

**U.S. District Court
 District of Columbia (Washington, DC)
 CIVIL DOCKET FOR CASE #: 1:23-cv-01335-APM**

EMPOWER OVERSIGHT WHISTLEBLOWERS &
 RESEARCH v. U.S. SECURITIES AND EXCHANGE
 COMMISSION
 Assigned to: Judge Amit P. Mehta
 Cause: 05:552 Freedom of Information Act

Date Filed: 05/10/2023
 Date Terminated: 03/27/2024
 Jury Demand: None
 Nature of Suit: 895 Freedom of
 Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff

**EMPOWER OVERSIGHT
 WHISTLEBLOWERS & RESEARCH**

represented by **Brian J. Field**
 SCHAERR JAFFE LLP
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ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. SECURITIES AND EXCHANGE
 COMMISSION**

represented by **Mary Alexandra Verdi**
 SECURITIES AND EXCHANGE
 COMMISSION
 100 F Street NE
 Washington, DC 20549
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*LEAD ATTORNEY
 ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
05/10/2023	<u>1</u>	COMPLAINT against U.S. SECURITIES AND EXCHANGE COMMISSION (Filing fee \$ 402 receipt number ADCDC-10061106) filed by EMPOWER OVERSIGHT WHISTLEBLOWERS & RESEARCH. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Civil Cover Sheet, # <u>14</u> Summons U.S. Securities and Exchange Commission, # <u>15</u> Summons Merrick Garland, U.S. Attorney General, # <u>16</u> Summons U.S. Attorney for the District of Columbia)(Field, Brian) (Entered: 05/10/2023)
05/10/2023	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by EMPOWER OVERSIGHT WHISTLEBLOWERS & RESEARCH (Field, Brian) (Entered: 05/10/2023)
05/11/2023		Case Assigned to Judge Amit P. Mehta. (zrtw) (Entered: 05/11/2023)
05/11/2023	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. SECURITIES AND EXCHANGE COMMISSION, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zrtw) (Entered: 05/11/2023)
05/27/2023	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/11/2023. Answer due for ALL FEDERAL DEFENDANTS by 6/10/2023. (Attachments: # <u>1</u> Declaration of K.Robinson with exhibits)(Field, Brian) (Entered: 05/27/2023)

05/27/2023	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. SECURITIES AND EXCHANGE COMMISSION served on 5/18/2023 (Attachments: # <u>1</u> Declaration of K.Robinson with exhibits)(Field, Brian) (Entered: 05/27/2023)
05/27/2023	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 05/19/2023. (Attachments: # <u>1</u> Declaration of K.Robinson with exhibits)(Field, Brian) (Entered: 05/27/2023)
06/09/2023	<u>7</u>	NOTICE of Appearance by Mary Alexandra Verdi on behalf of U.S. SECURITIES AND EXCHANGE COMMISSION (Verdi, Mary) (Entered: 06/09/2023)
06/09/2023	<u>8</u>	ANSWER to Complaint by U.S. SECURITIES AND EXCHANGE COMMISSION.(Verdi, Mary) (Entered: 06/09/2023)
06/15/2023	<u>9</u>	ORDER. Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before June 29, 2023. The Joint Status Report shall include (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for stay is likely under Open America v. Watergate Special Prosecution Force, 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. See attached Order. Signed by Judge Amit P. Mehta on 06/15/2023. (lcapm3) (Entered: 06/15/2023)
06/29/2023	<u>10</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 06/29/2023)
07/05/2023		MINUTE ORDER. The parties shall file an additional Joint Status Report by August 2, 2023, which updates the court on the processing and production of responsive records. Signed by Judge Amit P. Mehta on 07/05/2023. (lcapm3) (Entered: 07/05/2023)
08/02/2023	<u>11</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 08/02/2023)
08/03/2023		MINUTE ORDER. The parties shall submit an additional Joint Status Report by September 8, 2023, which advises whether any disputed issues remain and, if so, proposes a schedule for further proceedings. Signed by Judge Amit P. Mehta on 08/03/2023. (lcapm3) (Entered: 08/03/2023)
09/08/2023	<u>12</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 09/08/2023)
09/11/2023		MINUTE ORDER. The parties shall submit an additional Joint Status Report by October 9, 2023, which advises whether any disputed issues remain and, if so, proposes a schedule for further proceedings. Signed by Judge Amit P. Mehta on 9/11/2023. (lcapm3) (Entered: 09/11/2023)
10/05/2023	<u>13</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 10/05/2023)
10/06/2023		MINUTE ORDER. The parties shall submit an additional Joint Status Report by November 8, 2023, which advises whether any disputed issues remain and, if so, proposes a schedule for further proceedings. Signed by Judge Amit P. Mehta on 10/06/2023. (lcapm3) (Entered: 10/06/2023)
11/07/2023	<u>14</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 11/07/2023)
11/08/2023		MINUTE ORDER. The parties shall submit an additional Joint Status Report by December 8, 2023, which advises whether any disputed issues remain and, if so, proposes a schedule for further proceedings. Signed by Judge Amit P. Mehta on 11/08/2023. (lcapm3) (Entered: 11/08/2023)
12/07/2023	<u>15</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 12/07/2023)

12/11/2023		MINUTE ORDER. The parties shall file an additional Joint Status Report by January 8, 2024, which updates the court on the status of negotiations as to fees and costs and, if necessary, proposes a briefing schedule for further proceedings. Signed by Judge Amit P. Mehta on 12/11/2023. (lcapm3) (Entered: 12/11/2023)
01/05/2024	<u>16</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 01/05/2024)
01/11/2024		MINUTE ORDER. The parties shall file an additional Joint Status Report by February 7, 2024, which updates the court on the status of negotiations as to fees and costs and, if necessary, proposes a briefing schedule for further proceedings. Signed by Judge Amit P. Mehta on 1/11/2024. (lcapm3) (Entered: 01/11/2024)
02/07/2024	<u>17</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 02/07/2024)
02/12/2024		MINUTE ORDER. The parties shall file an additional Joint Status Report by March 8, 2024, which updates the court on the status of negotiations as to fees and costs and, if necessary, proposes a briefing schedule for further proceedings. Signed by Judge Amit P. Mehta on 2/12/2024. (lcapm3) (Entered: 02/12/2024)
02/13/2024		Set/Reset Deadlines: Joint Status Report due by 3/8/2024. (smc) (Entered: 02/13/2024)
03/07/2024	<u>18</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 03/07/2024)
03/10/2024		MINUTE ORDER. The parties shall file an additional Joint Status Report on or before April 8, 2024, advising whether they have resolved the issue of fees and costs. The parties have been attempting to resolve this issue for more than 90 days, see Joint Status Report, ECF No. 15, and the court will not permit an open-ended period of negotiations. Unless the parties reach agreement by April 8, 2024, the court will enter a briefing schedule. Signed by Judge Amit P. Mehta on 3/10/2024. (lcapm3) (Entered: 03/10/2024)
03/10/2024		Set/Reset Deadlines: Joint Status Report due by 4/8/2024. (zed) (Entered: 03/11/2024)
03/11/2024		Set/Reset Deadlines: Joint Status Report due by 4/8/2024. (smc) (Entered: 03/11/2024)
03/27/2024	<u>19</u>	STIPULATION of Dismissal by U.S. SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 03/27/2024)