

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:22-cv-03003-DEH**

Knight First Amendment Institute at Columbia University v.
U.S. Department of State et al
Assigned to: Judge Dale E. Ho
Cause: 05:552 Freedom of Information Act

Date Filed: 04/12/2022
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**Knight First Amendment Institute at
Columbia University**

represented by **Caroline Decell**
Knight First Amendment Institute at
Columbia University
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ATTORNEY TO BE NOTICED

Anna Natalia Diakun
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V.

Defendant

U.S. Department of State

represented by **Samuel Hilliard Dolinger**
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ATTORNEY TO BE NOTICED

Defendant

U.S. Department of Homeland Security

represented by **Samuel Hilliard Dolinger**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**Office of the Director of National
Intelligence**

represented by **Samuel Hilliard Dolinger**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/12/2022	<u>1</u>	COMPLAINT against Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State. (Filing Fee \$ 402.00, Receipt Number ANYSDC-25996061) Document filed by Knight First Amendment Institute at Columbia University. (Attachments: # <u>1</u> Exhibit A).(Diakun, Anna) (Entered: 04/12/2022)

04/12/2022	<u>2</u>	CIVIL COVER SHEET filed..(Diakun, Anna) (Entered: 04/12/2022)
04/12/2022	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/12/2022)
04/12/2022	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Department of State, re: <u>1</u> Complaint,. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/12/2022)
04/12/2022	<u>5</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Department of Homeland Security, re: <u>1</u> Complaint,. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/12/2022)
04/12/2022	<u>6</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Office of the Director of National Intelligence, re: <u>1</u> Complaint,. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/12/2022)
04/13/2022		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Katherine Polk Failla. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district–judges . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at https://nysd.uscourts.gov/rules/ecf–related–instructions..(pc) (Entered: 04/13/2022)
04/13/2022		Magistrate Judge Ona T. Wang is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018–06/AO–3.pdf . (pc) (Entered: 04/13/2022)
04/13/2022		Case Designated ECF. (pc) (Entered: 04/13/2022)
04/13/2022	<u>7</u>	ELECTRONIC SUMMONS ISSUED as to Office of the Director of National Intelligence..(pc) (Entered: 04/13/2022)
04/13/2022	<u>8</u>	ELECTRONIC SUMMONS ISSUED as to U.S. Department of State..(pc) (Entered: 04/13/2022)
04/13/2022	<u>9</u>	ELECTRONIC SUMMONS ISSUED as to U.S. Department of Homeland Security..(pc) (Entered: 04/13/2022)
04/22/2022	<u>10</u>	NOTICE OF APPEARANCE by Samuel Hilliard Dolinger on behalf of Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 04/22/2022)
04/25/2022	<u>11</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). U.S. Department of State served on 4/19/2022, answer due 5/19/2022. Service was made by Mail. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/25/2022)
04/25/2022	<u>12</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). U.S. Department of Homeland Security served on 4/18/2022, answer due 5/18/2022. Service was made by Mail. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/25/2022)
04/25/2022	<u>13</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). Office of the Director of National Intelligence served on 4/25/2022, answer due 5/25/2022. Service was made by Mail. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/25/2022)
04/25/2022	<u>14</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). All Defendants. Service was made by Mail. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 04/25/2022)
04/25/2022	<u>15</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). All Defendants. Service was made by Mail. Document filed by Knight First Amendment Institute at Columbia

		University..(Diakun, Anna) (Entered: 04/25/2022)
05/09/2022	<u>16</u>	NOTICE OF INITIAL PRETRIAL CONFERENCE: Initial Conference set for 8/10/2022 at 10:30 AM before Judge Katherine Polk Failla. This case has been assigned to me for all purposes. It is hereby ORDERED that counsel for all parties appear for an initial pretrial conference with the Court on August 10, 2022, at 10:30 a.m. The conference will be held telephonically. At the scheduled date and time, the parties are to call (888) 363-4749 and enter access code 5123533. (Signed by Judge Katherine Polk Failla on 5/9/2022) (rro) (Entered: 05/09/2022)
05/09/2022	<u>17</u>	CERTIFICATE OF SERVICE of Order, Dkt. No. 16 served on Anna Diakun on 5/9/2022. Service was made by email. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 05/09/2022)
05/09/2022	<u>18</u>	CERTIFICATE OF SERVICE of Order, ECF No. 16 served on U.S. Department of State, U.S. Department of Homeland Security, and Office of the Director of National Intelligence on May 9, 2022. Service was made by email. Document filed by Knight First Amendment Institute at Columbia University..(Diakun, Anna) (Entered: 05/09/2022)
05/18/2022	<u>19</u>	ANSWER to <u>1</u> Complaint,. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 05/18/2022)
08/03/2022	<u>20</u>	JOINT LETTER MOTION to Adjourn Conference <i>scheduled for August 10, 2022, by one month</i> addressed to Judge Katherine Polk Failla from Samuel Dolinger dated 8/3/2022. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 08/03/2022)
08/04/2022	<u>21</u>	ORDER granting <u>20</u> Letter Motion to Adjourn Conference. The Court is in receipt of the parties' above letter. For the reasons stated above, the initial pretrial conference in this matter is hereby ADJOURNED to September 28, 2022, at 12:00 p.m. The parties are relieved of their obligation to submit a proposed case management plan prior to the conference. The Clerk of Court is directed to terminate the motion at docket entry 20. Initial Conference set for 9/28/2022 at 12:00 PM before Judge Katherine Polk Failla. (Signed by Judge Katherine Polk Failla on 8/4/2022) (rro) (Entered: 08/04/2022)
08/09/2022	<u>22</u>	NOTICE OF APPEARANCE by Caroline Decell on behalf of Knight First Amendment Institute at Columbia University..(Decell, Caroline) (Entered: 08/09/2022)
09/21/2022	<u>23</u>	LETTER MOTION for Extension of Time <i>to submit pre-conference letter from September 21 to September 23, 2022</i> addressed to Judge Katherine Polk Failla from Samuel Dolinger dated 9/21/2022. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 09/21/2022)
09/21/2022	<u>24</u>	ORDER granting <u>23</u> Letter Motion for Extension of Time. Application GRANTED. SO ORDERED. (Signed by Judge Katherine Polk Failla on 9/21/2022) (tg) (Entered: 09/21/2022)
09/23/2022	<u>25</u>	LETTER addressed to Judge Katherine Polk Failla from Samuel Dolinger dated 9/23/2022 re: joint letter in advance of conference scheduled for September 28, 2022. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 09/23/2022)
09/28/2022		Minute Entry for proceedings held before Judge Katherine Polk Failla: Initial Pretrial/Pre-motion Conference held on 9/28/2022. Attorneys Anna Natalia Diakun and Caroline Decell representing Plaintiff present. Attorney Samuel Hilliard Dolinger representing Defendants present. To the extent the parties agree on a production schedule, the Court adopts such schedule. To the extent that there is no agreement on a production schedule between Plaintiff and State, the Court orders that Defendant review and produce no less than 300 pages per month, and that Defendant submit a status update every 60 days. (Court Reporter recorded) (tn) (Entered: 09/28/2022)

11/28/2022	<u>26</u>	STATUS REPORT. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 11/28/2022)
11/29/2022	<u>27</u>	MEMO ENDORSEMENT on re: <u>26</u> Status Report filed by U.S. Department of State, U.S. Department of Homeland Security, Office of the Director of National Intelligence. ENDORSEMENT: The Court is in receipt of the above status update. Per the Court's September 28, 2022 Order (see Sept. 28, 2022 Minute Entry), Defendants shall submit a further update on or before January 27, 2023. (Signed by Judge Katherine Polk Failla on 11/29/2022) (rro) (Entered: 11/29/2022)
01/27/2023	<u>28</u>	STATUS REPORT. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 01/27/2023)
01/30/2023	<u>29</u>	MEMO ENDORSEMENT on re: <u>28</u> Status Report filed by U.S. Department of State, U.S. Department of Homeland Security, Office of the Director of National Intelligence. ENDORSEMENT: The Court is in receipt of the above status update. Per the Court's September 28, 2022 Order (see Sept. 28, 2022 Minute Entry), Defendants shall submit a further update on or before the earlier of March 28, 2023 or 14 days after Defendants issue their final responses to Plaintiff. (Signed by Judge Katherine Polk Failla on 1/30/2023) (ate) (Entered: 01/30/2023)
03/28/2023	<u>30</u>	STATUS REPORT. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 03/28/2023)
03/29/2023	<u>31</u>	MEMO ENDORSEMENT on re: <u>30</u> Status Report filed by U.S. Department of State, U.S. Department of Homeland Security, Office of the Director of National Intelligence. ENDORSEMENT: The Court is in receipt of the above status update. Defendants shall submit a further update on or before the earlier of May 29, 2023, or 14 days after Defendants issue their final responses to Plaintiff. (Signed by Judge Katherine Polk Failla on 3/29/2023) (rro) (Entered: 03/29/2023)
05/26/2023	<u>32</u>	STATUS REPORT. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 05/26/2023)
05/30/2023	<u>33</u>	MEMO ENDORSEMENT on re: <u>32</u> Status Report filed by U.S. Department of State, U.S. Department of Homeland Security, Office of the Director of National Intelligence. ENDORSEMENT: The Court is in receipt of the above status update. Defendants shall submit a further update on or before the earlier of July 29, 2023, or 14 days after Defendants issue their final responses to Plaintiff. (Signed by Judge Katherine Polk Failla on 5/30/2023) (rro) (Entered: 05/30/2023)
07/28/2023	<u>34</u>	STATUS REPORT. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 07/28/2023)
07/31/2023	<u>35</u>	MEMO ENDORSEMENT on re: <u>34</u> Status Report filed by U.S. Department of State, U.S. Department of Homeland Security, Office of the Director of National Intelligence. ENDORSEMENT: The Court is in receipt of the above status update. Defendants shall submit a further update on or before the earlier of September 29, 2023, or 14 days after Defendants issue their final responses to Plaintiff. (Signed by Judge Katherine Polk Failla on 7/31/2023) (rro) (Entered: 07/31/2023)
09/29/2023	<u>36</u>	STATUS REPORT. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 09/29/2023)
10/02/2023	<u>37</u>	MEMO ENDORSEMENT on re: <u>36</u> Status Report filed by U.S. Department of State, U.S. Department of Homeland Security, Office of the Director of National Intelligence. ENDORSEMENT: The Court is in receipt of the above status update. Defendants shall submit a further update on or before the earlier of November 28, 2023, or 14 days after Defendants issue their final responses to Plaintiff. (Signed by Judge Katherine Polk Failla on 10/2/2023) (rro) (Entered: 10/02/2023)

10/15/2023		NOTICE OF CASE REASSIGNMENT to Judge Dale E Ho. Judge Katherine Polk Failla is no longer assigned to the case. (vba) (Entered: 10/15/2023)
10/17/2023	<u>38</u>	NOTICE OF REASSIGNMENT: This case has been reassigned to the undersigned. All counsel must familiarize themselves with the Court's Individual Practices, which are available at https://nysd.uscourts.gov/hon-dale-e-ho . Unless and until the Court orders otherwise, all prior orders, dates, and deadlines shall remain in effect notwithstanding the case's reassignment. (Signed by Judge Dale E Ho on 10/16/2023) (ama) (Entered: 10/17/2023)
11/28/2023	<u>39</u>	STATUS REPORT. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 11/28/2023)
11/29/2023	<u>40</u>	MEMO ENDORSEMENT on re: <u>39</u> Status Report filed by U.S. Department of State, U.S. Department of Homeland Security, Office of the Director of National Intelligence ENDORSEMENT: Pursuant to the Court's order dated September 28, 2022, the Agencies shall provide a status update in 60 days or within 14 days of the issuance of the final response. SO ORDERED. (Signed by Judge Dale E. Ho on 11/29/2023) (ks) (Entered: 11/29/2023)
01/29/2024	<u>41</u>	STATUS REPORT. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Normand, Sarah) (Entered: 01/29/2024)
03/29/2024	<u>42</u>	STATUS REPORT. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 03/29/2024)
04/01/2024	<u>43</u>	MEMO ENDORSEMENT on re: <u>42</u> Status Report filed by U.S. Department of State, U.S. Department of Homeland Security, Office of the Director of National Intelligence. ENDORSEMENT: Application GRANTED. Defendants shall provide a status update within 30 days. SO ORDERED. (Signed by Judge Dale E. Ho on 4/1/2024) (rro) (Entered: 04/01/2024)
04/29/2024	<u>44</u>	STATUS REPORT. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 04/29/2024)
04/30/2024	<u>45</u>	MEMO ENDORSEMENT on re: <u>44</u> Status Report filed by U.S. Department of State, U.S. Department of Homeland Security, Office of the Director of National Intelligence ENDORSEMENT: Application GRANTED. The parties shall provide a status update within 30 days. SO ORDERED. (Signed by Judge Dale E. Ho on 4/30/2024) (ks) (Entered: 04/30/2024)
05/29/2024	<u>46</u>	STATUS REPORT. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 05/29/2024)
05/30/2024	<u>47</u>	MEMO ENDORSEMENT on re: <u>46</u> Status Report filed by U.S. Department of State, U.S. Department of Homeland Security, Office of the Director of National Intelligence ENDORSEMENT: Application GRANTED. The parties shall provide a status update within 30 days. SO ORDERED. (Signed by Judge Dale E. Ho on 5/30/2024) (ks) (Entered: 05/30/2024)
06/28/2024	<u>48</u>	STATUS REPORT. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Dolinger, Samuel) (Entered: 06/28/2024)
07/01/2024	<u>49</u>	MEMO ENDORSEMENT on re: <u>48</u> Status Report filed by U.S. Department of State, U.S. Department of Homeland Security, Office of the Director of National Intelligence ENDORSEMENT: The parties shall provide a status update by July 29, 2024. SO ORDERED. (Signed by Judge Dale E. Ho on 7/1/2024) (ks) (Entered: 07/01/2024)
07/29/2024	<u>50</u>	STATUS REPORT. (<i>joint</i>) and proposal for further status report by August 29, 2024 Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Aronoff, Peter) (Entered: 07/29/2024)

07/30/2024	<u>51</u>	MEMO ENDORSEMENT on re: <u>50</u> Status Report filed by U.S. Department of State, U.S. Department of Homeland Security, Office of the Director of National Intelligence ENDORSEMENT: The parties shall provide a status update by August 29, 2024. If disputed issues remain, the parties shall meet and confer and propose a briefing schedule, and outline the grounds for cross-motions for summary judgment. SO ORDERED. (Signed by Judge Dale E. Ho on 7/30/2024) (ks) (Entered: 07/30/2024)
08/29/2024	<u>52</u>	STATUS REPORT. Document filed by Office of the Director of National Intelligence, U.S. Department of Homeland Security, U.S. Department of State..(Tarczyska, Dominika) (Entered: 08/29/2024)
08/30/2024	<u>53</u>	MEMO ENDORSEMENT on re: <u>52</u> Status Report filed by U.S. Department of State, U.S. Department of Homeland Security, Office of the Director of National Intelligence ENDORSEMENT: Application GRANTED. The parties shall file a status letter by September 30, 2024. SO ORDERED. (Signed by Judge Dale E. Ho on 8/30/2024) (ks) (Entered: 08/30/2024)