

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:20-cv-01583-ACR**

ORRICK, HERRINGTON & SUTCLIFFE LLP v. U.S.  
CUSTOMS AND BORDER PROTECTION et al  
Assigned to: Judge Ana C. Reyes  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/16/2020  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**ORRICK, HERRINGTON &  
SUTCLIFFE LLP**

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TERMINATED: 04/26/2022

V.

**Defendant**

**U.S. CUSTOMS AND BORDER  
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**TERMINATED: 07/02/2021**

**Defendant**

**U.S. IMMIGRATION AND CUSTOM  
ENFORCEMENT**

represented by **Brenda A. Gonzalez Horowitz**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**John Moustakas**  
(See above for address)  
**TERMINATED: 02/02/2024**  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Kristin Brudy–Everett**  
(See above for address)  
**TERMINATED: 07/02/2021**

Date Filed	#	Docket Text
06/16/2020	<u>1</u>	COMPLAINT against U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT ( Filing fee \$ 400 receipt number ADCDC–7236037) filed by ORRICK, HERRINGTON & SUTCLIFFE LLP. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Civil Cover Sheet, # <u>5</u> Summons to US Immigration and Customs Enforcement, # <u>6</u> Summons to US Customs and Border Protection, # <u>7</u> Summons to Acting US Attorney for DC, # <u>8</u> Summons to US Attorney General)(Stern, Robert) (Entered: 06/16/2020)

06/16/2020	<u>2</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Rene Kathawala, Filing fee \$ 100, receipt number ADCDC–7236114. Fee Status: Fee Paid. by ORRICK, HERRINGTON & SUTCLIFFE LLP (Attachments: # <u>1</u> Declaration of Rene Kathawala, # <u>2</u> Text of Proposed Order)(Rowe, Tiffany) (Entered: 06/16/2020)
06/17/2020		Case Assigned to Judge Emmet G. Sullivan. (adh, ) (Entered: 06/17/2020)
06/17/2020	<u>3</u>	ENTERED IN ERROR.....SUMMONS (4) Issued Electronically as to U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(adh, ) Modified on 6/18/2020 (adh, ). (Entered: 06/17/2020)
06/18/2020	<u>4</u>	STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 06/18/20. (Attachment: Exhibit 1) (mac) (Entered: 06/18/2020)
06/18/2020	<u>5</u>	Case randomly reassigned to Judge Amy Berman Jackson. Judge Emmet G. Sullivan is no longer assigned to the case. (ztnr) (Entered: 06/18/2020)
06/18/2020	<u>6</u>	REQUEST FOR SUMMONS TO ISSUE re <u>1</u> Complaint,, filed by ORRICK, HERRINGTON & SUTCLIFFE LLP. Related document: <u>1</u> Complaint,, filed by ORRICK, HERRINGTON & SUTCLIFFE LLP. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons)(Stern, Robert) (Entered: 06/18/2020)
06/18/2020	<u>7</u>	Case randomly reassigned to Judge Ketanji Brown Jackson. Judge Amy Berman Jackson is no longer assigned to the case. (ztnr) (Entered: 06/19/2020)
06/23/2020	<u>8</u>	GENERAL ORDER AND GUIDELINES APPLICABLE TO FOIA CASES ASSIGNED TO JUDGE KETANJI BROWN JACKSON. The Court will hold the parties and counsel responsible for following these directives, and parties and counsel should pay particular attention to the Court's instructions for processing and production of records, batching motions, and filing exhibits. Failure to adhere to this Order may, when appropriate, result the imposition of sanctions and/or sua sponte denial of non-conforming motions. Signed by Judge Ketanji Brown Jackson on 6/23/2020. (jag) (Entered: 06/23/2020)
06/23/2020		MINUTE ORDER granting <u>2</u> Motion for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Rene Kathawala is admitted pro hac vice in this matter as counsel for Plaintiff. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions.</b> Signed by Judge Ketanji Brown Jackson on 6/23/2020. (jag) (Entered: 06/23/2020)
06/25/2020	<u>9</u>	NOTICE of Appearance by Rene Kathawala on behalf of ORRICK, HERRINGTON & SUTCLIFFE LLP (Kathawala, Rene) (Entered: 06/25/2020)
06/25/2020	<u>10</u>	CERTIFICATE OF SERVICE by ORRICK, HERRINGTON & SUTCLIFFE LLP re <u>8</u> Order,, Order on Motion for Leave to Appear Pro Hac Vice, . (Rowe, Tiffany) (Entered: 06/25/2020)
07/01/2020	<u>11</u>	SUMMONS (4) Issued Electronically as to U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(adh, ) (Entered: 07/01/2020)
07/24/2020	<u>12</u>	ANSWER to Complaint by U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT. (Attachments: # <u>1</u> Exhibit 1)(Brudy–Everett, Kristin) (Entered: 07/24/2020)
07/24/2020		MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall review this Court's <u>8</u> General Order and Guidelines Applicable to FOIA Cases, and promptly confer and file a joint proposed schedule for disclosure or briefing motions for summary judgment, on or before 8/14/2020. Signed by Judge Ketanji Brown Jackson on 7/24/2020. (jag) (Entered: 07/24/2020)

08/14/2020	<u>13</u>	Joint PROPOSED BRIEFING SCHEDULE by U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT. (Brudy–Everett, Kristin) Modified event title on 8/18/2020 (znmw). (Entered: 08/14/2020)
04/28/2021		MINUTE ORDER. It is hereby ORDERED that, on or before 5/26/2021, the parties shall file a joint status report updating this Court on the status of processing and production records that are responsive to the Plaintiff's FOIA request, which shall indicate whether there are any remaining disputes regarding the processing and production rate. Signed by Judge Ketanji Brown Jackson on 4/28/2021. (jag) (Entered: 04/28/2021)
05/26/2021	<u>14</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Brudy–Everett, Kristin) (Entered: 05/26/2021)
06/01/2021		MINUTE ORDER. In light of the representations in the parties' <u>14</u> Joint Status Report, it is hereby ORDERED that, on or before 8/24/2021, the parties shall file further joint status report, which shall contain a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 6/1/2021. (jag) (Entered: 06/01/2021)
06/29/2021		Judge Ketanji Brown Jackson has been elevated to serve on the U.S. Court of Appeals for the D.C. Circuit. She is therefore no longer assigned to this case, and this matter has been reassigned to the Calendar Committee, which will oversee it until it is assigned to another district judge. Any questions should be directed to Judge Jackson's former deputy clerk, Gwendolyn Franklin, at 202–354–3145 or gwen_franklin@dcd.uscourts.gov. (rj) (Entered: 06/29/2021)
07/02/2021	<u>15</u>	NOTICE OF SUBSTITUTION OF COUNSEL by John Moustakas on behalf of U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT Substituting for attorney Kristin Brudy–Everett (Moustakas, John) (Entered: 07/02/2021)
08/24/2021	<u>16</u>	Joint STATUS REPORT by ORRICK, HERRINGTON & SUTCLIFFE LLP. (Attachments: # <u>1</u> Text of Proposed Order)(Rowe, Tiffany) (Entered: 08/24/2021)
08/25/2021		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>16</u> Joint Status Report, the parties to submit a joint status report by November 22, 2021. Signed by Chief Judge Beryl A. Howell on August 25, 2021. (lcbah4) (Entered: 08/25/2021)
08/26/2021		Set/Reset Deadlines: Joint Status Report due by 11/22/2021. (zgdf) (Entered: 08/26/2021)
10/01/2021		Case directly reassigned to Judge Florence Y. Pan. Judge Ketanji Brown Jackson has been appointed to the D.C. Circuit and is no longer assigned to the case. (rj) (Entered: 10/01/2021)
11/22/2021	<u>17</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT. (Moustakas, John) (Entered: 11/22/2021)
11/24/2021		MINUTE ORDER. Upon consideration of the parties' <u>17</u> Joint Status Report, the parties are directed to file another joint status report on or before February 22, 2022. Signed by Judge Florence Y. Pan on 11/24/21. (lclrl) (Entered: 11/24/2021)
11/24/2021		Set/Reset Deadlines: Joint Status Report due by 2/22/2022. (zacr) (Entered: 11/24/2021)
02/22/2022	<u>18</u>	Joint STATUS REPORT by ORRICK, HERRINGTON & SUTCLIFFE LLP. (Attachments: # <u>1</u> Text of Proposed Order)(Rowe, Tiffany) (Entered: 02/22/2022)
02/23/2022	<u>19</u>	ERRATA by U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT re <u>18</u> Status Report filed by ORRICK, HERRINGTON & SUTCLIFFE LLP. (Attachments: # <u>1</u> Exhibit)(Moustakas, John) (Entered: 02/23/2022)

02/24/2022		MINUTE ORDER. Upon consideration of the parties' <u>18</u> Joint Status Report, the parties are directed to file another joint status report on or before May 22, 2022. Signed by Judge Florence Y. Pan on 2/24/2022. (lcsw) (Entered: 02/24/2022)
02/24/2022		Set/Reset Deadlines: Joint Status Report due by 5/22/2022. (zacr) (Entered: 02/24/2022)
04/26/2022	<u>20</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to ORRICK, HERRINGTON & SUTCLIFFE LLP. Attorney Robert M. Stern terminated. (Stern, Robert) (Entered: 04/26/2022)
05/20/2022	<u>21</u>	Joint STATUS REPORT by ORRICK, HERRINGTON & SUTCLIFFE LLP. (Attachments: # <u>1</u> Text of Proposed Order)(Rowe, Tiffany) (Entered: 05/20/2022)
05/24/2022		MINUTE ORDER. Upon consideration of the parties' <u>21</u> Joint Status Report, the parties are directed to file another joint status report on or before September 22, 2022, and every 90 days thereafter. Signed by Judge Florence Y. Pan on 5/24/2022. (lcrl) (Entered: 05/24/2022)
05/24/2022		Set/Reset Deadlines: Joint Status Report due by 9/22/2022. (zacr) (Entered: 05/24/2022)
09/22/2022	<u>22</u>	Joint STATUS REPORT by ORRICK, HERRINGTON & SUTCLIFFE LLP. (Rowe, Tiffany) (Entered: 09/22/2022)
09/23/2022		Judge Florence Y. Pan has been elevated to serve on the U.S. Court of Appeals for the D.C. Circuit. She is therefore no longer assigned to this case, and this matter has been reassigned to the Calendar Committee, which will oversee it until it is assigned to another district judge. Any questions should be directed to Judge Pan's former deputy clerk, Samantha Calloway, at 202-354-3163 or samantha_calloway@dcd.uscourts.gov. (ztnr) (Entered: 09/23/2022)
11/22/2022	<u>23</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT. (Moustakas, John) (Entered: 11/22/2022)
11/28/2022		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>23</u> Joint Status Report, the parties to file, by February 20, 2023, a joint status report advising the Court whether any disputes remain between the parties, and if so, proposing a schedule for further proceedings. Signed by Chief Judge Beryl A. Howell on November 28, 2022. (lcbah4) (Entered: 11/28/2022)
11/28/2022		Set/Reset Deadlines: Joint Status Report due by 2/20/2023. (smc) (Entered: 11/29/2022)
02/23/2023	<u>24</u>	Joint STATUS REPORT by ORRICK, HERRINGTON & SUTCLIFFE LLP. (Attachments: # <u>1</u> Text of Proposed Order)(Rowe, Tiffany) (Entered: 02/23/2023)
02/24/2023		Case directly reassigned to District Judge Ana C. Reyes. Circuit Judge Florence Y Pan is no longer assigned to the case. (ztnr) (Entered: 02/24/2023)
03/02/2023		MINUTE ORDER. UPON CONSIDERATION of the parties' <u>24</u> Joint Status Report, it is hereby ORDERED that the parties' next joint status report is due on or before April 24, 2023. Signed by Judge Ana C. Reyes on 3/2/2023. (lcjo) (Entered: 03/02/2023)
03/03/2023		Set/Reset Deadlines/Hearings: Joint Status Report due by 4/24/2023. (zcdw) (Entered: 03/03/2023)
04/24/2023	<u>25</u>	Joint STATUS REPORT by ORRICK, HERRINGTON & SUTCLIFFE LLP. (Attachments: # <u>1</u> Text of Proposed Order)(Rowe, Tiffany) (Entered: 04/24/2023)
04/24/2023		MINUTE ORDER. Upon consideration of the parties' <u>25</u> Joint Status Report, and the entire record herein, it is hereby ORDERED that the parties' next joint status report is due on or before June 26, 2023. The Court notes that the parties are not required to seek the Court's approval to file further joint status reports per Judge Reyes's Standing Order in Civil Cases, which is available on her webpage. Signed by Judge Ana C. Reyes on 4/24/2023. (lcjo) (Entered: 04/24/2023)

04/25/2023		Set/Reset Deadlines/Hearings: Joint Status Report due by 6/26/2023. (zcdw) (Entered: 04/25/2023)
06/26/2023	<u>26</u>	Joint STATUS REPORT by ORRICK, HERRINGTON & SUTCLIFFE LLP. (Attachments: # <u>1</u> Text of Proposed Order)(Rowe, Tiffany) (Entered: 06/26/2023)
06/29/2023		MINUTE ORDER. Upon consideration of the parties' <u>26</u> Joint Status Report, and the entire record herein, it is hereby ORDERED that the parties' next joint status report is due on or before August 28, 2023. The Court notes that the parties are not required to seek the Court's approval to file further joint status reports per Judge Reyes's Standing Order in Civil Cases, which is available on her webpage. Signed by Judge Ana C. Reyes on 6/29/2023. (lcjo) (Entered: 06/29/2023)
06/30/2023		Set/Reset Deadlines/Hearings: Joint Status Report due by 8/28/2023. (zcdw) (Entered: 06/30/2023)
08/28/2023	<u>27</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT. (Moustakas, John) (Entered: 08/28/2023)
08/29/2023		MINUTE ORDER. Upon consideration of the parties' <u>27</u> Joint Status Report, and the entire record herein, it is hereby ORDERED that the parties' next joint status report is due on or before February 26, 2024. Signed by Judge Ana C. Reyes on 8/29/2023. (lcacr1) (Entered: 08/29/2023)
08/29/2023		Set/Reset Deadlines/Hearings: Joint Status Report due by 2/26/2024. (zcdw) (Entered: 08/29/2023)
02/02/2024	<u>28</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Brenda A. Gonzalez Horowitz on behalf of U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT Substituting for attorney John Moustakas (Gonzalez Horowitz, Brenda) (Entered: 02/02/2024)
02/26/2024	<u>29</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT. (Gonzalez Horowitz, Brenda) (Entered: 02/26/2024)
02/26/2024		MINUTE ORDER. As requested by the parties in their <u>29</u> Joint Status Report, it is ORDERED that the parties shall file another joint status report on or before August 20, 2024. Signed by Judge Ana C. Reyes on 2/26/2024. (lcacr1) (Entered: 02/26/2024)
03/18/2024	<u>30</u>	NOTICE of Appearance by James Winston Burke on behalf of ORRICK, HERRINGTON & SUTCLIFFE LLP (Burke, James) (Entered: 03/18/2024)
03/18/2024	<u>31</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to ORRICK, HERRINGTON & SUTCLIFFE LLP. Attorney Tiffany A. Rowe terminated. (Rowe, Tiffany) (Entered: 03/18/2024)
08/16/2024	<u>32</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION, U.S. IMMIGRATION AND CUSTOM ENFORCEMENT. (Gonzalez Horowitz, Brenda) (Entered: 08/16/2024)
09/04/2024	<u>33</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Diana Szego Fassbender on behalf of ORRICK, HERRINGTON & SUTCLIFFE LLP Substituting for attorney James W. Burke (Fassbender, Diana) (Entered: 09/04/2024)