of this ninety (90) day period, the parties shall file a joint status report. If the parties contend that an extension of the stay is warranted, the status report must provide the production schedule, and detail as to what production remains outstanding. Signed by Magistrate Judge Leslie Hoffman Price on 7/11/2023. (MKH) (Entered: 07/11/2023)
07/12/2023		Case Stayed. (LD) (Entered: 07/12/2023)
10/07/2023	<u>41</u>	STATUS report <i>Regarding Production of Documents</i> by Federal Bureau of Investigation, U.S. Customs and Border Protection, United States Marshals Service, United States Department of Justice, U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security. (Stegeby, Erik) (Entered: 10/07/2023)
10/11/2023	<u>42</u>	ORDER LIFTING STAY AND SETTING BRIEFING SCHEDULE. Deadline for filing summary judgment motions: December 11, 2023; Deadline for responses to summary judgment motions: January 10, 2024; Deadline for reply brief to summary judgment motions: January 24, 2024. Signed by Magistrate Judge Leslie Hoffman Price on 10/11/2023. (MKH) (Entered: 10/11/2023)
10/11/2023		Case Stay Lifted. (HAI) (Entered: 10/13/2023)
12/11/2023	<u>43</u>	Joint MOTION for Extension of Time to File the Parties' Dispositive Motions or Stay of Case (<i>Fourth</i>) by Federal Bureau of Investigation, U.S. Customs and Border Protection, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, United States Department of Justice, United States Marshals Service. (Stegeby, Erik) Motions referred to Magistrate Judge Leslie Hoffman Price. (Entered: 12/11/2023)
12/12/2023	<u>44</u>	ORDER denying <u>43</u> Joint Motion (Fourth) for an Extension of Time to File Summary Judgment Motions or to Stay the Case. The following schedule will apply to the remainder of this case: * Deadline for filing summary judgment motions: January 8, 2024*; Deadline for responses to summary judgment motions: February 7, 2024 *; Deadline for reply brief to summary judgment motions: February 21, 2024. Given the length of the pendency of this case, and the extensions already provided, these deadlines will not be extended. Failure to comply with these deadlines may result in recommendations of sanctions such as dismissal for failure to prosecute or default. See PDF Order. Signed by Magistrate Judge Leslie Hoffman Price on 12/12/2023. (MKH) (Entered: 12/12/2023)
01/05/2024	<u>45</u>	STIPULATION of Dismissal (<i>Joint</i>) by Federal Bureau of Investigation, U.S. Customs and Border Protection, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, United States Department of Justice, United States Marshals Service. (Stegeby, Erik) (Entered: 01/05/2024)
01/10/2024	<u>46</u>	ORDER dismissing case with prejudice re <u>45</u> Stipulation of Dismissal. All pending motions are denied as moot and all deadlines and hearings are terminated. The Clerk is directed to close the file. Signed by Judge Roy B. Dalton, Jr. on 1/10/2024. (ALL) (Entered: 01/10/2024)