

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:21-cv-10486-JGD**

Harvard Immigration and Refugee Clinical Program v.
Department of Homeland Security et al
Assigned to: Magistrate Judge Judith G. Dein
Cause: 05:552 Freedom of Information Act

Date Filed: 03/22/2021
Date Terminated: 02/20/2024
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**Harvard Immigration and Refugee
Clinical Program**

represented by **Sameer Ahmed**
Harvard Immigration and Refugee Clinical
Program
6 Everett Street
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TERMINATED: 07/14/2023
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

V.

Defendant

Department of Homeland Security

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Defendant

**Immigration and Customs
Enforcement**

represented by **Susan M. Poswistilo**
(See above for address)
ATTORNEY TO BE NOTICED

Thomas E. Kanwit
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

U.S. Customs and Border Protection

represented by **Susan M. Poswistilo**
(See above for address)
ATTORNEY TO BE NOTICED

Thomas E. Kanwit
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Department of Justice

represented by **Susan M. Poswistilo**
(See above for address)
ATTORNEY TO BE NOTICED

Thomas E. Kanwit
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**Executive Office for Immigration
Review**

represented by **Susan M. Poswistilo**
(See above for address)
ATTORNEY TO BE NOTICED

Thomas E. Kanwit
(See above for address)
ATTORNEY TO BE NOTICED

Email All Attorneys
Email All Attorneys and Additional Recipients

Date Filed	#	Docket Text
03/22/2021	<u>1</u>	COMPLAINT against All Defendants Filing fee: \$ 402, receipt number 0101-8691283 (Fee Status: Filing Fee paid), filed by Harvard Immigration and Refugee Clinical Program. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> JS45, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u> Exhibit 13, # <u>16</u> Exhibit 14, # <u>17</u> Exhibit 15, # <u>18</u> Exhibit 16, # <u>19</u> Exhibit 17, # <u>20</u> Exhibit 18, # <u>21</u> Exhibit 19, # <u>22</u> Exhibit 20, # <u>23</u> Exhibit 21, # <u>24</u> Exhibit 22, # <u>25</u> Exhibit 23, # <u>26</u> Exhibit 24, # <u>27</u> Exhibit 25, # <u>28</u> Exhibit 26, # <u>29</u> Exhibit 27, # <u>30</u> Exhibit 28, # <u>31</u> Exhibit 29, # <u>32</u> Exhibit 30, # <u>33</u> Exhibit 31)(Ahmed, Sameer) (Entered: 03/22/2021)
03/22/2021	2	NOTICE of Case Assignment. Magistrate Judge Judith G. Dein assigned to case. Plaintiff's counsel, or defendant's counsel if this case was initiated by the filing of a Notice of Removal, are directed to the Notice and Procedures regarding Consent to Proceed before the Magistrate Judge which can be downloaded here. These documents will be mailed to counsel not receiving notice electronically> Pursuant to General Order 09-3, until the Court receives for filing either a consent to the Magistrate Judge's jurisdiction or the reassignment of the case to a District Judge, the initial assignment of a civil case to the Magistrate Judge is a referral to the Magistrate Judge under 28 USC 636(b) for all pretrial non-dispositive matters and Report and Recommendations, but not for the Rule 16(b) scheduling conference. (Danieli, Chris) (Entered: 03/22/2021)
03/22/2021	<u>3</u>	Summons Issued as to All Defendants. Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (Vieira, Leonardo) (Entered: 03/22/2021)

04/08/2021	<u>4</u>	NOTICE of Appearance by Susan M. Poswistilo on behalf of Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement, U.S. Customs and Border Protection (Poswistilo, Susan) (Entered: 04/08/2021)
04/26/2021	<u>5</u>	Assented to MOTION for Extension of Time to 5/24/21 to File Response/Reply by Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement, U.S. Customs and Border Protection.(Poswistilo, Susan) (Entered: 04/26/2021)
04/27/2021	<u>6</u>	ELECTRONIC REMINDER TO COUNSEL: Since this case was initiated by the filing of a Notice of Removal, Defendant's counsel is reminded that a notification form indicating whether or not the parties have consented to proceed before a U.S. Magistrate Judge has not been filed. Submission of the form is mandatory and a completed form should be filed promptly. Additional forms can be obtained on the Court's web page at http://www.mad.uscourts.gov . (Geraldino-Karasek, Clarilde) (Entered: 04/27/2021)
04/27/2021	<u>7</u>	CONSENT by all parties to Jurisdiction by US Magistrate Judge by Harvard Immigration and Refugee Clinical Program.. (Ahmed, Sameer) (Entered: 04/27/2021)
04/28/2021	<u>8</u>	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered ALLOWED <u>5</u> Motion for Extension of Time to File Response/Reply. Defendant's ANSWER due by 5/24/2021. (Geraldino-Karasek, Clarilde) (Entered: 04/28/2021)
04/30/2021	<u>9</u>	Assented to MOTION For Leave To Appear As A Law Student <i>Sujin Kim</i> by Harvard Immigration and Refugee Clinical Program. (Attachments: # <u>1</u> Supplement Memorandum of Law, # <u>2</u> Affidavit Declaration of Sujin Kim, # <u>3</u> Exhibit Certification Form)(Ahmed, Sameer) (Entered: 04/30/2021)
05/05/2021	<u>10</u>	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered ALLOWED <u>9</u> Assented to MOTION For Leave To Appear As A Law Student Sujin Kim by Harvard Immigration and Refugee Clinical Program. (Geraldino-Karasek, Clarilde) (Entered: 05/05/2021)
05/10/2021	<u>11</u>	Magistrate Judge Judith G. Dein: ORDER entered. ORDER of Temporary Admission. (Geraldino-Karasek, Clarilde) (Entered: 05/10/2021)
05/25/2021	<u>12</u>	Assented to MOTION for Extension of Time to 5/28/21 to File Response/Reply by Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement, U.S. Customs and Border Protection.(Poswistilo, Susan) (Entered: 05/25/2021)
05/26/2021	<u>13</u>	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered ALLOWED Assented to MOTION for Extension of Time to File Response/Reply filed by Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement, U.S. Customs and Border Protection. Response due by 5/28/2021. (Geraldino-Karasek, Clarilde) (Entered: 05/26/2021)
05/28/2021	<u>14</u>	ANSWER to <u>1</u> Complaint,, by Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement, U.S. Customs and Border Protection.(Poswistilo, Susan) (Entered: 05/28/2021)
06/07/2021	<u>15</u>	NOTICE OF SCHEDULING CONFERENCE: Scheduling Conference set for 7/12/2021 10:00 AM before Magistrate Judge Judith G. Dein. This hearing will be conducted by video conference. Counsel of record will receive a video conference invite at the email registered in CM/ECF. If you have technical or compatibility issues with the technology, please notify the session's courtroom deputy as soon as possible.

		<p>Access to the hearing will be made available to the media and public. In order to gain access to the hearing, you must sign up at the following address: https://forms.mad.uscourts.gov/courtlist.html.</p> <p>For questions regarding access to hearings, you may refer to the Court's general orders and public notices available on www.mad.uscourts.gov or contact media@mad.uscourts.gov.</p> <p>(Geraldino–Karasek, Clarilde) (Entered: 06/07/2021)</p>
06/08/2021	<u>16</u>	NOTICE of Appearance by Sabrineh Ardalan on behalf of Harvard Immigration and Refugee Clinical Program (Ardalan, Sabrineh) (Entered: 06/08/2021)
07/01/2021	<u>17</u>	JOINT STATEMENT re scheduling conference pursuant to Local Rule 16.1(d). (Ahmed, Sameer) (Entered: 07/01/2021)
07/01/2021	<u>18</u>	CERTIFICATION pursuant to Local Rule 16.1 . (Ahmed, Sameer) (Entered: 07/01/2021)
07/12/2021	19	Electronic Clerk's Notes for proceedings held by video conference before Magistrate Judge Judith G. Dein: case called; Scheduling Conference held on 7/12/2021; counsel report case type and scope of discovery required; this case is FOIA request and counsel propose 3 month review ; USMJ Dein orders counsel to file a written status report on or before 10/12/21. (Court Reporter: James Gibbons at jamesgibbonsrpr@gmail.com.)(Attorneys present: Ahmed, ardalan and Poswistilo) (Quinn, Thomas) (Entered: 07/12/2021)
07/13/2021	20	SET DEADLINES AS TO: STATUS REPORT due by 10/12/2021. (Geraldino–Karasek, Clarilde) (Entered: 07/13/2021)
10/12/2021	<u>21</u>	STATUS REPORT (<i>Joint</i>) by Harvard Immigration and Refugee Clinical Program. (Ahmed, Sameer) (Entered: 10/12/2021)
10/13/2021		Magistrate Judge Judith G. Dein: ORDER entered. Status Report due by 1/12/2022(Dein, Judith) (Entered: 10/13/2021)
12/09/2021	<u>22</u>	NOTICE of Appearance by Thomas E. Kanwit on behalf of Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement, U.S. Customs and Border Protection (Kanwit, Thomas) (Entered: 12/09/2021)
01/12/2022	<u>23</u>	STATUS REPORT by Harvard Immigration and Refugee Clinical Program. (Ahmed, Sameer) (Entered: 01/12/2022)
01/13/2022	24	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered. Status Report due by 04/12/2022. (Thomson, Katherine) (Entered: 01/13/2022)
04/12/2022	<u>25</u>	STATUS REPORT by Harvard Immigration and Refugee Clinical Program. (Ahmed, Sameer) (Entered: 04/12/2022)
04/14/2022	26	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered. Status Report due by 7/12/2022. (Thomson, Katherine) (Entered: 04/14/2022)
06/30/2022	<u>27</u>	STATUS REPORT by Harvard Immigration and Refugee Clinical Program. (Ahmed, Sameer) (Entered: 06/30/2022)
07/01/2022	28	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered. Status Report due by 10/12/2022. (Thomson, Katherine) (Entered: 07/01/2022)
10/12/2022	<u>29</u>	STATUS REPORT by Harvard Immigration and Refugee Clinical Program. (Ahmed, Sameer) (Entered: 10/12/2022)
10/13/2022	30	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered. Status Report due by 1/12/2023(Quinn, Thomas) (Entered: 10/13/2022)
01/11/2023	<u>31</u>	STATUS REPORT (<i>Joint</i>) by Harvard Immigration and Refugee Clinical Program. (Ahmed, Sameer) (Entered: 01/11/2023)

01/13/2023	32	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered. Status Report due by 4/12/2023. (Thomson, Katherine) (Entered: 01/13/2023)
04/12/2023	<u>33</u>	STATUS REPORT by Harvard Immigration and Refugee Clinical Program. (Ahmed, Sameer) (Entered: 04/12/2023)
04/14/2023	34	Magistrate Judge Judith G. Dein: ELECTRONIC NOTICE AND ORDER OF HEARING. Status Conference set for 6/1/2023 at 11:00 AM in Courtroom 15 (In person only) before Magistrate Judge Judith G. Dein. The parties shall submit a brief joint statement no later than three (3) business days before the conference addressing the status of the case, scheduling for the remainder of the case through trial, and use of alternative dispute resolution programs. With respect to the use of ADR, the parties shall indicate whether an agreement has been reached, but shall not identify their respective positions. Status Report due by 5/29/2023. (Thomson, Katherine) (Entered: 04/14/2023)
05/26/2023	<u>35</u>	STATUS REPORT (<i>Joint</i>) by Harvard Immigration and Refugee Clinical Program. (Ahmed, Sameer) (Entered: 05/26/2023)
05/26/2023	<u>36</u>	STATUS REPORT (<i>Joint</i>) by Harvard Immigration and Refugee Clinical Program. (Ahmed, Sameer) (Entered: 05/26/2023)
06/01/2023	37	Electronic Clerk's Notes for proceedings held before Magistrate Judge Judith G. Dein: Status Conference held on 6/1/2023. case called; counsel report current discovery status, defendant has not made final document production and plaintiff will submit a proposed order by 6/8/23. Order to issue. (Court Reporter: Digital Recording.) To order a copy of this Digital Recording, please go to https://forms.mad.uscourts.gov/Audio.html . For a transcript of this proceeding, contact mad_transcripts@mad.uscourts.gov . (Attorneys present: Ahmed, Ardalan and Kanwit) (Quinn, Thomas) (Entered: 06/01/2023)
06/01/2023	<u>38</u>	Magistrate Judge Judith G. Dein: ORDER entered. SCHEDULING ORDER: Plaintiff's proposed order by 6/8/2023; Joint Status Report due by 7/31/2023; Motions due by 1/19/2024. (Thomson, Katherine) (Entered: 06/01/2023)
06/02/2023	<u>39</u>	Proposed Document(s) submitted by Harvard Immigration and Refugee Clinical Program. Document received: Proposed Order. (Ahmed, Sameer) (Entered: 06/02/2023)
06/09/2023	<u>40</u>	Magistrate Judge Judith G. Dein: ORDER entered re <u>39</u> Proposed Document(s). The Department of Homeland Security final response due by 7/14/2023. (Thomson, Katherine) (Entered: 06/09/2023)
07/14/2023	<u>41</u>	NOTICE of Withdrawal of Appearance by Sameer Ahmed (Ahmed, Sameer) (Entered: 07/14/2023)
07/31/2023	<u>42</u>	STATUS REPORT <i>Joint</i> by Harvard Immigration and Refugee Clinical Program. (Ardalan, Sabrineh) (Entered: 07/31/2023)
08/03/2023	43	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered. Status Report due by 10/31/2023. (Thomson, Katherine) (Entered: 08/03/2023)
10/31/2023	<u>44</u>	STATUS REPORT by Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement, U.S. Customs and Border Protection. (Kanwit, Thomas) (Entered: 10/31/2023)
11/03/2023	45	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered re <u>44</u> STATUS REPORT. The parties shall submit another joint status report by December 15, 2023. However the January 19, 2024 date for summary judgment motions shall not be extended. (Thomson, Katherine) (Entered: 11/03/2023)
12/15/2023	<u>46</u>	JOINT STATEMENT of counsel <i>Joint Status Report</i> . (Ardalan, Sabrineh) (Entered: 12/15/2023)
12/19/2023	47	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered re <u>46</u> JOINT STATEMENT of counsel. The parties shall submit another joint status report by January 5, 2024. The January 19, 2024 deadline for summary judgment motions shall not be extended. (Thomson, Katherine) (Entered: 12/19/2023)

01/05/2024	<u>48</u>	Joint MOTION for Extension of Time to 2/9/24 to File <i>Summary Judgment Briefing</i> by Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement, U.S. Customs and Border Protection.(Kanwit, Thomas) (Entered: 01/05/2024)
01/05/2024	<u>49</u>	STATUS REPORT <i>Joint</i> by Department of Homeland Security, Department of Justice, Executive Office for Immigration Review, Immigration and Customs Enforcement, U.S. Customs and Border Protection. (Kanwit, Thomas) (Entered: 01/05/2024)
01/10/2024	50	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>48</u> MOTION for Extension of Time to 2/9/24 to file <i>Summary Judgment Briefing</i> . No further continuances will be granted and the case will be closed if no summary judgment is filed. Motions due by 2/9/2024. (Thomson, Katherine) (Entered: 01/10/2024)
02/09/2024	<u>51</u>	NOTICE of Voluntary Dismissal by Harvard Immigration and Refugee Clinical Program (Ardalan, Sabrineh) (Entered: 02/09/2024)