

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:22-cv-00216-APM**

GREENSPAN v. U.S. SECURITIES AND EXCHANGE
COMMISSION
Assigned to: Judge Amit P. Mehta
Cause: 05:552 Freedom of Information Act

Date Filed: 01/27/2022
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

AARON GREENSPAN

represented by **AARON GREENSPAN**
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PRO SE

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TERMINATED: 08/09/2022
ATTORNEY TO BE NOTICED

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V.

Defendant

**U.S. SECURITIES AND EXCHANGE
COMMISSION**

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 TERMINATED: 07/18/2023
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Date Filed	#	Docket Text
01/27/2022	<u>1</u>	COMPLAINT against U.S. SECURITIES AND EXCHANGE COMMISSION (Filing fee \$ 402 receipt number ADCDC-9007241) filed by AARON GREENSPAN. (Attachments: # <u>1</u> Exhibit Ex 1-9, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons)(Topic, Matthew) (Entered: 01/27/2022)
01/27/2022	<u>2</u>	NOTICE of Appearance by Matthew Topic on behalf of AARON GREENSPAN (Topic, Matthew) (Entered: 01/27/2022)
01/28/2022		Case Assigned to Judge Amit P. Mehta. (zsb) (Entered: 01/28/2022)
02/02/2022	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. SECURITIES AND EXCHANGE COMMISSION, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(adh,) (Entered: 02/02/2022)
03/21/2022	<u>4</u>	ANSWER to Complaint by U.S. SECURITIES AND EXCHANGE COMMISSION.(Quinn, Thomas) (Entered: 03/21/2022)
03/21/2022	<u>5</u>	NOTICE of Appearance by Thomas Anthony Quinn on behalf of U.S. SECURITIES AND EXCHANGE COMMISSION (Quinn, Thomas) (Entered: 03/21/2022)
03/22/2022	<u>6</u>	ORDER. Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before April 4, 2022. The Joint Status Report shall include (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (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); and (5) whether the parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Amit P. Mehta on 03/22/2022. (lcapm3) (Entered: 03/22/2022)
03/28/2022	<u>7</u>	NOTICE of Appearance by Joshua Loevy on behalf of AARON GREENSPAN (Loevy, Joshua) (Entered: 03/28/2022)
04/04/2022	<u>8</u>	MOTION for Extension of Time to File a <i>Joint Status Report</i> by U.S. SECURITIES AND EXCHANGE COMMISSION. (Attachments: # <u>1</u> Text of Proposed Order)(Quinn, Thomas) (Entered: 04/04/2022)
04/06/2022		MINUTE ORDER granting <u>8</u> Unopposed Motion for Extension of Time to File a Joint Status Report. The parties shall file the Joint Status Report described in the court's previous Order by April 11, 2022. Signed by Judge Amit P. Mehta on 04/06/2022. (lcapm3) (Entered: 04/06/2022)
04/11/2022	<u>9</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Quinn, Thomas) (Entered: 04/11/2022)
04/12/2022		MINUTE ORDER. The parties shall file an additional Joint Status Report by May 11, 2022, and every 60 days thereafter, which updates the court on the processing and production of responsive records. Signed by Judge Amit P. Mehta on 04/12/2022. (lcapm3) (Entered: 04/12/2022)
04/12/2022		Set/Reset Deadlines: Status Report due by 5/11/2022 (zjch,) (Entered: 04/12/2022)
05/11/2022	<u>10</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Quinn, Thomas) (Entered: 05/11/2022)
07/11/2022	<u>11</u>	Joint STATUS REPORT by AARON GREENSPAN. (Loevy, Joshua) (Entered: 07/11/2022)
07/27/2022	<u>12</u>	ENTERED IN ERROR.....MOTION to Withdraw as Attorney by AARON GREENSPAN. (Loevy, Joshua) Modified on 7/29/2022. Counsel has refiled said

		pleading (zed). (Entered: 07/27/2022)
07/27/2022	<u>13</u>	MOTION to Withdraw as Attorney <i>Corrected</i> by AARON GREENSPAN. (Attachments: # <u>1</u> Exhibit 1)(Topic, Matthew) (Entered: 07/27/2022)
08/09/2022		MINUTE ORDER granting <i>Corrected</i> Motion to Withdraw as Plaintiff's Counsel. With seven days have passed since counsel's motion and no objection filed by Plaintiff, counsel's motion is granted. The clerk of court shall withdraw Loevy & Loevy as counsel to Plaintiff. Signed by Judge Amit P. Mehta on 08/08/2022. (lcapm3) (Entered: 08/09/2022)
09/07/2022	<u>14</u>	MOTION for CM/ECF Password by AARON GREENSPAN. (zed) (Entered: 09/08/2022)
09/09/2022		MINUTE ORDER granting Plaintiff's <u>14</u> Motion for Leave to File Electronically via CM/ECF. Plaintiff's motion meets the requirements of Local Rule 5.4(b)(2) and may file in this matter using CM/ECF. Signed by Judge Amit P. Mehta on 09/09/2022. (lcapm3) (Entered: 09/09/2022)
09/12/2022	<u>15</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Quinn, Thomas) (Entered: 09/12/2022)
09/13/2022		MINUTE ORDER. The parties shall file an additional Joint Status Report by September 23, 2022, which updates the court on the parties' discussions and the processing and production of responsive records. Signed by Judge Amit P. Mehta on 9/13/2022. (lcapm3) (Entered: 09/13/2022)
09/23/2022	<u>16</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Quinn, Thomas) (Entered: 09/23/2022)
11/21/2022	<u>17</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Quinn, Thomas) (Entered: 11/21/2022)
01/20/2023	<u>18</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Quinn, Thomas) (Entered: 01/20/2023)
01/27/2023	<u>19</u>	MOTION to Compel <i>Compliance With 5 U.S.C. § 552(a)(7)(B)(ii), Or In The Alternative</i> , MOTION for Sanctions by AARON GREENSPAN. (Attachments: # <u>1</u> Declaration of Aaron Greenspan, # <u>2</u> Proposed Order)(GREENSPAN, AARON). Added MOTION for Sanctions on 1/29/2023 (zed). (Entered: 01/27/2023)
01/30/2023	<u>20</u>	MOTION for Leave to File <i>Amended and/or Supplemental Complaint</i> by AARON GREENSPAN. (Attachments: # <u>1</u> Exhibit Proposed Amended Complaint, # <u>2</u> Text of Proposed Order)(GREENSPAN, AARON) (Entered: 01/30/2023)
01/30/2023	<u>21</u>	ERRATA <i>Corrected Proposed Amended Complaint</i> by AARON GREENSPAN re <u>20</u> Motion for Leave to File. (GREENSPAN, AARON) (Entered: 01/30/2023)
02/08/2023	<u>22</u>	MOTION for Extension of Time to File Response/Reply as to <u>20</u> MOTION for Leave to File <i>Amended and/or Supplemental Complaint</i> , <u>19</u> MOTION to Compel <i>Compliance With 5 U.S.C. § 552(a)(7)(B)(ii), Or In The Alternative, For Sanctions</i> MOTION for Sanctions by U.S. SECURITIES AND EXCHANGE COMMISSION. (Quinn, Thomas) (Entered: 02/08/2023)
02/09/2023	<u>23</u>	ORDER granting <u>22</u> Motion for Extension of Time to File Response/Reply. Defendant shall have through and including February 24, 2023, to file responses to Plaintiff's Motion to Compel Compliance with 5 U.S.C. § 552(a)(7)(B)(ii), or in the Alternative, Motion for Sanctions (ECF No. <u>19</u>), and to Plaintiff's Motion for Leave to File Amended and/or Supplemental Complaint, as corrected (ECF Nos. <u>20</u> and <u>21</u>). Signed by Judge Amit P. Mehta on 02/09/2023. (lcapm3) (Entered: 02/09/2023)
02/24/2023	<u>24</u>	Memorandum in opposition to re <u>20</u> Motion for Leave to File, <u>19</u> Motion to Compel., Motion for Sanctions, filed by U.S. SECURITIES AND EXCHANGE COMMISSION. (Attachments: # <u>1</u> Declaration Ex. A, # <u>2</u> Exhibit Ex. A, Att. 1)(Quinn, Thomas) (Entered: 02/24/2023)
02/27/2023	<u>25</u>	REPLY to opposition to motion re <u>20</u> MOTION for Leave to File <i>Amended and/or Supplemental Complaint</i> , <u>19</u> MOTION to Compel <i>Compliance With 5 U.S.C. § 552(a)(7)(B)(ii), Or In The Alternative, For Sanctions</i> MOTION for Sanctions filed by

		AARON GREENSPAN. (GREENSPAN, AARON) (Entered: 02/27/2023)
03/21/2023	<u>26</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Quinn, Thomas) (Entered: 03/21/2023)
03/22/2023		MINUTE ORDER. The parties shall file an additional Joint Status Report by May 19, 2023. Signed by Judge Amit P. Mehta on 03/22/2023. (lcapm3) (Entered: 03/22/2023)
05/19/2023	<u>27</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Quinn, Thomas) (Entered: 05/19/2023)
05/19/2023	<u>28</u>	STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Quinn, Thomas) (Entered: 05/19/2023)
05/19/2023	<u>29</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Quinn, Thomas) (Entered: 05/19/2023)
05/30/2023		MINUTE ORDER. The parties shall file an additional Joint Status Report by July 19, 2023, which proposes a schedule for further proceedings, if necessary. Signed by Judge Amit P. Mehta on 05/30/2023. (lcapm3) (Entered: 05/30/2023)
07/18/2023	<u>30</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Sam Escher on behalf of U.S. SECURITIES AND EXCHANGE COMMISSION Substituting for attorney Thomas Anthony Quinn (Escher, Sam) (Entered: 07/18/2023)
07/19/2023	<u>31</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Escher, Sam) (Entered: 07/19/2023)
07/21/2023		MINUTE ORDER denying <u>19</u> Motion to Compel Compliance with 5 U.S.C. 552(a)(7)(B)(ii), or in the Alternative for Sanctions. Based on the parties' submissions, it appears that the SEC, in its view, has completed production of two of the three FOIA requests: (1) TheStreet.com and (2) robots.txt Line 89. See Decl. of Kevin Solonsky, ECF No. 24-1; Joint Status Report, ECF No. <u>27</u> , paragraph 8. The status of the Bondi request is unknown, and the court will address it by separate Minute Order. Based on the SEC's productions to date, the motion to compel compliance is denied. The court also denies the motion for sanctions, as neither the SEC nor its counsel have engaged in sanctionable conduct before the court. Fed. R. Civ. P. 11(b). Signed by Judge Amit P. Mehta on 07/21/2023. (lcapm3) (Entered: 07/21/2023)
07/21/2023		MINUTE ORDER denying <u>20</u> Plaintiff's Motion for Leave to File Amended Complaint and/or Supplement Complaint. The court may deny a motion to amend a complaint when the requested amendment bears no more than a "tangential relationship" to the original action. See Nat'l Treasury Emps. Union v. Helfer, 53 F.3d 1289, 1295 (D.C. Cir. 1995). That is the case here. Plaintiff proposes to add two pending FOIA requests directed to two agencies other than the SEC. Those FOIA requests concern topics other than those at issue in this case. Although Plaintiff contends that each of the FOIA requests "pertain to Elon Musk," Pl.'s Consolidated Reply, ECF No. <u>25</u> , at 3, that general commonality is not sufficient to warrant expanding the scope of the present complaint. Signed by Judge Amit P. Mehta on 07/21/2023. (lcapm3) (Entered: 07/21/2023)
07/21/2023		MINUTE ORDER. The parties shall file an additional Joint Status Report by August 21, 2023, which updates the court on the processing and production of the Bradley Bondi request. The last three Joint Status Reports have been silent as to that request. See ECF Nos. <u>26</u> , <u>27</u> , and <u>31</u> . Signed by Judge Amit P. Mehta on 07/21/2023. (lcapm3) (Entered: 07/21/2023)
08/21/2023	<u>32</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Escher, Sam) (Entered: 08/21/2023)
08/22/2023		MINUTE ORDER. The parties shall file an additional Joint Status Report by October 19, 2023, which updates the court on the processing and production of responsive records. Signed by Judge Amit P. Mehta on 08/22/2023. (lcapm3) (Entered: 08/22/2023)
10/17/2023	<u>33</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Escher, Sam) (Entered: 10/17/2023)

10/18/2023		MINUTE ORDER. On or before October 31, 2023, the parties shall file an additional Joint Status Report that addresses: (1) why the SEC cannot begin processing a "complex FOIA request" until May 5, 2024, and (2) whether, after a meet and confer, the parties are able to narrow the scope of the "TheStreet.com" request to reduce the number of potentially responsive records. Signed by Judge Amit P. Mehta on 10/18/2023. (lcapm3) (Entered: 10/18/2023)
10/31/2023	<u>34</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Escher, Sam) (Entered: 10/31/2023)
11/07/2023		MINUTE ORDER. The parties shall file another Joint Status Report by February 6, 2024, which updates the court on the processing and production of records, including any narrowing of Plaintiffs thestreet.com FOIA request. Signed by Judge Amit P. Mehta on 11/07/2023. (lcapm3) (Entered: 11/07/2023)
02/05/2024	<u>35</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Escher, Sam) (Entered: 02/05/2024)
02/12/2024		MINUTE ORDER. The parties shall file another Joint Status Report by May 5, 2024, which updates the court on the processing and production of records, including any narrowing of Plaintiffs thestreet.com FOIA request. Signed by Judge Amit P. Mehta on 2/12/2024. (lcapm3) (Entered: 02/12/2024)
02/13/2024		Set/Reset Deadlines: Joint Status Report due by 5/5/2024. (smc) (Entered: 02/13/2024)
05/03/2024	<u>36</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Escher, Sam) (Entered: 05/03/2024)
05/07/2024		MINUTE ORDER. The parties shall file another Joint Status Report by August 6, 2024, which updates the court on the processing and production of records, including any narrowing of Plaintiff's thestreet.com FOIA request. Signed by Judge Amit P. Mehta on 05/07/2024. (lcapm3) (Entered: 05/07/2024)
05/09/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 8/6/2024. (zcdw) (Entered: 05/09/2024)
08/05/2024	<u>37</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Escher, Sam) (Entered: 08/05/2024)
08/12/2024		MINUTE ORDER. The parties shall file another Joint Status Report by November 6, 2024, which updates the court on the processing and production of records, including any narrowing of Plaintiff's thestreet.com FOIA request. Signed by Judge Amit P. Mehta on 08/12/2024. (lcapm3) (Entered: 08/12/2024)
08/13/2024		Set/Reset Deadlines: Status Report due by 11/6/2024 (zakb) (Entered: 08/13/2024)