

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-02676-RDM**

LEOPOLD et al v. U.S. DEPARTMENT OF JUSTICE
Assigned to: Judge Randolph D. Moss
Cause: 05:552 Freedom of Information Act

Date Filed: 10/12/2021
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

JASON LEOPOLD

represented by **Merrick Jason Wayne**
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Plaintiff

BUZZFEED, INC.

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Matthew Topic

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ATTORNEY TO BE NOTICED

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

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TERMINATED: 11/10/2022

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Date Filed	#	Docket Text
10/12/2021	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 402 receipt number ADCDC–8794807) filed by BUZZFEED, INC., JASON LEOPOLD. (Attachments: # <u>1</u> Exhibit Ex 1–8, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons)(Topic, Matthew) (Entered: 10/12/2021)
10/12/2021	<u>2</u>	NOTICE of Appearance by Matthew Topic on behalf of BUZZFEED, INC., JASON LEOPOLD (Topic, Matthew) (Entered: 10/12/2021)
10/12/2021	<u>3</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by BUZZFEED, INC. (Topic, Matthew) (Entered: 10/12/2021)
10/14/2021		Case Assigned to Judge Randolph D. Moss. (zsb) (Entered: 10/14/2021)
10/15/2021	<u>4</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(adh,) (Entered: 10/15/2021)
10/18/2021	<u>5</u>	ERRATA by BUZZFEED, INC., JASON LEOPOLD re <u>1</u> Complaint filed by BUZZFEED, INC., JASON LEOPOLD. (Attachments: # <u>1</u> Exhibit Corrected

		Complaint)(Topic, Matthew) (Entered: 10/18/2021)
11/22/2021	<u>6</u>	NOTICE of Appearance by Diana Viggiano Valdivia on behalf of U.S. DEPARTMENT OF JUSTICE (Valdivia, Diana) (Entered: 11/22/2021)
11/22/2021	<u>7</u>	ANSWER to Complaint by U.S. DEPARTMENT OF JUSTICE.(Valdivia, Diana) (Entered: 11/22/2021)
11/23/2021		MINUTE ORDER: The Court hereby ORDERS that, on or before December 29, 2021, the parties shall confer and file a joint status report addressing (1) any documents still to be produced pursuant to FOIA; (2) an anticipated schedule for processing and producing any such documents; and (3) any substantive areas of disagreement between the parties. It is FURTHER ORDERED that the parties shall appear via Zoom for an Initial Scheduling Conference on January 6, 2022, at 2:30 p.m., before Judge Randolph D. Moss. The Courtroom Deputy Clerk will provide the Zoom login information prior to the conference. Signed by Judge Randolph D. Moss on 11/23/2021. (lcrdm2) Modified on 12/27/2021 to correct year in ISC date (kt). (Entered: 11/23/2021)
11/28/2021	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 11/9/2021 (Topic, Matthew) (Entered: 11/28/2021)
11/28/2021	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/09/2021. (Topic, Matthew) (Entered: 11/28/2021)
11/28/2021	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/9/2021. Answer due for ALL FEDERAL DEFENDANTS by 12/9/2021. (Topic, Matthew) (Entered: 11/28/2021)
12/27/2021		Set/Reset Hearings: Initial Scheduling Conference set for 1/6/2022, at 2:30 PM, by video, before Judge Randolph D. Moss. (kt) (Entered: 12/27/2021)
12/29/2021	<u>11</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Valdivia, Diana) (Entered: 12/29/2021)
12/30/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>11</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before January 31, 2022. Signed by Judge Randolph D. Moss on 12/30/2021. (lcrdm2) (Entered: 12/30/2021)
01/05/2022		MINUTE ORDER: In light of the Court's Minute Order directing the parties to file a further joint status report, <i>see</i> Minute Order (Dec. 30, 2021), the Court hereby ORDERS that the initial scheduling conference set for January 6, 2022, is hereby VACATED. The parties shall propose a schedule for further proceedings in their next joint status report. Signed by Judge Randolph D. Moss on 1/5/2022. (lcrdm2) (Entered: 01/05/2022)
01/31/2022	<u>12</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Valdivia, Diana) (Entered: 01/31/2022)
02/01/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>12</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before April 1, 2022. Signed by Judge Randolph D. Moss on 2/1/2022. (lcrdm2) (Entered: 02/01/2022)
03/31/2022	<u>13</u>	NOTICE of Appearance by Joshua Loevy on behalf of BUZZFEED, INC., JASON LEOPOLD (Loevy, Joshua) (Entered: 03/31/2022)
04/01/2022	<u>14</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Valdivia, Diana) (Entered: 04/01/2022)
04/04/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>14</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before May 31, 2022. Signed by Judge Randolph D. Moss on 4/4/2022. (lcrdm2) (Entered: 04/04/2022)

05/31/2022	<u>15</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Valdivia, Diana) (Entered: 05/31/2022)
06/01/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>15</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before August 29, 2022. Signed by Judge Randolph D. Moss on 6/1/2022. (lcrdm2) (Entered: 06/01/2022)
08/29/2022	<u>16</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Valdivia, Diana) (Entered: 08/29/2022)
08/29/2022		MINUTE ORDER: Upon consideration of parties' Joint Status Report, Dkt. <u>16</u> , it is hereby ORDERED that the parties shall file an additional joint status report on or before November 28, 2022, to advise the Court whether any issues remain in this litigation, and, if so, to propose a briefing schedule. Signed by Judge Randolph D. Moss on 08/29/2022. (lcrdm2) (Entered: 08/29/2022)
11/10/2022	<u>17</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Robert Aaron Caplen on behalf of U.S. DEPARTMENT OF JUSTICE Substituting for attorney Diana V. Valdivia (Caplen, Robert) (Entered: 11/10/2022)
11/28/2022	<u>18</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Caplen, Robert) (Entered: 11/28/2022)
11/29/2022		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>18</u> , it is hereby ORDERED that the parties shall file an additional joint status report on or before December 16, 2022. Signed by Judge Randolph D. Moss on 11/29/2022. (lcrdm2) (Entered: 11/29/2022)
12/15/2022	<u>19</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Caplen, Robert) (Entered: 12/15/2022)
12/20/2022		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>19</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before January 13, 2023. Signed by Judge Randolph D. Moss on 12/20/2022. (lcrdm2) (Entered: 12/20/2022)
01/13/2023	<u>20</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Caplen, Robert) (Entered: 01/13/2023)
01/17/2023		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>20</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before April 13, 2023. Signed by Judge Randolph D. Moss on 1/17/2023. (lcrdm2) (Entered: 01/17/2023)
02/03/2023	<u>21</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Brian J. Levy on behalf of U.S. DEPARTMENT OF JUSTICE Substituting for attorney Robert A. Caplen (Levy, Brian) (Entered: 02/03/2023)
02/28/2023	<u>22</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of BUZZFEED, INC., JASON LEOPOLD (Wayne, Merrick) (Entered: 02/28/2023)
04/13/2023	<u>23</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 04/13/2023)
04/14/2023		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>23</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before June 13, 2023. Signed by Judge Randolph D. Moss on 4/14/2023. (lcrdm2) (Entered: 04/14/2023)
06/13/2023	<u>24</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 06/13/2023)
06/19/2023		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>24</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before August 14, 2023. Signed by Judge Randolph D. Moss on 6/19/2023. (lcrdm2) (Entered: 06/19/2023)

08/14/2023	<u>25</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 08/14/2023)
08/14/2023	<u>26</u>	STANDING ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>25</u> , it is hereby ORDERED that the parties shall comply with the directives set forth in Section 10 of the attached Standing Order. See document for details. It is hereby ORDERED that the parties shall appear for a pre-motion conference at 9:30 a.m. on November 3, 2023, in Courtroom 8. It is further ORDERED that Defendant shall submit its pre-motion statement on or before October 9, 2023, and that Plaintiffs shall submit their pre-motion statement on or before October 16, 2023. Signed by Judge Randolph D. Moss on 8/14/2023. (lcrdm2) (Main Document 26 replaced on 8/22/2023) (zglw). (Entered: 08/14/2023)
08/23/2023	<u>27</u>	NOTICE of Appearance by Stephen Stich Match on behalf of BUZZFEED, INC., JASON LEOPOLD (Match, Stephen) (Entered: 08/23/2023)
08/23/2023	<u>28</u>	Consent MOTION for Hearing by BUZZFEED, INC., JASON LEOPOLD. (Match, Stephen) Modified on 8/24/2023 to correct relief (zjm). (Entered: 08/23/2023)
08/23/2023		MINUTE ORDER: Upon consideration of the parties' Consent Motion for Remote Conference <u>28</u> , it is hereby ORDERED that the motion is GRANTED. The pre-motion conference scheduled for November 3, 2023, at 9:30 a.m. will take place via Zoom. Signed by Judge Randolph D. Moss on 08/23/23. (lcrdm2) (Entered: 08/23/2023)
10/06/2023	<u>29</u>	Consent MOTION to Modify <i>the Briefing Schedule</i> by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 10/06/2023)
10/10/2023		MINUTE ORDER: Upon consideration of the Defendant's Consent Motion to Modify the Briefing Schedule, Dkt. <u>29</u> , it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that (1) Defendant shall file its pre-motion statement on or before October 30, 2023; (2) Plaintiff shall file their pre-motion statement on or before November 6, 2023; and (3) the pre-motion conference currently set for November 3, 2023, is VACATED and RESCHEDULED for November 27, 2023, at 2:00 p.m. by Zoom. Signed by Judge Randolph D. Moss on 10/10/23. (lcrdm2) (Entered: 10/10/2023)
10/30/2023	<u>30</u>	Consent MOTION to Modify by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 10/30/2023)
10/31/2023		MINUTE ORDER: Upon consideration of Defendant's Consent Motion to Modify the Briefing Schedule, Dkt. <u>30</u> , it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the summary judgment briefing schedule deadlines are VACATED and that the parties shall file a joint status report on or before Nov. 30, 2023. Signed by Judge Randolph D. Moss on 10/31/23. (lcrdm2) (Entered: 10/31/2023)
11/30/2023	<u>31</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 11/30/2023)
12/01/2023	<u>32</u>	ERRATA <i>re: Corrected Joint Status Report</i> by U.S. DEPARTMENT OF JUSTICE <i>re</i> <u>31</u> Status Report. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 12/01/2023)
12/04/2023		MINUTE ORDER: Upon consideration of the parties' Corrected Joint Status Report, Dkt. <u>32</u> , it is hereby ORDERED that the parties file a further joint status report on or before Feb. 8, 2024. Signed by Judge Randolph D. Moss on 12/4/23. (lcrdm2) (Entered: 12/04/2023)
02/08/2024	<u>33</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 02/08/2024)
02/08/2024		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>33</u> , it is hereby ORDERED that the parties file a further joint status report on or before April 5, 2024. Signed by Judge Randolph D. Moss on 2/8/24. (lcrdm2) (Entered: 02/08/2024)

04/05/2024	<u>34</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 04/05/2024)
04/05/2024		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>34</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before June 5, 2024. Signed by Judge Randolph D. Moss on 4/5/24. (lcrdm2) (Entered: 04/05/2024)
06/05/2024	<u>35</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 06/05/2024)
06/05/2024		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>35</u> , it is hereby ORDERED that the parties file a further joint status report on or before August 6, 2024. Signed by Judge Randolph D. Moss on 6/5/24. (lcrdm2) (Entered: 06/05/2024)
08/06/2024	<u>36</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 08/06/2024)
08/07/2024		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>36</u> , it is hereby ORDERED that the parties file a further joint status report on or before October 8, 2024. Signed by Judge Randolph D. Moss on 8/7/2024. (lcrdm2) (Entered: 08/07/2024)