

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-03157-BAH**

SIEGAL MCINTYRE v. US CUSTOMS AND BORDER
PROTECTION

Assigned to: Judge Beryl A. Howell
Cause: 05:552 Freedom of Information Act

Date Filed: 12/02/2021

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

ERIN SIEGAL MCINTYRE

represented by **Deborah Maxine Golden**
THE LAW OFFICE OF DEBORAH M.
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ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. CUSTOMS AND BORDER
PROTECTION**

represented by **Thomas Duffey**
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Date Filed	#	Docket Text
12/02/2021	<u>1</u>	COMPLAINT against US CUSTOMS AND BORDER PROTECTION (Filing fee \$ 402 receipt number ADCDC-8902370) filed by ERIN SIEGAL MCINTYRE. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons to CBP, # <u>3</u> Summons to USAO DC, # <u>4</u> Summons to USAG)(Golden, Deborah) (Entered: 12/02/2021)
12/02/2021	<u>2</u>	MOTION Allow Alternative Address re <u>1</u> Complaint, by ERIN SIEGAL MCINTYRE. (Attachments: # <u>1</u> Text of Proposed Order)(Golden, Deborah) (Entered: 12/02/2021)
12/02/2021		Case Assigned to Chief Judge Beryl A. Howell. (adh,) (Entered: 12/02/2021)
12/02/2021	<u>3</u>	SUMMONS (3) Issued Electronically as to US CUSTOMS AND BORDER PROTECTION, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(adh,) (Entered: 12/02/2021)
12/02/2021		MINUTE ORDER (paperless) GRANTING <u>2</u> Plaintiff's Motion to List a Non-Residential Address in Complaint Caption ("Pl.'s Mot."). Generally, "[t]he first filing by or on behalf of a party shall have in the caption the . . . full residence address of the party," and "[f]ailure to provide the address information within 30 days of filing may result in the dismissal of the case against the defendant." LCvR 5.1(c)(1). Courts apply the factors identified in <i>United States v. Hubbard</i> , 650 F.2d 293 (D.C. Cir. 1980), to determine when a party's privacy interests are sufficiently weighty to overcome the general presumption in favor of public access to information concerning judicial proceedings. Here, an evaluation of all the <i>Hubbard</i> factors supports granting plaintiff's request. Plaintiff, a journalist, notes that she has "already received multiple death threats via email and phone related to her work in Mexico" and expresses concern that other subject matter on which she is reporting poses risks to her safety as

		well. Pl.'s Mot. at 2–3. As such, plaintiff reasonably "has sought to hide her residential address to protect her privacy and personal safety by using a Post Office box." <i>Id.</i> at 3. Further, plaintiff convincingly explains the lack of prejudice to the government defendants in this case of substituting a Post Office box address for her home address, as well as the lack of public interest in her home address with respect to this litigation. See <i>id.</i> at 2. Finally, plaintiff notes that she regularly uses said Post Office box to receive mail and is also represented by counsel, obviating concerns regarding the ability to contact her. <i>Id.</i> Under these circumstances, sufficient cause exists to grant plaintiff's request to use her Post Office box address in lieu of her residential address on filings with this Court. Signed by Chief Judge Beryl A. Howell on December 2, 2021. (lcbah3) (Entered: 12/02/2021)
12/02/2021	<u>4</u>	STANDING ORDER. Signed by Chief Judge Beryl A. Howell on December 2, 2021. (lcbah3) (Entered: 12/02/2021)
01/06/2022	<u>5</u>	NOTICE of Appearance by Thomas Duffey on behalf of US CUSTOMS AND BORDER PROTECTION (Duffey, Thomas) (Entered: 01/06/2022)
01/06/2022	<u>6</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, <i>with proposed order</i> by US CUSTOMS AND BORDER PROTECTION. (Duffey, Thomas) (Entered: 01/06/2022)
01/06/2022		MINUTE ORDER (paperless) GRANTING defendant's <u>6</u> Consent Motion to Extend Time to File Answer or Otherwise Respond to the Complaint; and EXTENDING, until February 10, 2022, the time for defendant to answer or otherwise respond to plaintiff's <u>1</u> Complaint. Signed by Chief Judge Beryl A. Howell on January 6, 2022. (lcbah3) (Entered: 01/06/2022)
01/07/2022		Set/Reset Deadlines: Answer to the Complaint due by 2/10/2022. (ztg) (Entered: 01/07/2022)
02/10/2022	<u>7</u>	ANSWER to Complaint by US CUSTOMS AND BORDER PROTECTION.(Duffey, Thomas) (Entered: 02/10/2022)
02/24/2022	<u>8</u>	Joint STATUS REPORT by US CUSTOMS AND BORDER PROTECTION. (Duffey, Thomas) (Entered: 02/24/2022)
02/25/2022		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>8</u> Joint Status Report, the parties to file, by March 24, 2022, 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 February 25, 2022. (lcbah3) (Entered: 02/25/2022)
02/28/2022		Set/Reset Deadlines: Joint Status Report due by 3/24/2022. (ztg) (Entered: 02/28/2022)
03/24/2022	<u>9</u>	Joint STATUS REPORT by US CUSTOMS AND BORDER PROTECTION. (Duffey, Thomas) (Entered: 03/24/2022)
03/28/2022		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>9</u> Joint Status Report, the parties to file, by April 29, 2022, 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 March 28, 2022. (lcbah3) (Entered: 03/28/2022)
03/28/2022		Set/Reset Deadlines: Joint Status Report due by 4/29/2022. (ztg) (Entered: 03/28/2022)
04/29/2022	<u>10</u>	Joint STATUS REPORT by US CUSTOMS AND BORDER PROTECTION. (Duffey, Thomas) (Entered: 04/29/2022)
04/29/2022		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>10</u> Joint Status Report, the parties to file, by June 2, 2022, 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 April 29, 2022. (lcbah3) (Entered: 04/29/2022)
04/29/2022		Set/Reset Deadlines: Joint Status Report due by 6/2/2022. (ztg) (Entered: 04/29/2022)
06/02/2022	<u>11</u>	Joint STATUS REPORT by ERIN SIEGAL MCINTYRE. (Golden, Deborah) (Entered: 06/02/2022)

06/03/2022		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>11</u> Joint Status Report, the parties to file, by August 31, 2022, 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 June 3, 2022. (lcbah3) (Entered: 06/03/2022)
06/03/2022		Set/Reset Deadlines: Joint Status Report due by 8/31/2022. (ztg) (Entered: 06/03/2022)
08/31/2022	<u>12</u>	Joint STATUS REPORT by US CUSTOMS AND BORDER PROTECTION. (Duffey, Thomas) (Entered: 08/31/2022)
09/01/2022		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>12</u> Joint Status Report, the parties to file, by October 31, 2022, a joint status report advising the Court about the status of this matter and any proposed schedule governing the production of responsive records. Signed by Chief Judge Beryl A. Howell on September 1, 2022. (lcbah3) (Entered: 09/01/2022)
09/02/2022		Set/Reset Deadlines: Joint Status Report due by 10/31/2022. (hmc) (Entered: 09/02/2022)
10/31/2022	<u>13</u>	Joint STATUS REPORT by ERIN SIEGAL MCINTYRE. (Golden, Deborah) (Entered: 10/31/2022)
11/01/2022		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>13</u> Joint Status Report, the parties to file, by January 3, 2023, a joint status report advising the Court about the status of this matter and any proposed schedule governing the production of responsive records. Signed by Chief Judge Beryl A. Howell on November 1, 2022. (lcbah3) (Entered: 11/01/2022)
11/02/2022		Set/Reset Deadlines: Joint Status Report due by 1/3/2023. (ztg) (Entered: 11/02/2022)
01/03/2023	<u>14</u>	Joint STATUS REPORT by ERIN SIEGAL MCINTYRE. (Golden, Deborah) (Entered: 01/03/2023)
01/04/2023		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>14</u> Joint Status Report, the parties to file, by March 4, 2023, a joint status report advising the Court about the status of this matter and any proposed schedule governing the production of responsive records. Signed by Chief Judge Beryl A. Howell on January 4, 2023. (lcbah3) (Entered: 01/04/2023)
01/05/2023		Set/Reset Deadlines: Joint Status Report due by 3/4/2023. (ztg) (Entered: 01/05/2023)
03/04/2023	<u>15</u>	Joint STATUS REPORT by ERIN SIEGAL MCINTYRE. (Golden, Deborah) (Entered: 03/04/2023)
03/07/2023		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>15</u> Joint Status Report, the parties to file, by May 3, 2023, a joint status report advising the Court about the status of this matter and any proposed schedule governing the production of responsive records. Signed by Chief Judge Beryl A. Howell on March 7, 2023. (lcbah3) (Entered: 03/07/2023)
03/07/2023		Set/Reset Deadlines: Joint Status Report due by 5/3/2023. (ztg) (Entered: 03/07/2023)
05/03/2023	<u>16</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Duffey, Thomas) (Entered: 05/03/2023)
05/08/2023		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>16</u> Joint Status Report, the parties to file, by August 3, 2023, a joint status report advising the Court about the status of this matter and any proposed schedule governing the production of responsive records. Signed by Judge Beryl A. Howell on May 8, 2023. (lcbah3) (Entered: 05/08/2023)
05/08/2023		Set/Reset Deadlines: Joint Status Report due by 8/3/2023. (ztg) (Entered: 05/08/2023)
08/03/2023	<u>17</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Duffey, Thomas) (Entered: 08/03/2023)
08/04/2023		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>17</u> Joint Status Report, the parties to file a joint status report by November 3, 2023, proposing a schedule to govern further proceedings. Signed by Judge Beryl A. Howell

		on August 4, 2023. (lcbah1) (Entered: 08/04/2023)
08/07/2023		Set/Reset Deadlines: Parties Joint Status Report due by 11/3/2023 (mac) (Entered: 08/07/2023)
11/03/2023	<u>18</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Duffey, Thomas) (Entered: 11/03/2023)
11/07/2023		MINUTE ORDER (paperless) DIRECTING the parties, upon consideration of their <u>18</u> Joint Status Report, to file, by February 2, 2024, a joint status report, advising the Court of the status of this matter. Signed by Judge Beryl A. Howell on November 7, 2023. (lcbah1) (Entered: 11/07/2023)
11/08/2023		Set/Reset Deadlines: Parties Joint Status Report due by 2/2/2024. (mac) (Entered: 11/08/2023)
02/02/2024	<u>19</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Duffey, Thomas) (Entered: 02/02/2024)
02/05/2024		MINUTE ORDER (paperless) DIRECTING the parties, upon consideration of their <u>19</u> Joint Status Report, to file, by May 3, 2024, another joint status report, advising the Court of the status of this matter. Signed by Judge Beryl A. Howell on February 5, 2024. (lcbah1) (Entered: 02/05/2024)
02/05/2024		Set/Reset Deadlines: Parties Joint Status Report due by 5/3/2024 (mac) (Entered: 02/05/2024)
05/03/2024	<u>20</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Duffey, Thomas) (Entered: 05/03/2024)
05/06/2024		MINUTE ORDER (paperless) DIRECTING the parties, upon consideration of their <u>20</u> Joint Status Report, to file, by August 5, 2023, a joint status report, advising the Court of the status of this matter. Signed by Judge Beryl A. Howell on May 6, 2024. (lcbah1) (Entered: 05/06/2024)
05/07/2024		Set/Reset Deadlines: Parties Joint Status Report due by 8/5/2023. (mac) (Entered: 05/07/2024)
08/05/2024	<u>21</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Duffey, Thomas) (Entered: 08/05/2024)
08/07/2024		MINUTE ORDER (paperless) DIRECTING the parties, upon consideration of their <u>21</u> Joint Status Report, to file, by November 5, 2024, a joint status report, advising the Court of the status of this matter. Signed by Judge Beryl A. Howell on August 7, 2024. (lcbah1) (Entered: 08/07/2024)
08/08/2024		Set/Reset Deadlines: Parties Joint Status Report due by 11/5/2024. (mac) (Entered: 08/08/2024)