

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:22-cv-10299-DEH-VF**

New York Times Company et al v. U.S. Department of Defense Date Filed: 12/06/2022
Assigned to: Judge Dale E. Ho Jury Demand: None
Referred to: Magistrate Judge Valerie Figueredo Nature of Suit: 895 Freedom of
Cause: 05:552 Freedom of Information Act Information Act
Jurisdiction: Federal Question

Plaintiff**New York Times Company**

represented by **Al-Amyn Shiraz Sumar**
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Plaintiff**Charlie Savage**

represented by **Al-Amyn Shiraz Sumar**
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V.

Defendant**U.S. Department of Defense**

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Date Filed	#	Docket Text
12/06/2022	<u>1</u>	COMPLAINT against United States Department of Defense. (Filing Fee \$ 402.00, Receipt Number ANYSDC-27045476) Document filed by New York Times Company, Charlie Savage..(McCraw, David) (Entered: 12/06/2022)
12/06/2022	<u>2</u>	CIVIL COVER SHEET filed..(McCraw, David) (Entered: 12/06/2022)

12/06/2022	<u>3</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST As To – REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of Defense, re: <u>1</u> Complaint. Document filed by New York Times Company, Charlie Savage..(McCraw, David) Modified on 12/7/2022 (pc). (Entered: 12/06/2022)
12/06/2022	<u>4</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by New York Times Company..(McCraw, David) (Entered: 12/06/2022)
12/07/2022		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Gregory H. Woods. 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: 12/07/2022)
12/07/2022		Magistrate Judge Valerie Figueredo 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: 12/07/2022)
12/07/2022		Case Designated ECF. (pc) (Entered: 12/07/2022)
12/07/2022		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney David Edward McCraw. The party information for the following party/parties has been modified: United States Department of Defense. The information for the party/parties has been modified for the following reason/reasons: party name contained a typographical error;. (pc) (Entered: 12/07/2022)
12/07/2022		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney David Edward McCraw to RE–FILE Document No. The filing is deficient for the following reason(s): party name on the docket entry does not exactly match complaint caption title;. Re–file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (pc) (Entered: 12/07/2022)
12/07/2022		***NOTICE TO ATTORNEY REGARDING CIVIL. CASE OPENING STATISTICAL ERROR CORRECTION: Notice to attorney David Edward McCraw. The following case opening statistical information was erroneously selected/entered: County code Albany;. The following correction(s) have been made to your case entry: the County code has been modified to New York;. (pc) (Entered: 12/07/2022)
12/07/2022	<u>5</u>	NOTICE OF INITIAL CONFERENCE: The conference will be conducted by telephone. The parties are directed to the Court's Emergency Rules in Light of COVID–19, which are available on the Court's website, for the dial–in number and other relevant instructions. The parties are specifically directed to comply with Rule 2(C) of the Court's Emergency Rules. SO ORDERED. Initial Conference set for 3/7/2023 at 04:00 PM before Judge Gregory H. Woods. (Signed by Judge Gregory H. Woods on 12/7/2022) (tg) (Entered: 12/07/2022)
12/07/2022	<u>6</u>	FILING ERROR – PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of Defense, re: <u>1</u> Complaint. Document filed by New York Times Company, Charlie Savage..(McCraw, David) Modified on 12/8/2022 (nm). (Entered: 12/07/2022)
12/08/2022		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney David McCraw to RE–FILE Document No. 6. The filing is deficient for the following reason(s): Attorney information not listed in PDF. Re–file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (nm) (Entered: 12/08/2022)

12/08/2022	<u>7</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of Defense, re: <u>1</u> Complaint. Document filed by New York Times Company, Charlie Savage..(McCraw, David) (Entered: 12/08/2022)
12/09/2022	<u>8</u>	ELECTRONIC SUMMONS ISSUED as to U.S. Department of Defense..(sj) (Entered: 12/09/2022)
12/14/2022	<u>9</u>	NOTICE OF APPEARANCE by Al–Amin Shiraz Sumar on behalf of New York Times Company, Charlie Savage..(Sumar, Al–Amin) (Entered: 12/14/2022)
01/13/2023	<u>10</u>	ANSWER to Complaint. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 01/13/2023)
01/17/2023	<u>11</u>	NOTICE OF APPEARANCE by Sarah Sheive Normand on behalf of U.S. Department of Defense..(Normand, Sarah) (Entered: 01/17/2023)
01/17/2023	<u>12</u>	ORDER: To conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned Magistrate Judge. If both parties consent to proceed before the Magistrate Judge, counsel for the defendant must, within two weeks of the date of this order file on ECF a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is attached to this order (and also available at https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf). The executed form should be filed on ECF as a "Proposed Consent to Jurisdiction by US Magistrate Judge," and be described using the "Proposed Consent to Jurisdiction by US Magistrate Judge" filing event in accordance with ECF Rule 13.27. If the Court approves that form, all further proceedings will then be conducted before the assigned Magistrate Judge rather than before me. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit, as it would be if the consent form were not signed and so ordered. If either party does not consent to conducting all further proceedings before the assigned Magistrate Judge, the parties must file a joint letter, within two weeks of the date of this order advising the Court that the parties do not consent, but without disclosing the identity of the party or parties who do not consent. The parties are free to withhold consent without negative consequences. SO ORDERED. (Signed by Judge Gregory H. Woods on 1/17/2023) (kv) (Entered: 01/18/2023)
01/24/2023	<u>13</u>	LETTER addressed to Judge Gregory H. Woods from David McCraw dated 01/24/2023 re: Magistrate. Document filed by New York Times Company, Charlie Savage..(McCraw, David) (Entered: 01/24/2023)
01/24/2023	<u>14</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial (includes scheduling, discovery, non–dispositive pretrial motions, and settlement) and Dispositive Motion (i.e., motion requiring a Report and Recommendation). Referred to Magistrate Judge Valerie Figueredo. SO ORDERED. (Signed by Judge Gregory H. Woods on 1/24/2023) (ama) (Entered: 01/25/2023)
01/26/2023	<u>15</u>	ORDER, A status conference in this action is hereby scheduled for Tuesday, March 14, 2023 at 2:00 p.m. Counsel for the parties are directed to call Judge Figueredo's AT&T conference line at the scheduled time. Please dial (888) 808–6929; access code 9781335. SO ORDERED. (Telephone Conference set for 3/14/2023 at 02:00 PM before Magistrate Judge Valerie Figueredo.) (Signed by Magistrate Judge Valerie Figueredo on 1/26/23) (yv) (Entered: 01/26/2023)
03/07/2023	<u>16</u>	STATUS REPORT. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 03/07/2023)
03/09/2023	<u>17</u>	MEMO ENDORSEMENT: on re: <u>16</u> Status Report filed by U.S. Department of Defense. ENDORSEMENT: Application Granted. The parties' proposed schedule is approved. The Initial Case Management Conference scheduled for March 14, 2023 is cancelled. As the parties proposed, the parties will submit a status report to the Court by April 14, 2023. (Signed by Magistrate Judge Valerie Figueredo on 3/09/2023) (ama) Modified on 3/9/2023 (ama). (Entered: 03/09/2023)

03/27/2023	<u>18</u>	LETTER MOTION for Extension of Time <i>for SOCOM to make FOIA production</i> addressed to Magistrate Judge Valerie Figueredo from AUSA Sarah S. Normand dated March 27, 2023. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 03/27/2023)
03/28/2023	<u>19</u>	ORDER granting <u>18</u> Letter Motion for Extension of Time. Application Granted. SOCOM's initial production deadline is extended from March 31 to April 12, 2023. The Clerk of Court is directed to terminate the motion at ECF No. 18. SO ORDERED. (Signed by Magistrate Judge Valerie Figueredo on 3/28/2023) (rro) (Entered: 03/28/2023)
04/14/2023	<u>20</u>	STATUS REPORT. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 04/14/2023)
05/15/2023	<u>21</u>	STATUS REPORT. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 05/15/2023)
06/14/2023	<u>22</u>	STATUS REPORT. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 06/14/2023)
07/13/2023	<u>23</u>	STATUS REPORT. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 07/13/2023)
07/17/2023	<u>24</u>	MEMO ENDORSEMENT on re: <u>23</u> Status Report filed by U.S. Department of Defense. ENDORSEMENT: Application Granted. The parties are directed to provide a joint statusupdate by September 11, 2023. SO ORDERED (Signed by Magistrate Judge Valerie Figueredo on 7/17/2023) (rro) (Entered: 07/17/2023)
09/11/2023	<u>25</u>	STATUS REPORT. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 09/11/2023)
09/12/2023	<u>26</u>	MEMO ENDORSEMENT on re: <u>25</u> Status Report filed by U.S. Department of Defense. ENDORSEMENT: Application Granted. The parties are directed to provide a joint status update by November 10, 2023. SO ORDERED (Signed by Magistrate Judge Valerie Figueredo on 9/12/2023) (rro) (Entered: 09/12/2023)
11/09/2023	<u>27</u>	STATUS REPORT. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 11/09/2023)
11/13/2023	<u>28</u>	MEMO ENDORSEMENT on re: <u>27</u> Status Report filed by U.S. Department of Defense. ENDORSEMENT: The parties are directed to file a status update by January 9, 2024. SO ORDERED. (Signed by Magistrate Judge Valerie Figueredo on 11/13/2023) (vfr) (Entered: 11/13/2023)
12/11/2023		NOTICE OF CASE REASSIGNMENT to Judge Dale E. Ho. Judge Gregory H. Woods is no longer assigned to the case. (tro) (Entered: 12/11/2023)
12/12/2023	<u>29</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. Nothing herein shall affect the scope of the existing reference to the Magistrate Judge. Any conference or oral argument before or directed by the Magistrate Judge will proceed as ordered. SO ORDERED. (Signed by Judge Dale E. Ho on 12/12/2023) (ks) (Entered: 12/12/2023)
01/09/2024	<u>30</u>	STATUS REPORT. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 01/09/2024)
01/10/2024	<u>31</u>	MEMO ENDORSEMENT on re: <u>30</u> Status Report filed by U.S. Department of Defense. ENDORSEMENT: Application Granted. The parties are directed to file a status update by March 11, 2024. (Signed by Magistrate Judge Valerie Figueredo on 1/10/2024) (rro) (Entered: 01/10/2024)
03/11/2024	<u>32</u>	STATUS REPORT. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 03/11/2024)
03/13/2024	<u>33</u>	MEMO ENDORSEMENT on re: <u>32</u> Status Report filed by U.S. Department of Defense. ENDORSEMENT: The parties are directed to submit another status report by

		March 10, 2024. (Signed by Magistrate Judge Valerie Figueredo on 3/13/2024) (rro) (Entered: 03/13/2024)
05/03/2024	<u>34</u>	STATUS REPORT. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 05/03/2024)
05/06/2024	<u>35</u>	MEMO ENDORSEMENT on re: <u>34</u> Status Report filed by U.S. Department of Defense. ENDORSEMENT: The deadline requested herein for the next status update is granted. The next status update is due by July 8, 2024. (Signed by Magistrate Judge Valerie Figueredo on 5/6/2024) (tg) (Entered: 05/07/2024)
07/08/2024	<u>36</u>	STATUS REPORT. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 07/08/2024)
07/10/2024	<u>37</u>	MEMO ENDORSEMENT on re: <u>36</u> Status Report filed by U.S. Department of Defense ENDORSEMENT: The parties are directed to submit a status update by September 6, 2024. (Signed by Magistrate Judge Valerie Figueredo on 7/10/2024) (ks) (Entered: 07/10/2024)
09/06/2024	<u>38</u>	STATUS REPORT. Document filed by U.S. Department of Defense..(Normand, Sarah) (Entered: 09/06/2024)
09/09/2024	<u>39</u>	MEMO ENDORSEMENT on re: <u>38</u> Status Report filed by U.S. Department of Defense. ENDORSEMENT: The parties are directed to submit a joint status update on or before Friday, November 8, 2024. (Signed by Magistrate Judge Valerie Figueredo on 9/9/24) (yv) (Entered: 09/10/2024)