

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Galveston)  
CIVIL DOCKET FOR CASE #: 3:22-cv-00405**

Jarkesy v. Securities and Exchange Commission  
Assigned to: Judge Jeffrey V Brown  
Referred to: Magistrate Judge Peter Bray (Settlement)  
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**

**George Jarkesy, Jr.**

represented by **Christopher Cochran Horner**  
Max Will, PLLC  
1725 I Street NW  
Ste 300  
Washington  
202-262-4458  
Email: [chris@chornelaw.com](mailto:chris@chornelaw.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Karen Lundskow Cook**  
Karen Cook, PLLC  
6060 N. Central Expressway  
Suite 500  
Dallas, TX 75206  
214-643-6054  
Fax: 214-295-9556  
Email: [karen@karencooklaw.com](mailto:karen@karencooklaw.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Matthew Daniel Hardin**  
Hardin Law Office  
1725 I Street NW  
Suite 300  
Washington, DC 20006  
202-802-1948  
Email: [matthewdhardin@gmail.com](mailto:matthewdhardin@gmail.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**S Michael McColloch**  
S. Michael McColloch, PLLC  
6060 N. Central Expressway  
Suite 500  
Dallas, TX 75206  
214-643-6055  
Fax: 214-295-9556  
Email: [smm@mccolloch-law.com](mailto:smm@mccolloch-law.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Securities and Exchange Commission**

represented by **Mary Alexandra Verdi**  
U.S. Securities and Exchange Commission  
100 F Street NE  
Washington, DC 20549  
202-551-5057

Email: [verdim@sec.gov](mailto:verdim@sec.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
11/23/2022	<u>1</u>	COMPLAINT against SECURITIES & EXCHANGE COMMISSION (Filing fee \$ 402 receipt number ATXSDC-29110780) filed by GEORGE JARKESY, JR. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Proposed Summons to AG, US Attorney, and Defendant, # <u>3</u> Notice Regarding Proposed Summonses, # <u>4</u> Exhibit A (FOIA Request), # <u>5</u> Exhibit B (FOIA Response))(Hardin, Matthew) (Entered: 11/23/2022)
11/28/2022	<u>2</u>	Summons Issued as to Securities and Exchange Commission, U.S. Attorney and U.S. Attorney General. Issued summons returned to plaintiff by NEF, filed.(VanesaAranda, 3) (Entered: 11/28/2022)
11/28/2022	<u>3</u>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 3/8/2023 at 09:00 AM by video before Magistrate Judge Andrew M Edison(Signed by Judge Jeffrey V Brown) Parties notified.(VanesaAranda, 3) (Entered: 11/28/2022)
12/23/2022	<u>4</u>	NOTICE of Appearance by Mary Alexandra Verdi on behalf of Securities and Exchange Commission, filed. (Verdi, Mary) (Entered: 12/23/2022)
12/23/2022	<u>5</u>	NOTICE of Appearance by Mary Alexandra Verdi on behalf of Securities and Exchange Commission, filed. (Verdi, Mary) (Entered: 12/23/2022)
12/23/2022	<u>6</u>	ANSWER to <u>1</u> Complaint, by Securities and Exchange Commission, filed.(Verdi, Mary) (Entered: 12/23/2022)
12/27/2022	<u>7</u>	CLERKS NOTICE OF CANCELLATION Initial Conference set for 3/8/2023 at 09:00 AM is CANCELED. Parties notified, filed. (rcaastro, 3) (Entered: 12/27/2022)
12/27/2022	<u>8</u>	ORDER OF RECUSAL. (Signed by Magistrate Judge Andrew M Edison) Parties notified.(agould, 3) (Entered: 12/27/2022)
12/28/2022	<u>9</u>	SCHEDULING ORDER. Amended Pleadings due by 1/11/2023. Joinder of Parties due by 1/11/2023 Pltf Expert Report due by 3/13/2023. Deft Expert Report due by 4/13/2023. Discovery due by 6/13/2023. Dispositive Motion Filing due by 6/21/2023. Non-Dispositive Motion Filing due by 8/14/2023. Joint Pretrial Order due by 10/6/2023. Docket Call set for 10/13/2023 at 09:30 AM in Sixth Floor Courtroom Galveston before Judge Jeffrey V Brown(Signed by Judge Jeffrey V Brown) Parties notified.(GeorgeCardenas, 3) (Entered: 12/28/2022)
06/06/2023	<u>10</u>	MOTION to Modify Docket-Control Order as to <u>9</u> Scheduling Order,, by Securities and Exchange Commission, filed. Motion Docket Date 6/27/2023. (Verdi, Mary) (Entered: 06/06/2023)
06/12/2023	<u>11</u>	RESPONSE in Opposition to <u>10</u> MOTION to Modify Docket-Control Order as to <u>9</u> Scheduling Order,,, filed by George Jarkesy, Jr. (Hardin, Matthew) (Entered: 06/12/2023)
06/16/2023	<u>12</u>	REPLY in Support of <u>10</u> MOTION to Modify Docket-Control Order as to <u>9</u> Scheduling Order,,, filed by Securities and Exchange Commission. (Verdi, Mary) (Entered: 06/16/2023)
06/21/2023	<u>13</u>	MOTION for Summary Judgment by George Jarkesy, Jr, filed. Motion Docket Date 7/12/2023. (Attachments: # <u>1</u> Exhibit)(Cook, Karen) (Entered: 06/21/2023)
06/23/2023	<u>14</u>	ORDER granting <u>10</u> Motion to Modify Docket Control Order. Parties to schedule a settlement conference before Magistrate Judge Sam Sheldon.(Signed by Judge Jeffrey V Brown) Parties notified.(CynthiaBenavides, 3) (Entered: 06/23/2023)
06/28/2023	<u>15</u>	MOTION for Clarification as to <u>14</u> Order on Motion to Modify by Securities and Exchange Commission, filed. Motion Docket Date 7/19/2023. (Verdi, Mary) (Entered: 06/28/2023)

06/29/2023	<u>16</u>	ORDER granting <u>15</u> Motion for Clarification.(Signed by Judge Jeffrey V Brown) Parties notified.(GeorgeCardenas, 3) (Entered: 06/29/2023)
07/04/2023	<u>17</u>	NOTICE of Setting. Parties notified. Settlement Conference set for 8/22/2023 at 01:00 PM before Magistrate Judge Sam S Sheldon, filed. (ShannonJones, 4) (Entered: 07/04/2023)
08/23/2023	<u>18</u>	MINUTE ENTRY ORDER: The Court conducted a Settlement Conference on Aug. 22, 2023. The Court will conduct a second Settlement Conference by Zoom at 4:15 p.m. on August 28, 2023. Appearances: Matthew Daniel Hardin, Michael McColloch, Karen Cook, Mary Alexandra Verdi, Melinda Hardy. Ct Reporter: not needed. (Signed by Magistrate Judge Sam S Sheldon) Parties notified.(ShannonJones, 4) Modified on 8/24/2023 (ShannonJones, 4). (Entered: 08/23/2023)
08/29/2023	<u>19</u>	MINUTE ENTRY ORDER: The Court conducted multiple settlement conferences regarding the dispute set forth in Plaintiff's motion for summary judgment (Dkt. No. 13). The parties have resolved this dispute and Plaintiff will withdraw, without opposition and prejudice, his motion. The parties have agreed on a timeline for Defendant to produce redacted documents. Defendant will then file a motion for summary judgment on December 1, 2023. After briefing is completed on Defendant's motion for summary judgment the parties will attend a settlement conference before Magistrate Judge Peter Bray. The parties will submit a proposed Joint Order setting forth their agreement by September 1, 2023. Appearances: Matthew Daniel Hardin, S Michael McColloch, Karen Lundskow Cook, Mary Alexandra Verdi. Ct Reporter: ERO. (Signed by Magistrate Judge Sam S Sheldon) Parties notified.(ShannonJones, 4) Modified on 8/29/2023 (ShannonJones, 4). (Entered: 08/29/2023)
09/01/2023	<u>20</u>	Joint PROPOSED ORDER re: <u>19</u> Minute Entry Order,,,, filed.(Verdi, Mary) (Entered: 09/01/2023)
09/05/2023	<u>21</u>	ORDER granting <u>20</u> Proposed Order (Signed by Judge Jeffrey V Brown) Parties notified.(GeorgeCardenas, 3) (Entered: 09/05/2023)
10/09/2023		Docket call passed. (GeorgeCardenas, 3) (Entered: 10/09/2023)
11/16/2023	<u>22</u>	Unopposed MOTION for Leave to File Excess Pages by Securities and Exchange Commission, filed. Motion Docket Date 12/7/2023. (Verdi, Mary) (Entered: 11/16/2023)
11/20/2023	<u>23</u>	ORDER granting <u>22</u> Motion for Leave to File Excess Pages.(Signed by Judge Jeffrey V Brown) Parties notified.(GeorgeCardenas, 3) (Entered: 11/20/2023)
12/01/2023	<u>24</u>	MOTION for Summary Judgment by Securities and Exchange Commission, filed. Motion Docket Date 12/22/2023. (Attachments: # <u>1</u> Statement of Material Facts, # <u>2</u> Affidavit of Elizabeth McFadden, # <u>3</u> Affidavit of Adrienne Santos, # <u>4</u> Affidavit Kathleen Koppenhoefer, # <u>5</u> Affidavit of Mark Tallarico, # <u>6</u> Exhibit A, # <u>7</u> Exhibit B, # <u>8</u> Exhibit C, # <u>9</u> Exhibit D, # <u>10</u> Exhibit E, # <u>11</u> Exhibit F, # <u>12</u> Exhibit G, # <u>13</u> Proposed Order, # <u>14</u> Affidavit of Service)(Verdi, Mary) (Entered: 12/01/2023)
12/29/2023	<u>25</u>	RESPONSE in Opposition to <u>24</u> MOTION for Summary Judgment , filed by George Jarkesy, Jr. (Attachments: # <u>1</u> Supplement Response to Statement of Material Facts, # <u>2</u> Exhibit Declaration of Matthew Hardin, # <u>3</u> Exhibit A (identification of exemplars), # <u>4</u> Exhibit B (challenged redactions))(Hardin, Matthew) (Entered: 12/29/2023)
01/12/2024	<u>26</u>	Second MOTION for Leave to File Excess Pages by Securities and Exchange Commission, filed. Motion Docket Date 2/2/2024. (Verdi, Mary) (Entered: 01/12/2024)
01/18/2024	<u>27</u>	ORDER granting <u>26</u> Motion for Leave to File Excess Pages.(Signed by Judge Jeffrey V Brown) Parties notified.(GeorgeCardenas, 3) (Entered: 01/18/2024)
01/19/2024	<u>28</u>	REPLY in Support of <u>24</u> MOTION for Summary Judgment , filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Affidavit of Melinda Hardy, # <u>2</u> Affidavit of Katherine H. Reilly, # <u>3</u> Affidavit of Service)(Verdi, Mary) (Entered: 01/19/2024)
04/17/2024	<u>29</u>	ORDER SETTING MEDIAATION. Mediation Statement due 6/14/2024. Settlement Conference set for 6/20/2024 at 01:00 PM in by video before Magistrate Judge Peter Bray. Telephone Conference set for 6/18/2024 at 04:00 PM by video before Magistrate Judge Peter Bray(Signed by Magistrate Judge Peter Bray) Parties notified. (jmm4)

		(Entered: 04/17/2024)
06/12/2024	<u>30</u>	NOTICE of Resetting. Parties notified. Telephone Conference set for 6/18/2024 at 03:30 PM by video before Magistrate Judge Peter Bray, filed. (jmm4) (Entered: 06/12/2024)
06/20/2024		Minute Entry for proceedings held before Magistrate Judge Peter Bray. SETTLEMENT CONFERENCE held on 6/20/2024. Mediation to resume at 11:00 AM on 6/21/2024. Settlement Conference set for 6/21/2024 at 11:00 AM in by video before Magistrate Judge Peter Bray. Appearances: Matthew Daniel Hardin, Mary Alexandra Verdi.(ERO:No), filed. (mem4) (Entered: 06/20/2024)
06/21/2024		Minute Entry for proceedings held before Magistrate Judge Peter Bray. SETTLEMENT CONFERENCE held on 6/21/2024. Settlement held. Partial agreement reached. Agreed order to be entered. Appearances: Matthew Daniel Hardin, S Michael McColloch, Mary Alexandra Verdi., filed. (jmm4) (Entered: 06/21/2024)
06/21/2024	<u>31</u>	Agreed Partial Settlement Order.(Signed by Judge Jeffrey V Brown) Parties notified. (GeorgeCardenas, 3) (Entered: 06/21/2024)
07/01/2024	<u>32</u>	NOTICE of Supplemental Authority re: <u>24</u> MOTION for Summary Judgment by George Jarkesy, Jr, filed. (Attachments: # <u>1</u> Supplement Supreme Court Opinion) (Hardin, Matthew) (Entered: 07/01/2024)
07/03/2024	<u>33</u>	MEMORANDUM OPINION AND ORDER granting in part. <u>24</u> MOTION for Summary Judgment (Signed by Judge Jeffrey V Brown) Parties notified. (GeorgeCardenas, 3) (Entered: 07/03/2024)
07/22/2024	<u>34</u>	NOTICE of Setting. Parties notified. Settlement Conference set for 8/23/2024 at 01:00 PM in Courtroom 703 before Magistrate Judge Peter Bray, filed. (jmm4) (Entered: 07/22/2024)
08/23/2024		Minute Entry for proceedings held before Magistrate Judge Peter Bray. SETTLEMENT CONFERENCE held on 8/23/2024. The SEC shall search further for information as agreed during mediation. The SEC shall provide a supplemental FOIA response within 60 days. The parties shall notify the court when they are ready to reconvene. Appearances: Matthew Daniel Hardin, S Michael McColloch, Mary Alexandra Verdi.(ERO:No), filed. (jmm4) (Entered: 08/23/2024)