

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-00659-CJN**

PROJECT FOR PRIVACY AND SURVEILLANCE
ACCOUNTABILITY, INC. et al v. UNITED STATES
DEPARTMENT OF JUSTICE
Assigned to: Judge Carl J. Nichols
Cause: 05:552 Freedom of Information Act

Date Filed: 03/11/2021
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**PROJECT FOR PRIVACY AND
SURVEILLANCE
ACCOUNTABILITY, INC.**

represented by **Brian J. Field**
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Plaintiff

**DEMAND PROGRESS EDUCATION
FUND, A PROJECT OF NEW
VENTURE FUND**

represented by **Brian J. Field**
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LEAD ATTORNEY
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Gene C. Schaerr
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V.

Defendant

**UNITED STATES DEPARTMENT OF
JUSTICE**

represented by **Douglas C. Dreier**
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Date Filed	#	Docket Text
03/11/2021	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF JUSTICE (Filing fee \$ 402 receipt number ADCDC-8298113) filed by PROJECT FOR PRIVACY AND SURVEILLANCE ACCOUNTABILITY, INC., Demand Progress Education Fund, a Project of New Venture Fund. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Civil Cover Sheet, # <u>6</u> Summons U.S. Department of Justice, # <u>7</u> Summons U.S. Attorney General, # <u>8</u> Summons U.S. Attorney for the District of Columbia)(Schaerr, Gene) (Entered: 03/11/2021)
03/12/2021		Case Assigned to Judge Carl J. Nichols. (adh,) (Entered: 03/12/2021)
03/12/2021	<u>2</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(adh,) (Entered: 03/12/2021)
04/07/2021	<u>3</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by DEMAND PROGRESS EDUCATION FUND, A PROJECT OF NEW VENTURE FUND, PROJECT FOR PRIVACY AND SURVEILLANCE ACCOUNTABILITY, INC. (Schaerr, Gene) Modified docket event/text on 4/8/2021 (eg). (Entered: 04/07/2021)
04/12/2021	<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 4/9/2021. Answer due for ALL FEDERAL DEFENDANTS by 5/9/2021. (Schaerr, Gene) (Entered: 04/12/2021)
04/12/2021	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/9/2021. (Schaerr, Gene) (Entered: 04/12/2021)
04/12/2021	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF JUSTICE served on 4/9/2021 (Schaerr, Gene) (Entered: 04/12/2021)
05/04/2021	<u>7</u>	Unopposed MOTION for Extension of Time to <i>Answer or Otherwise Respond to Complaint</i> by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 05/04/2021)
05/10/2021		MINUTE ORDER. Upon review of Defendant's Unopposed Motion for Extension of Time, it is hereby ORDERED that the Motion is GRANTED. Defendant shall respond to Plaintiffs' Complaint by June 9, 2021 . Signed by Judge Carl J. Nichols on May 10, 2021. (lccjn3) (Entered: 05/10/2021)
05/10/2021		Set/Reset Deadlines: Answer due by 6/9/2021. (zcal) (Entered: 05/10/2021)
06/09/2021	<u>8</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF JUSTICE.(Simon, Jeremy) (Entered: 06/09/2021)
06/22/2021		MINUTE ORDER. Before the Court in this Freedom of Information Act case are a Complaint and an Answer. According to Local Civil Rule 16.3, the requirements of Federal Rule of Civil Procedure 26(f) are inapplicable. It is hereby ORDERED that the

		Parties shall confer and file a Joint Status Report on or before July 22, 2021 . The Joint Status Report shall address: (1) the status of Plaintiffs' FOIA request; (2) the anticipated number of documents responsive to Plaintiffs' FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiffs; (4) whether a motion for stay is likely under <i>Open America v. Watergate Special Prosecution Force</i> , 547 F.2d 605 (D.C. Cir. 1976); (5) the possibility of prioritizing documents responsive to Plaintiffs' requests and any discussions regarding whether Plaintiffs' requests can be narrowed; and (6) whether the Parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Carl J. Nichols on June 22, 2021. (lccjn3) (Entered: 06/22/2021)
06/22/2021		Set/Reset Deadlines: Joint Status Report due by 7/22/2021. (zcal) (Entered: 06/22/2021)
07/22/2021	<u>9</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Simon, Jeremy) (Entered: 07/22/2021)
08/10/2021		MINUTE ORDER. Upon review of the Parties' <u>9</u> Joint Status Report, it is hereby ORDERED that the Parties file another Joint Status Report by September 8, 2021, and every 30 days thereafter until this matter is resolved. Signed by Judge Carl J. Nichols on August 10, 2021. (lccjn3) (Entered: 08/10/2021)
08/10/2021		Set/Reset Deadlines: Joint Status Report due by 9/8/2021. (zcal) (Entered: 08/11/2021)
09/08/2021	<u>10</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Simon, Jeremy) (Entered: 09/08/2021)
10/04/2021	<u>11</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Douglas C. Dreier on behalf of UNITED STATES DEPARTMENT OF JUSTICE Substituting for attorney Jeremy S. Simon (Dreier, Douglas) (Entered: 10/04/2021)
10/07/2021	<u>12</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 10/07/2021)
11/09/2021	<u>13</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 11/09/2021)
12/09/2021	<u>14</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 12/09/2021)
01/10/2022	<u>15</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 01/10/2022)
02/09/2022	<u>16</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 02/09/2022)
03/11/2022	<u>17</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 03/11/2022)
04/11/2022	<u>18</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 04/11/2022)
05/11/2022	<u>19</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 05/11/2022)
06/10/2022	<u>20</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 06/10/2022)
07/11/2022	<u>21</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 07/11/2022)
08/10/2022	<u>22</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 08/10/2022)
09/09/2022	<u>23</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 09/09/2022)
10/11/2022	<u>24</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 10/11/2022)

10/12/2022	<u>25</u>	NOTICE of Appearance by Brian J. Field on behalf of All Plaintiffs (Field, Brian) (Entered: 10/12/2022)
11/10/2022	<u>26</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 11/10/2022)
12/12/2022	<u>27</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Dreier, Douglas) (Entered: 12/12/2022)
12/19/2022	<u>28</u>	NOTICE OF SUBSTITUTION OF COUNSEL by John Bardo on behalf of UNITED STATES DEPARTMENT OF JUSTICE Substituting for attorney Douglas Dreier (Bardo, John) (Entered: 12/19/2022)
01/11/2023	<u>29</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Bardo, John) (Entered: 01/11/2023)
02/10/2023	<u>30</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Bardo, John) (Entered: 02/10/2023)
03/13/2023	<u>31</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Bardo, John) (Entered: 03/13/2023)
04/12/2023	<u>32</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Bardo, John) (Entered: 04/12/2023)
05/12/2023	<u>33</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Bardo, John) (Entered: 05/12/2023)
06/12/2023	<u>34</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Bardo, John) (Entered: 06/12/2023)
07/12/2023	<u>35</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Bardo, John) (Entered: 07/12/2023)
08/11/2023	<u>36</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Bardo, John) (Entered: 08/11/2023)
09/11/2023	<u>37</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Bardo, John) (Entered: 09/11/2023)
09/25/2023		MINUTE ORDER. In light of the duplicative report filed in <u>37</u> Joint STATUS REPORT, it is hereby ORDERED that parties shall file an updated joint status report by October 5, 2023. So ordered by Judge Carl J. Nichols on 09/25/2023. (lccjn3) (Entered: 09/25/2023)
09/25/2023	<u>38</u>	ERRATA <i>Regarding ECF No. 37</i> by UNITED STATES DEPARTMENT OF JUSTICE re Status Report Order. (Attachments: # <u>1</u> Exhibit)(Bardo, John) (Entered: 09/25/2023)
10/11/2023	<u>39</u>	Joint MOTION to Modify <i>the Joint Status Report Schedule and Joint Status Report</i> by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Bardo, John) (Entered: 10/11/2023)
10/11/2023	40	JOINT STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (See docket entry <u>39</u> to view document). (mg) (Entered: 10/13/2023)
11/27/2023		MINUTE ORDER. Upon consideration of the parties <u>39</u> Motion to Modify Joint Status Report Schedule, it is hereby ORDERED that the motion is GRANTED. It is FURTHER ORDERED that the parties shall file their next Joint Status Report on December 11, 2023, and every sixty days thereafter until production is complete. So Ordered by Judge Carl J. Nichols on 11/27/2023. (lccjn3) (Entered: 11/27/2023)
12/11/2023	<u>41</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Bardo, John) (Entered: 12/11/2023)
02/09/2024	<u>42</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Bardo, John) (Entered: 02/09/2024)
04/09/2024	<u>43</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Bardo, John) (Entered: 04/09/2024)

06/10/2024	<u>44</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order Plaintiff's proposed order)(Bardo, John) (Entered: 06/10/2024)
08/09/2024	<u>45</u>	RULE 26b4 STATEMENT. (Bardo, John) (Entered: 08/09/2024)
08/09/2024	<u>46</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Bardo, John) (Entered: 08/09/2024)