

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:22-cv-03567-CJN**

NEW CIVIL LIBERTIES ALLIANCE v. SECURITIES AND  
EXCHANGE COMMISSION  
Assigned to: Judge Carl J. Nichols  
Cause: 05:552 Freedom of Information Act

Date Filed: 11/23/2022  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: Federal Question

**Plaintiff****NEW CIVIL LIBERTIES ALLIANCE**

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V.

**Defendant****SECURITIES AND EXCHANGE  
COMMISSION**

represented by **Mary Alexandra Verdi**  
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Date Filed	#	Docket Text
11/23/2022	<u>1</u>	COMPLAINT against SECURITIES AND EXCHANGE COMMISSION ( Filing fee \$ 402 receipt number ADCDC-9692350) filed by NEW CIVIL LIBERTIES ALLIANCE. (Attachments: # <u>1</u> Summons Proposed to AG, US Attorney, and Defendant, # <u>2</u> Civil Cover Sheet)(Hardin, Matthew) (Entered: 11/23/2022)

11/23/2022		Case Assigned to Judge Carl J. Nichols. (zsl) (Entered: 11/23/2022)
11/23/2022	<u>2</u>	SUMMONS (3) Issued Electronically as to SECURITIES AND EXCHANGE COMMISSION, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsl) (Entered: 11/23/2022)
11/25/2022	<u>3</u>	NOTICE of Appearance by Christopher Cochran Horner on behalf of NEW CIVIL LIBERTIES ALLIANCE (Horner, Christopher) (Entered: 11/25/2022)
11/30/2022	<u>4</u>	STANDING ORDER. Signed by Judge Carl J. Nichols on November 30, 2022. (lccjn3) (Entered: 11/30/2022)
12/23/2022	<u>5</u>	NOTICE of Appearance by Mary Alexandra Verdi on behalf of SECURITIES AND EXCHANGE COMMISSION (Verdi, Mary) (Entered: 12/23/2022)
12/23/2022	<u>6</u>	ANSWER to Complaint by SECURITIES AND EXCHANGE COMMISSION.(Verdi, Mary) (Entered: 12/23/2022)
01/03/2023		MINUTE ORDER. Before the Court in this Freedom of Information Act case are a Complaint and an Answer. Pursuant 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 January 23, 2023. The Joint Status Report shall address: (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated dates 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); (5) the possibility of prioritizing documents responsive to Plaintiff's request and any discussions regarding whether Plaintiff's request 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 January 3, 2023. (lccjn3) (Entered: 01/03/2023)
01/03/2023		Set/Reset Deadlines: Status Report due by 1/23/2023 (zjch, ) (Entered: 01/04/2023)
01/11/2023	<u>7</u>	AMENDED COMPLAINT against SECURITIES AND EXCHANGE COMMISSION filed by NEW CIVIL LIBERTIES ALLIANCE.(Hardin, Matthew) (Entered: 01/11/2023)
01/23/2023	<u>8</u>	Joint STATUS REPORT by SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 01/23/2023)
01/25/2023	<u>9</u>	ANSWER to <u>7</u> Amended Complaint by SECURITIES AND EXCHANGE COMMISSION.(Verdi, Mary) (Entered: 01/25/2023)
02/02/2023		MINUTE ORDER. Upon consideration of <u>6</u> Joint Status Report, it is hereby ORDERED that the Parties shall file their next joint status report on or before March 1, 2023, and every 30 days thereafter. Signed by Judge Carl J. Nichols on February 2, 2023. (lccjn3) (Entered: 02/02/2023)
02/02/2023		Set/Reset Deadlines: Joint Status Report due by 3/1/2023. (zsmc) (Entered: 02/02/2023)
03/01/2023	<u>10</u>	Joint STATUS REPORT by SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 03/01/2023)
03/07/2023	<u>11</u>	NOTICE of Appearance by Margaret A. Little on behalf of NEW CIVIL LIBERTIES ALLIANCE (Little, Margaret) (Entered: 03/07/2023)
03/31/2023	<u>12</u>	Consent MOTION for Extension of Time to File <i>Joint Status Report</i> by NEW CIVIL LIBERTIES ALLIANCE. (Hardin, Matthew) (Entered: 03/31/2023)
04/03/2023		MINUTE ORDER. Upon consideration of <u>12</u> Consent Motion for Extension, it is hereby ORDERED that the Motion is GRANTED. The Joint Status Report shall be filed on or before April 7, 2023. Signed by Judge Carl J. Nichols on April 3, 2023. (lccjn3) (Entered: 04/03/2023)
04/04/2023		Set/Reset Deadlines: Joint Status Report due by 4/7/2023 (mac) (Entered: 04/04/2023)
04/07/2023	<u>13</u>	Joint STATUS REPORT by SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 04/07/2023)

05/08/2023	<u>14</u>	Joint STATUS REPORT by SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 05/08/2023)
05/11/2023		MINUTE ORDER. Upon consideration of the <u>14</u> Joint Status Report, it is hereby ORDERED that the government shall file its motion for summary judgment on or before July 12, 2023; that Plaintiff shall file its Opposition and any cross-motion for summary judgment on or before August 2, 2023; that the government shall file its reply and any opposition to the cross-motion on or before August 23, 2023; and, if there is a cross-motion, Plaintiff shall file its reply on or before September 13, 2023. Signed by Judge Carl J. Nichols on May 11, 2023. (lccjn3) (Entered: 05/11/2023)
06/07/2023	<u>15</u>	Joint STATUS REPORT by SECURITIES AND EXCHANGE COMMISSION. (Verdi, Mary) (Entered: 06/07/2023)
06/28/2023		MINUTE ORDER. Upon consideration of the request in <u>15</u> Joint Status Report, the Court hereby SUSPENDS its previous order to submit joint status reports every 30 days until after the Court rules on the parties' motions for summary judgment. Signed by Judge Carl J. Nichols on June 28, 2023. (lccjn3) (Entered: 06/28/2023)
07/12/2023	<u>16</u>	MOTION for Summary Judgment by SECURITIES AND EXCHANGE COMMISSION. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of Lizzette Katilius, # <u>3</u> Declaration of Mark Tallarico, # <u>4</u> Exhibit 1 (Vaughn Index), # <u>5</u> Memorandum in Support, # <u>6</u> Text of Proposed Order)(Verdi, Mary) (Entered: 07/12/2023)
08/02/2023	<u>17</u>	RESPONSE re <u>16</u> MOTION for Summary Judgment filed by NEW CIVIL LIBERTIES ALLIANCE. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Affidavit Declaration of Matthew Hardin, # <u>3</u> Exhibit A to Hardin Declaration, # <u>4</u> B to Hardin Declaration)(Hardin, Matthew) (Entered: 08/02/2023)
08/23/2023	<u>18</u>	REPLY to opposition to motion re <u>16</u> MOTION for Summary Judgment filed by SECURITIES AND EXCHANGE COMMISSION. (Attachments: # <u>1</u> Declaration (Supplemental) of Mark Tallarico)(Verdi, Mary) (Entered: 08/23/2023)
07/26/2024		Set/Reset Hearings: Motion Hearing set for 8/15/2024 at 09:00 AM in Courtroom 17-- In Person before Judge Carl J. Nichols. (zcam) (Entered: 07/26/2024)
08/03/2024	<u>19</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by SECURITIES AND EXCHANGE COMMISSION (Attachments: # <u>1</u> Exhibit A)(Verdi, Mary) (Entered: 08/03/2024)
08/14/2024	<u>20</u>	RESPONSE re <u>19</u> NOTICE OF SUPPLEMENTAL AUTHORITY filed by NEW CIVIL LIBERTIES ALLIANCE. (Hardin, Matthew) (Entered: 08/14/2024)
08/15/2024		Minute Entry for proceedings held before Judge Carl J. Nichols: Motion Hearing held on 8/15/2024 re <u>16</u> MOTION for Summary Judgment. Motion <u>16</u> ; Taken Under Advisement. Order and Opinion to be issued by the Court. Court Reporter: Lorraine Herman. (zcam) (Entered: 08/15/2024)