

**U.S. District Court
Middle District of Florida (Orlando)
CIVIL DOCKET FOR CASE #: 6:23-cv-01695-PGB-EJK**

Defense of Freedom Institute for Policy Studies, Inc. v. US
Department of Education
Assigned to: Judge Paul G. Byron
Referred to: Magistrate Judge Embry J. Kidd
Cause: 05:0552 Freedom of Information Act

Date Filed: 09/05/2023
Date Terminated: 03/19/2024
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**Defense of Freedom Institute for Policy
Studies, Inc.**

represented by **Martha Astor**
Defense of Freedom Institute
1455 Pennsylvania Avenue, NW
Suite 400
Washington, DC 20004
321-390-2707
Email: martha.astor@dfipolicy.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Donald Albert Daugherty , Jr.
Defense of Freedom Institute
1455 Pennsylvania Ave NW
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414-559-6902
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ATTORNEY TO BE NOTICED

V.

Defendant

US Department of Education

represented by **Robert Sowell**
United States Attorney's Office
400 W. Washington St., Suite 3100
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407-648-7500
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Date Filed	#	Docket Text
09/05/2023	<u>1</u>	COMPLAINT against Defense of Freedom Institute for Policy Studies, Inc. (Filing fee \$402 receipt number AFLMDC-21213759) filed by Defense of Freedom Institute for Policy Studies, Inc. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Proposed Summons, # <u>3</u> Exhibits A-1 through B-4)(Astor, Martha) (Entered: 09/05/2023)
09/05/2023	2	NEW CASE ASSIGNED to Judge Roy B. Dalton, Jr. and Magistrate Judge Embry J. Kidd. New case number: 6:23-cv-1695-RBD-EJK. (ARC) (Entered: 09/05/2023)
09/05/2023	<u>3</u>	MOTION for Donald A. Daugherty, Jr. to appear pro hac vice, Special Admission fee paid, Receipt No. AFLMDC-21217009 for \$150 by Defense of Freedom Institute for Policy Studies, Inc.. (Astor, Martha) Motions referred to Magistrate Judge Embry J. Kidd. (Entered: 09/05/2023)
09/05/2023	<u>4</u>	NOTICE of a related action per Local Rule 1.07(c) by Defense of Freedom Institute for Policy Studies, Inc.. Related case(s): Yes (Astor, Martha) (Entered: 09/05/2023)

09/05/2023	<u>5</u>	CORPORATE Disclosure Statement by Defense of Freedom Institute for Policy Studies, Inc. identifying Corporate Parent Defense of Freedom Institute for Policy Studies, Inc. for Defense of Freedom Institute for Policy Studies, Inc... (Astor, Martha) (Entered: 09/05/2023)
09/06/2023	<u>6</u>	ORDER ON DISCOVERY MOTIONS. Signed by Magistrate Judge Embry J. Kidd on 9/6/2023. (JOR) (Entered: 09/06/2023)
09/06/2023	7	Remark: Doc. <u>5</u> has been reviewed. Signed by Judge Roy B. Dalton, Jr. on 9/6/2023. (JWG) (Entered: 09/06/2023)
09/06/2023	<u>8</u>	SUMMONS issued as to US Department of Education. (ABC) (Entered: 09/06/2023)
09/06/2023	<u>9</u>	ORDER granting <u>3</u> Plaintiff's Motion for Special Admission of Donald A. Daugherty, Jr. Signed by Magistrate Judge Embry J. Kidd on 9/6/2023. (RMN) (Entered: 09/06/2023)
09/11/2023	<u>10</u>	INITIAL ORDER re: Case Management and Deadlines. Signed by Judge Roy B. Dalton, Jr. on 9/11/2023. (ALL) (Entered: 09/11/2023)
09/18/2023	<u>11</u>	PROOF of service as to US Department of Education by Defense of Freedom Institute for Policy Studies, Inc. (Attachments: # <u>1</u> Mailing Envelope)(Astor, Martha) Modified text on 9/25/2023 (LNR). (Entered: 09/18/2023)
10/11/2023	<u>12</u>	NOTICE of Lead Counsel Designation by Martha Astor on behalf of Defense of Freedom Institute for Policy Studies, Inc. Lead Counsel: Martha A. Astor. (Astor, Martha) Modified on 10/11/2023 (CTR). (Entered: 10/11/2023)
10/11/2023	<u>13</u>	MOTION to Dismiss <u>1</u> Complaint <i>or, Alternatively, to Transfer Case</i> by All Defendants. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19)(Sowell, Robert) (Entered: 10/11/2023)
10/22/2023	<u>14</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>13</u> MOTION to Dismiss <u>1</u> Complaint <i>or, Alternatively, to Transfer Case</i> by Defense of Freedom Institute for Policy Studies, Inc.. (Astor, Martha) Motions referred to Magistrate Judge Embry J. Kidd. (Entered: 10/22/2023)
10/24/2023	<u>15</u>	NOTICE of WITHDRAWAL of motion re <u>14</u> Motion for Extension of Time to File Response/Reply filed by Defense of Freedom Institute for Policy Studies, Inc. by Defense of Freedom Institute for Policy Studies, Inc. (Astor, Martha) (Entered: 10/24/2023)
10/24/2023	16	ENDORSED ORDER denying as moot <u>14</u> Motion for Extension of Time, in light of the <u>15</u> Notice of Withdrawal. Signed by Magistrate Judge Embry J. Kidd on 10/24/2023. (Kidd, Embry) (Entered: 10/24/2023)
11/01/2023	<u>17</u>	RESPONSE in Opposition re <u>13</u> MOTION to Dismiss <u>1</u> Complaint <i>or, Alternatively, to Transfer Case</i> filed by Defense of Freedom Institute for Policy Studies, Inc.. (Attachments: # <u>1</u> Declaration, # <u>2</u> Declaration)(Astor, Martha) (Entered: 11/01/2023)
11/16/2023	<u>18</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>10</u> Order by US Department of Education. (Sowell, Robert) (Entered: 11/16/2023)
11/16/2023	<u>19</u>	NOTICE of a related action per Local Rule 1.07(c) by US Department of Education. Related case(s): Yes (Sowell, Robert) (Entered: 11/16/2023)
11/18/2023	<u>20</u>	MOTION for Miscellaneous Relief, specifically For Leave to File Reply in Support of <u>13</u> Motion to Dismiss by All Defendants. (Sowell, Robert) Motions referred to Magistrate Judge Embry J. Kidd. (Entered: 11/18/2023)
11/20/2023	21	Remark: Doc. <u>18</u> has been reviewed. Signed by Judge Roy B. Dalton, Jr. on 11/20/2023. (JWG) (Entered: 11/20/2023)
11/20/2023	22	ENDORSED ORDER granting <u>20</u> Motion. Defendant may file a reply of no more than six pages by Wednesday, November 22, 2023. Signed by Judge Roy B. Dalton, Jr. on 11/20/2023. (LLM) (Entered: 11/20/2023)

11/21/2023	<u>23</u>	REPLY to Response to Motion re <u>13</u> MOTION to Dismiss <u>1</u> Complaint <i>or, Alternatively, to Transfer Case</i> filed by US Department of Education. (Sowell, Robert) (Entered: 11/21/2023)
11/28/2023	<u>24</u>	It is ORDERED that the parties are DIRECTED to file a joint Case Management Report no later than December 11, 2023. Signed by Judge Roy B. Dalton, Jr. on 11/27/2023. (ALL) (Entered: 11/28/2023)
12/01/2023	<u>25</u>	Time Sensitive MOTION for Miscellaneous Relief, specifically for Relief from Case Management Report Requirement or, Alternatively, for Rule 16(b) Scheduling Conference by All Defendants. (Sowell, Robert) Motions referred to Magistrate Judge Embry J. Kidd. (Entered: 12/01/2023)
12/04/2023	<u>26</u>	RESPONSE in Opposition re <u>25</u> Time Sensitive MOTION for Miscellaneous Relief, specifically for Relief from Case Management Report Requirement or, Alternatively, for Rule 16(b) Scheduling Conference filed by Defense of Freedom Institute for Policy Studies, Inc. (Astor, Martha) Modified text on 12/5/2023 (GL). (Entered: 12/04/2023)
12/04/2023	<u>27</u>	ORDER pursuant to Local Rule 1.05(a), the Court orders this case be TRANSFERRED to U.S. District Judge Paul G. Byron, with his consent, in light of Case No. 6:23-cv-1515-PGB-EJK. Signed by Judge Roy B. Dalton, Jr. on 12/4/2023. (RPB) (Entered: 12/04/2023)
12/04/2023	28	Case Reassigned to Judge Paul G. Byron. New case number: 6:23-cv-1695-PGB-EJK. Judge Roy B. Dalton, Jr. no longer assigned to the case. (RPB) (Entered: 12/04/2023)
12/05/2023	<u>29</u>	ORDER granting <u>25</u> Time-Sensitive Motion for Relief from Case Management Report Requirement. The parties are relieved from their obligation to file a joint Case Management Report until further Order of the Court. See Order for further details. Signed by Judge Paul G. Byron on 12/5/2023. (Entered: 12/05/2023)
03/19/2024	<u>30</u>	ORDER granting <u>13</u> Motion to Dismiss for Improper Venue. The Clerk of Court is DIRECTED to transfer this matter to the District Court for the District of Columbia, where venue properly lies pursuant to 5 U.S.C. § 552(a)(4)(B), and close the case. See Order for further details. Signed by Judge Paul G. Byron on 3/19/2024. (ABD) (Entered: 03/19/2024)
03/19/2024	31	CASE ELECTRONICALLY TRANSFERRED to the District of Columbia. (RN) (Entered: 03/21/2024)
03/22/2024		Acknowledgment – Transferred case has been opened in the District of Columbia as case 1:24-cv-816, filed on 3/21/2024. (RPB) (Entered: 03/22/2024)