

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:22-cv-04421-JSR**

Koch et al v. Federal Bureau Of Investigation
Assigned to: Judge Jed S. Rakoff
Cause: 05:552 Freedom of Information Act

Date Filed: 05/28/2022
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: Federal Question

Plaintiff

William I. Koch

represented by **John Clopper**
Clopper Law PC
208 Washington Park
Ste #2b
Brooklyn, NY 11205
347-752-7757
Email: jclopper@clopperlaw.com
ATTORNEY TO BE NOTICED

Plaintiff

Bradley Goldstein

represented by **John Clopper**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Federal Bureau Of Investigation

represented by **Peter Max Aronoff**
United States Attorney's Office for the SDNY
86 Chambers Street
New York, NY 10007
212-637-2697
Fax: 212-637-2686
Email: peter.aronoff@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephen Seungkun Cha-Kim
Arnold & Porter Kaye Scholer LLP
Southern District Of New York
250 West 55th Street
New York, NY 10019-9710
212-836-7270
Email: stephen.cha-kim@arnoldporter.com
TERMINATED: 05/19/2023
LEAD ATTORNEY

Jeannette Anne Vargas
U.S. Attorney's Office, SDNY (86 Chambers St.)
86 Chambers Street
New York, NY 10007
212-637-2000
Fax: 212-637-2730
Email: Jeannette.Vargas@usdoj.gov
ATTORNEY TO BE NOTICED

Jeremy Liss

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

Date Filed	#	Docket Text
05/28/2022	<u>1</u>	COMPLAINT against Federal Bureau Of Investigation. (Filing Fee \$ 402.00, Receipt Number ANYSDC-26211378) Document filed by William I. Koch, Bradley Goldstein..(Clopper, John) (Entered: 05/28/2022)
05/28/2022	<u>2</u>	FILING ERROR – DEFICIENT PLEADING – PDF ERROR – CIVIL COVER SHEET filed..(Clopper, John) Modified on 5/31/2022 (pc). (Entered: 05/28/2022)
05/28/2022	<u>3</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Federal Bureau of Investigation, re: <u>1</u> Complaint. Document filed by Bradley Goldstein, William I. Koch..(Clopper, John) (Entered: 05/28/2022)
05/28/2022	<u>4</u>	STATEMENT OF RELATEDNESS re: that this action be filed as related to 22-cv-3712 (PAE). Document filed by Bradley Goldstein, William I. Koch..(Clopper, John) (Entered: 05/28/2022)
05/31/2022		***NOTICE TO ATTORNEY REGARDING CIVIL. CASE OPENING STATISTICAL ERROR CORRECTION: Notice to attorney John Clopper. The following case opening statistical information was erroneously selected/entered: County code New York;. The following correction(s) have been made to your case entry: the County code has been modified to XX Out of State;. (pc) (Entered: 05/31/2022)
05/31/2022		***NOTICE TO ATTORNEY REGARDING DEFICIENT CIVIL COVER SHEET. Notice to attorney John Clopper to RE-FILE Document No. <u>2</u> Civil Cover Sheet. The filing is deficient for the following reason(s): Origin was not selected. Jurisdiction was not selected;. Re-file the document using the event type Civil Cover Sheet found under the event list Other Documents and attach the correct PDF. Use civil cover sheet issued by S.D.N.Y. dated October 1, 2020. The S.D.N.Y. Civil Cover Sheet dated October 1, 2020 is located at http://nysd.uscourts.gov/file/forms/civil-cover-sheet.. (pc) (Entered: 05/31/2022)
05/31/2022		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Unassigned. .(pc) (Entered: 05/31/2022)
05/31/2022		Case Designated ECF. (pc) (Entered: 05/31/2022)
05/31/2022		CASE REFERRED TO Judge Paul A. Engelmayer as possibly related to 22cv3712. (pc) (Entered: 05/31/2022)
05/31/2022	<u>5</u>	ELECTRONIC SUMMONS ISSUED as to Federal Bureau Of Investigation..(pc) (Entered: 05/31/2022)
05/31/2022	<u>6</u>	CIVIL COVER SHEET filed..(Clopper, John) (Entered: 05/31/2022)
06/02/2022		CASE DECLINED AS NOT RELATED. Case referred as related to 22-3712 and declined by Judge Paul Engelmayer and returned to wheel for assignment. (aea) (Entered: 06/02/2022)
06/02/2022		NOTICE OF CASE REASSIGNMENT to Judge Jed S. Rakoff. Judge Unassigned is no longer assigned to the case. (aea) (Entered: 06/02/2022)
06/02/2022		Magistrate Judge Sarah Netburn 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 . (aea) (Entered: 06/02/2022)

06/09/2022	<u>7</u>	NOTICE OF COURT CONFERENCE: DATE AND PLACE OF CONFERENCE: 7-5-2022, ON A TELECONFERENCE LINE AT 11:15am. The dial-in information for the call will be as follows: USA Toll-Free (888) 363-4735; USA Caller Paid/International Toll: (215) 446-3657; Access Code: 1086415. SO ORDERED. (Initial Conference set for 7/5/2022 at 11:15 AM before Judge Jed S. Rakoff.) (Signed by Judge Jed S. Rakoff on 6/9/22) (yv) (Entered: 06/09/2022)
06/28/2022	<u>8</u>	INITIAL REPORT OF PARTIES BEFORE PRETRIAL CONFERENCE. Document filed by Bradley Goldstein, William I. Koch..(Clopper, John) (Entered: 06/28/2022)
06/29/2022	<u>9</u>	NOTICE OF APPEARANCE by Stephen Seungkun Cha-Kim on behalf of Federal Bureau Of Investigation..(Cha-Kim, Stephen) (Entered: 06/29/2022)
07/01/2022	<u>10</u>	ANSWER to <u>1</u> Complaint. Document filed by Federal Bureau Of Investigation..(Cha-Kim, Stephen) (Entered: 07/01/2022)
07/05/2022		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Initial Pretrial Conference held on 7/5/2022, (Telephonic Scheduling Conference set for 7/12/2022 at 05:00 PM before Judge Jed S. Rakoff.)The public may access this proceeding by dialing :USA toll free 888-363-4735, international caller paid 215-446-3657, Access code 1086415. (Kotowski, Linda) (Entered: 07/05/2022)
07/13/2022		Minute Entry for proceedings held before Judge Jed S. Rakoff: (Scheduling Conference set for 7/22/2022 at 11:00 AM before Judge Jed S. Rakoff.)The dial information remains the same as previously posted.. (Kotowski, Linda) (Entered: 07/13/2022)
07/22/2022		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephonic Initial Pretrial Conference held on 7/22/2022. Court's decision: Defense proposed discovery schedule by letter due Monday July 25, 2022 by 5:00pm ltd to 5 single spaced pages.Plaintiffs proposed discovery schedule by letter due by Tuesday July 26, 2022 by 5:00pm,ltd to 5 single spaced pages. Government may file a 3 page single spaced letter responding to plaintiffs submission with any other items they wish to bring up by noon on Wednesday July 27, 2022, Plaintiff may file a 3 page single spaced letter responding to government's submission with any other items they wish to bring up by noon on Wednesday July 27, 2022. (Kotowski, Linda) (Entered: 07/22/2022)
07/28/2022	<u>11</u>	LETTER addressed to Judge Jed S. Rakoff from Stephen Cha-Kim dated July 25, 2022 re: letter letter requesting to provide documentation. Document filed by Federal Bureau Of Investigation..(ks) (Entered: 07/28/2022)
07/28/2022	<u>12</u>	LETTER addressed to Judge Jed S. Rakoff from John D. Clopper dated July 26, 2022 re: Koch response letter. Document filed by William I. Koch..(ks) (Entered: 07/28/2022)
07/28/2022	<u>13</u>	LETTER addressed to Judge Jed S. Rakoff from Stephen Cha-Kim dated July 27, 2022 re: Reply letter from FBI. Document filed by Federal Bureau Of Investigation..(ks) (Entered: 07/28/2022)
07/28/2022	<u>14</u>	LETTER addressed to Judge Jed S. Rakoff from John D. Clopper dated July 27, 2022 re: Reply letter from Koch. Document filed by William I. Koch..(ks) (Entered: 07/28/2022)
07/29/2022	<u>15</u>	ORDER: Accordingly, the Court orders the parties to proceed in the following manner: The FBI shall produce non-exempt information from the above-stated categories of documents, as set out in its July 25, 2022 letter, including those records referred to other agencies, by no later than October 28, 2022. If upon receipt of the FBI's production plaintiffs wish to pursue their request for a broader subset of the approximately 13,000 responsive pages identified by the agency, the Court will hear their application to do so at that time. Absent such an application, the parties shall file any motions for summary judgment by November 30, 2022. Answering papers shall be served by December 14, 2022, and reply papers by December 28, 2022. A final pre-trial conference, as well as oral argument on any summary judgment motions, shall be held on January 4, 2023. SO ORDERED. Motions due by 11/30/2022. (Signed by Judge Jed S. Rakoff on 7/29/2022) (kv) (Entered: 07/29/2022)
08/09/2022	<u>16</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 7/22/2022 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Kelly Surina, (212) 805-0300. 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 8/30/2022. Redacted Transcript Deadline set for 9/9/2022. Release of Transcript Restriction set for 11/7/2022..(McGuirk, Kelly) (Entered: 08/09/2022)
08/09/2022	<u>17</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 7/22/2022 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....(McGuirk, Kelly) (Entered: 08/09/2022)
09/23/2022		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 9/23/2022, without transcription or recording. John Clopper of Bond, Schoeneck & King for plaintiff and Stephen Seungkun Cha-Kim for the Government were present. The Governments request for an extension of time to produce responsive records is granted in part; the Government is granted a 45-day extension, until 12/12/22. No further extensions will be granted. Absent an application for the production of a broader set of documents, the parties shall file any motions for summary judgment by 1/13/23. Answering papers shall be due by 1/27/23. Reply papers shall be due 2/10/22. The final pretrial conference currently set for 1/4/23, as well as oral argument on any summary judgment motions, shall be held on February 22, 2023 at 4:30 PM. (Kotowski, Linda) (Entered: 09/28/2022)
01/05/2023	<u>18</u>	NOTICE OF APPEARANCE by Jeannette Anne Vargas on behalf of Federal Bureau Of Investigation..(Vargas, Jeannette) (Entered: 01/05/2023)
01/25/2023		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 1/25/2023,without transcription or recording. Counsel for plaintiff and defendant were present. A telephonic status conference is set for 4/10/2022, at which a briefing schedule for summary judgment will be set. (Telephonic Pretrial Conference set for 4/10/2023 at 04:30 PM before Judge Jed S. Rakoff.). (Kotowski, Linda) (Entered: 01/26/2023)
04/07/2023		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 4/7/2023,conference without transcription or recording. The telephonic status conference currently set for 4/10 is adjourned and reset for 2:30 PM on 4/18/2023. The public may access this proceeding by dialing :USA toll free 888-363-4735, international caller paid 215-446-3657, Access code 1086415 (Telephone Conference set for 4/18/2023 at 02:30 PM before Judge Jed S. Rakoff.). (Kotowski, Linda) (Entered: 04/07/2023)
04/18/2023		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 4/18/2023,without transcript or recording. (Telephone Conference set for 5/16/2023 at 02:00 PM before Judge Jed S. Rakoff. The public may access this proceeding by dialing :USA toll free 888-363-4735, international caller paid 215-446-3657, Access code 1086415. (Kotowski, Linda) (Entered: 04/18/2023)
05/12/2023	<u>19</u>	NOTICE of Consent Application For Withdrawal of Government Attorney. Document filed by Federal Bureau Of Investigation..(Cha-Kim, Stephen) (Entered: 05/12/2023)
05/16/2023		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 5/16/2023,without transcription or recording. Counsel for plaintiff and defendant were present. A briefing schedule for summary judgment is set. With respect to any motion filed by defendant, initial moving papers will be due by no later than 1/31/2024, responsive papers by 2/14/2024, and reply papers by 2/21/2024. With respect to any motion filed by plaintiff, initial moving papers will be due by no later than 2/14/2024, responsive papers by 2/21/2024, and reply papers by 2/28/2024. Oral argument on any motions will be held at 4:00 PM on 3/6/2024. (Oral Argument set for 3/6/2024 at 04:00 PM before Judge Jed S. Rakoff.). (Kotowski, Linda) (Entered: 05/18/2023)
05/19/2023	<u>20</u>	MEMO ENDORSEMENT on re: <u>19</u> Notice (Other) filed by Federal Bureau Of Investigation. ENDORSEMENT: SO ORDERED. Attorney Stephen Seungkun Cha-Kim terminated. (Signed by Judge Jed S. Rakoff on 5/19/2023) (kv) (Entered: 05/19/2023)

		05/19/2023)
01/17/2024		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 1/17/2024. In the above-captioned case, a telephonic conference was held without transcription or recording on January 17, 2024. Counsel for all parties was present. The request for a 60-day extension of the summary judgment briefing schedule is granted. The new deadlines will be as follows. With respect to any motion filed by defendant, initial moving papers will be due no later than 3/31/24, responsive papers by 4/14/24, and reply papers by 4/21/24. With respect to any motion filed by plaintiff, initial moving papers will be due by no later than 4/14/24, responsive papers by 4/21/24, and reply papers by 4/28/2024. Oral argument on any motions will be held at 11:00 AM on 5/28/24. (Oral Argument set for 5/28/2024 at 11:00 AM before Judge Jed S. Rakoff.). (Kotowski, Linda) (Entered: 01/26/2024)
03/13/2024	<u>21</u>	NOTICE OF APPEARANCE by Jeremy Liss on behalf of Federal Bureau Of Investigation..(Liss, Jeremy) (Entered: 03/13/2024)
03/27/2024		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 3/27/2024 without transcription or recording. The request for a two-week extension of the summary judgment briefing schedule is granted. The new deadlines will be as follows. With respect to any motion filed by defendant, initial moving papers will be due no later than Monday, April 15, 2024; responsive papers by Monday, April 29, 2024; and reply papers by Monday, May 6, 2024. With respect to any motion filed by plaintiff, initial moving papers will be due by no later than Monday, April 29, 2024; responsive papers by Monday, May 6, 2024; and reply papers by Monday, May 13, 2024. Oral argument on any motions will still be held at 11:00 AM on May 28, 2024. (nmo) (Entered: 03/27/2024)
04/01/2024	<u>22</u>	NOTICE of Substitution of Attorney. Old Attorney: Jeannette Vargas, New Attorney: Jeremy Liss, Address: U.S. Attorney's Office for the Southern District of New York, 86 Chambers Street, New York, New York, 10007,. Document filed by Federal Bureau Of Investigation..(Vargas, Jeannette) (Entered: 04/01/2024)
04/12/2024		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 4/12/2024 transcription or recording. Counsel for all parties was present. Briefing on summary judgment is adjourned. The parties shall call Chambers on May 1, 2024 with a status update, at which time the Court will set a new schedule for the briefing on the parties summary judgment motions. (nmo) (Entered: 04/12/2024)
04/15/2024	<u>23</u>	NOTICE OF APPEARANCE by Peter Max Aronoff on behalf of Federal Bureau Of Investigation..(Aronoff, Peter) (Entered: 04/15/2024)
05/01/2024	<u>24</u>	STATUS REPORT. Document filed by Federal Bureau Of Investigation..(Liss, Jeremy) (Entered: 05/01/2024)
05/01/2024	<u>25</u>	STATUS REPORT. Document filed by Bradley Goldstein, William I. Koch..(Clopper, John) (Entered: 05/01/2024)
05/03/2024	<u>26</u>	ORDER: On May 1, 2024, both parties submitted letters indicating that if the Court granted one more extension of the summary judgment briefing schedule, neither side would seek any further extensions. See Def. Status Report, ECF No. 24; Pls. Status Report, ECF No. 25. Based on that representation, the Court grants the request to extend the summary judgment briefing schedule. The new schedule is as follows. With respect to any motion for summary judgment filed by defendant, initial moving papers are due Tuesday, September 24, 2024, responsive papers are due Tuesday, October 8, 2024, and reply papers are due Tuesday, October 15, 2024. With respect to any motion for summary judgment filed by plaintiffs, initial moving papers are due Tuesday, October 8, 2024, responsive papers are due Tuesday, October 15, 2024, and reply papers are due Tuesday, October 22, 2024. Oral argument on any motions will be set for Tuesday, October 29, 2024 at 4 P.M. (Motions due by 10/8/2024., Responses due by 10/15/2024, Replies due by 10/22/2024., Oral Argument set for 10/29/2024 at 04:00 PM before Judge Jed S. Rakoff.) (Signed by Judge Jed S. Rakoff on 5/2/2024) (rro) (Entered: 05/03/2024)