

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:23-cv-09946-DEH**

Insider Inc. et al v. United States Small Business Administration Date Filed: 11/09/2023
Assigned to: Judge Dale E. Ho Date Terminated: 03/06/2024
Cause: 05:552 Freedom of Information Act Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Insider Inc.

represented by **Christopher Bix Bettwy**
Insider Inc.
Legal
One Liberty Plaza
Eighth Floor
New York, NY 10006
646-768-4709
Email: cbettwy@insider.com
ATTORNEY TO BE NOTICED

Plaintiff

Katherine Long

represented by **Christopher Bix Bettwy**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

John Newsham

represented by **Christopher Bix Bettwy**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

United States Small Business Administration

represented by **Jeremy Liss**
86 Chambers Street
Floor 3
New York, NY 10007
212-637-2795
Email: jeremy.liss@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah Sheive Normand
U.S. Attorney's Office, SDNY (86 Chambers St.)
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/09/2023	<u>1</u>	COMPLAINT against United States Small Business Administration. (Filing Fee \$ 402.00, Receipt Number ANYSDC-28552770)Document filed by Insider Inc., JOHN NEWSHAM, KATHERINE LONG. (Attachments: # <u>1</u> Exhibit A-L).(Bettwy,

		Christopher) (Entered: 11/09/2023)
11/09/2023	<u>2</u>	FILING ERROR – DEFICIENT SUMMONS REQUEST – PDF ERROR REQUEST FOR ISSUANCE OF SUMMONS as to United States Small Business Administration, re: <u>1</u> Complaint. Document filed by Insider Inc., KATHERINE LONG, JOHN NEWSHAM..(Bettwy, Christopher) Modified on 11/13/2023 (sj). (Entered: 11/09/2023)
11/09/2023	<u>3</u>	FILING ERROR – DEFICIENT SUMMONS REQUEST – PDF ERROR REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Attorney General, re: <u>1</u> Complaint. Document filed by Insider Inc., KATHERINE LONG, JOHN NEWSHAM..(Bettwy, Christopher) Modified on 11/13/2023 (sj). (Entered: 11/09/2023)
11/09/2023	<u>4</u>	FILING ERROR – DEFICIENT SUMMONS REQUEST – PDF ERROR REQUEST FOR ISSUANCE OF SUMMONS as to United States Attorney's Office, re: <u>1</u> Complaint. Document filed by Insider Inc., KATHERINE LONG, JOHN NEWSHAM..(Bettwy, Christopher) Modified on 11/13/2023 (sj). (Entered: 11/09/2023)
11/09/2023	<u>5</u>	CIVIL COVER SHEET filed..(Bettwy, Christopher) (Entered: 11/09/2023)
11/13/2023	<u>6</u>	NOTICE OF APPEARANCE by Christopher Bix Bettwy on behalf of Insider Inc., KATHERINE LONG, JOHN NEWSHAM..(Bettwy, Christopher) (Entered: 11/13/2023)
11/13/2023		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Christopher Bix Bettwy. The party information for the following party/parties has been modified: KATHERINE LONG, JOHN NEWSHAM. The information for the party/parties has been modified for the following reason/reasons: party name was entered in all caps. (sj) (Entered: 11/13/2023)
11/13/2023		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Dale E. Ho. 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 ..(sj) (Entered: 11/13/2023)
11/13/2023		Magistrate Judge Katharine H. Parker is designated to handle matters that may be referred in this case. 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 . (sj) (Entered: 11/13/2023)
11/13/2023		Case Designated ECF. (sj) (Entered: 11/13/2023)
11/13/2023		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Christopher Bix Bettwy to RE–FILE Document No. <u>2</u> Request for Issuance of Summons, <u>3</u> Request for Issuance of Summons, <u>4</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): the PDF attached to the docket entry for the issuance of summons is not correct; Defendant's name in caption must match exactly as it appears in pleading; summons are only issued to parties of record. Re–file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (sj) (Entered: 11/13/2023)
11/13/2023	<u>7</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to United States Small Business Administration, re: <u>1</u> Complaint. Document filed by Insider Inc., Katherine Long, John Newsham..(Topic, Matthew) Modified on 11/14/2023 (pc). (Entered: 11/13/2023)
11/13/2023	<u>8</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Attorney

		General, re: <u>1</u> Complaint. Document filed by Insider Inc., Katherine Long, John Newsham..(Topic, Matthew) Modified on 11/14/2023 (pc). (Entered: 11/13/2023)
11/13/2023	<u>9</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to United States Small Business Administration, re: <u>1</u> Complaint. Document filed by Insider Inc., Katherine Long, John Newsham..(Bettwy, Christopher) Modified on 11/14/2023 (pc). (Entered: 11/13/2023)
11/13/2023	<u>10</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Attorney General, re: <u>1</u> Complaint. Document filed by Insider Inc., Katherine Long, John Newsham..(Bettwy, Christopher) Modified on 11/14/2023 (pc). (Entered: 11/13/2023)
11/13/2023	<u>11</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to United States Attorney's Office, re: <u>1</u> Complaint. Document filed by Insider Inc., Katherine Long, John Newsham..(Bettwy, Christopher) Modified on 11/14/2023 (pc). (Entered: 11/13/2023)
11/14/2023		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Christopher Bix Bettwy to RE-FILE Document No. <u>8</u> Request for Issuance of Summons, <u>11</u> Request for Issuance of Summons, <u>10</u> Request for Issuance of Summons,. The filing is deficient for the following reason(s): the PDF attached to the docket entry for the issuance of summons is not correct; Defendant party name does not exactly match complaint caption title (U.S. Small Business Administration). Only parties listed on the complaint caption title can be issued a summons. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (pc) (Entered: 11/14/2023)
11/21/2023	<u>12</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Small Business Administration, re: <u>1</u> Complaint. Document filed by Insider Inc., Katherine Long, John Newsham..(Bettwy, Christopher) (Entered: 11/21/2023)
11/21/2023	<u>13</u>	FILING ERROR – SUMMONS REQUEST PARTY ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Attorney General, re: <u>1</u> Complaint. Document filed by Insider Inc., Katherine Long, John Newsham..(Bettwy, Christopher) Modified on 11/22/2023 (jgo). (Entered: 11/21/2023)
11/21/2023	<u>14</u>	FILING ERROR – SUMMONS REQUEST PARTY ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to United States Attorney's Office, re: <u>1</u> Complaint. Document filed by Insider Inc., Katherine Long, John Newsham..(Bettwy, Christopher) Modified on 11/22/2023 (jgo). (Entered: 11/21/2023)
11/22/2023	<u>15</u>	ELECTRONIC SUMMONS ISSUED as to United States Small Business Administration..(jgo) (Entered: 11/22/2023)
11/22/2023		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Christopher Bix Bettwy to RE-FILE Document No. <u>13</u> Request for Issuance of Summons, <u>14</u> Request for Issuance of Summons,. The filing is deficient for the following reason(s): the PDF attached to the docket entry for the issuance of summons is not correct; summons request could only be issued to parties of record. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (jgo) (Entered: 11/22/2023)
11/28/2023	<u>16</u>	FILING ERROR – SUMMONS REQUESTED – WRONG EVENT TYPE SELECTED FROM MENU – REQUEST FOR ISSUANCE OF SUMMONS as to United States Small Business Administration c/o U.S. Attorney General, re: <u>1</u> Complaint. Document filed by Insider Inc., Katherine Long, John Newsham..(Bettwy, Christopher) Modified on 11/29/2023 (jgo). (Entered: 11/28/2023)
11/28/2023	<u>17</u>	FILING ERROR – SUMMONS REQUESTED – WRONG EVENT TYPE SELECTED FROM MENU – REQUEST FOR ISSUANCE OF SUMMONS as to

		United States Small Business Administration c/o United States Attorney's Office, re: <u>1</u> Complaint. Document filed by Insider Inc., Katherine Long, John Newsham..(Bettwy, Christopher) Modified on 11/29/2023 (jgo). (Entered: 11/28/2023)
11/29/2023		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Christopher Bix Bettwy to RE-FILE Document No. <u>16</u> Request for Issuance of Summons, <u>17</u> Request for Issuance of Summons,. The filing is deficient for the following reason(s): the wrong event type was used to file the request for issuance of summons;. Re-file the document using the event type Request for Issuance of Amended Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (jgo) (Entered: 11/29/2023)
11/30/2023	<u>18</u>	REQUEST FOR ISSUANCE OF AMENDED SUMMONS as to United States Small Business Administration c/o U.S. Attorney General, re: <u>1</u> Complaint. Document filed by Insider Inc., Katherine Long, John Newsham..(Bettwy, Christopher) (Entered: 11/30/2023)
11/30/2023	<u>19</u>	REQUEST FOR ISSUANCE OF AMENDED SUMMONS as to United States Small Business Administration c/o U.S. Attorney's Office, re: <u>1</u> Complaint. Document filed by Insider Inc., Katherine Long, John Newsham..(Bettwy, Christopher) (Entered: 11/30/2023)
12/01/2023	<u>20</u>	ELECTRONIC AMENDED SUMMONS ISSUED as to United States Small Business Administration. (vf) (Entered: 12/01/2023)
12/01/2023	<u>21</u>	ELECTRONIC AMENDED SUMMONS ISSUED as to United States Small Business Administration. (vf) (Entered: 12/01/2023)
01/11/2024	<u>22</u>	LETTER MOTION for Extension of Time to File Answer re: <u>1</u> Complaint addressed to Judge Dale E. Ho from AUSA Sarah S. Normand dated January 11, 2024. Document filed by United States Small Business Administration..(Normand, Sarah) (Entered: 01/11/2024)
01/12/2024	<u>23</u>	ORDER granting <u>22</u> Letter Motion for Extension of Time to Answer re <u>22</u> LETTER MOTION for Extension of Time to File Answer re: <u>1</u> Complaint addressed to Judge Dale E. Ho from AUSA Sarah S. Normand dated January 11, 2024.. Application GRANTED. Defendant's deadline to answer, move, or otherwise respond to the Complaint is ADJOURNED, sine die. The parties shall file a joint status letter proposing next steps in this litigation by March 4, 2024. So Ordered.. (Signed by Judge Dale E. Ho on 1/12/2024) (ks) (Entered: 01/12/2024)
01/23/2024	<u>24</u>	SUMMONS RETURNED EXECUTED. United States Small Business Administration served on 12/22/2023, answer due 1/12/2024. Service was made by Mail. Document filed by Insider Inc.; John Newsham; Katherine Long..(Bettwy, Christopher) (Entered: 01/23/2024)
01/23/2024	<u>25</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). Service was made by Mail. Document filed by Insider Inc., John Newsham, Katherine Long..(Bettwy, Christopher) (Entered: 01/23/2024)
01/23/2024	<u>26</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). United States Small Business Administration served on 12/18/2023, answer due 1/17/2024. Service was made by Mail. Document filed by Insider Inc.; John Newsham; Katherine Long..(Bettwy, Christopher) (Entered: 01/23/2024)
01/24/2024	<u>27</u>	NOTICE OF APPEARANCE by Jeremy Liss on behalf of United States Small Business Administration..(Liss, Jeremy) (Entered: 01/24/2024)
03/01/2024	<u>28</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – SIGNATURE ERROR – STIPULATION OF VOLUNTARY DISMISSAL It is hereby stipulated and agreed by and between the parties and/or their respective counsel(s) that the above-captioned action is voluntarily dismissed, with prejudice against the defendant(s) United States Small Business Administration and without costs pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. Document filed by Insider Inc., John Newsham, Katherine Long. Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers) ..(Bettwy, Christopher) Modified on 3/4/2024 (nd). (Entered: 03/01/2024)

03/04/2024		<p>***NOTICE TO ATTORNEY REGARDING DEFICIENT VOLUNTARY DISMISSAL. Notice to Attorney Christopher Bettwy. RE-FILE Document No. <u>28</u> Stipulation of Voluntary Dismissal,,. The filing is deficient for the following reason(s): the stipulation of voluntary dismissal was not signed (ink/wet signatures) by all parties who have appeared;. Re-file the document using the event type Stipulation of Voluntary Dismissal found under the event list Other Documents – select the correct filer/filers – select the correct party/parties the voluntary dismissal is against – and attach the correct signed (scanned signature image) PDF. (nd) (Entered: 03/04/2024)</p>
03/05/2024	<u>29</u>	<p>STIPULATION OF VOLUNTARY DISMISSAL It is hereby stipulated and agreed by and between the parties and/or their respective counsel(s) that the above-captioned action is voluntarily dismissed, with prejudice against the defendant(s) United States Small Business Administration and without costs pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. Document filed by Insider Inc., John Newsham, Katherine Long. Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers)...(Bettwy, Christopher) (Entered: 03/05/2024)</p>