

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:23-cv-00262-JEB**

CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON v. U.S. DEPARTMENT OF JUSTICE
Assigned to: Chief Judge James E. Boasberg
Cause: 05:552 Freedom of Information Act

Date Filed: 01/30/2023
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON

represented by **Aeryka Fausett**
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V.

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Michael Patrick Clendenen**
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Date Filed	#	Docket Text
01/30/2023	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 402 receipt number ADCDC-9822467) filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Gutman, Jeffrey) (Entered: 01/30/2023)
01/31/2023		Case Assigned to Judge James E. Boasberg. (zcb) (Entered: 01/31/2023)

01/31/2023	<u>2</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zcb) (Entered: 01/31/2023)
02/28/2023	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 2/13/2023 (Gutman, Jeffrey) (Main Document 3 replaced on 3/3/2023) (ztth). (Entered: 02/28/2023)
02/28/2023	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 2/13/2023. (Gutman, Jeffrey) (Main Document 4 replaced on 3/3/2023) (ztth). (Entered: 02/28/2023)
02/28/2023	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 2/13/2023. Answer due for ALL FEDERAL DEFENDANTS by 3/15/2023. (Gutman, Jeffrey) (Main Document 5 replaced on 3/3/2023) (ztth). (Entered: 02/28/2023)
03/03/2023	<u>6</u>	NOTICE of Appearance by Michael Patrick Clendenen on behalf of U.S. DEPARTMENT OF JUSTICE (Clendenen, Michael) (Entered: 03/03/2023)
03/03/2023	<u>7</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Clendenen, Michael) (Entered: 03/03/2023)
03/03/2023		MINUTE ORDER: The Court ORDERS that: 1) The Unopposed <u>7</u> Motion for Extension of Time is GRANTED; and 2) Defendant shall file its Answer or otherwise respond to Plaintiff's Complaint by April 5, 2023. So ORDERED by Judge James E. Boasberg on 3/3/2023. (lcjeb3) (Entered: 03/03/2023)
03/03/2023		Set/Reset Deadlines: Answer due by 4/5/2023. (nbn) (Entered: 03/06/2023)
04/05/2023	<u>8</u>	ANSWER to Complaint by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit Acknowledgment Letter)(Clendenen, Michael) (Entered: 04/05/2023)
04/05/2023		MINUTE ORDER: The Court ORDERS that the parties shall confer and submit a joint proposed briefing schedule by April 19, 2023. So ORDERED by Chief Judge James E. Boasberg on 4/5/2023. (lcjeb3) (Entered: 04/05/2023)
04/05/2023		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 4/19/2023. (nbn) (Entered: 04/05/2023)
04/19/2023	<u>9</u>	Joint STATUS REPORT by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Gutman, Jeffrey) (Entered: 04/19/2023)
04/19/2023		MINUTE ORDER: The Court ADOPTS the parties' <u>9</u> Joint Status Report and ORDERS that they shall file further joint status reports monthly on the second business day of each month, beginning on June 2, 2023. So ORDERED by Chief Judge James E. Boasberg on 4/19/2023. (lcjeb3) Modified to correct hyperlink on 4/19/2023 (nbn). (Entered: 04/19/2023)
04/19/2023		Set/Reset Deadlines: Joint Status Report due by 6/2/2023. (nbn) (Entered: 04/19/2023)
06/02/2023	<u>10</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Clendenen, Michael) (Entered: 06/02/2023)
07/05/2023	<u>11</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Clendenen, Michael) (Entered: 07/05/2023)
08/02/2023	<u>12</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Clendenen, Michael) (Entered: 08/02/2023)
08/02/2023		MINUTE ORDER: The Court ADOPTS the parties' <u>12</u> Joint Status Report and ORDERS that they shall file a further joint status report by September 5, 2023. So ORDERED by Chief Judge James E. Boasberg on 8/2/2023. (lcjeb2) (Entered: 08/02/2023)
08/02/2023		Set/Reset Deadlines: Joint Status Report due by 9/5/2023 (lsj) (Entered: 08/02/2023)

09/05/2023	<u>13</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Clendenen, Michael) (Entered: 09/05/2023)
09/05/2023		MINUTE ORDER: The Court ADOPTS the parties' <u>13</u> Joint Status Report and ORDERS that they shall file a further joint status report by October 3, 2023. So ORDERED by Chief Judge James E. Boasberg on 09/05/2023. (lcjeb3) (Entered: 09/05/2023)
09/05/2023		Set/Reset Deadlines: Joint Status Report due by 10/3/2023. (znbn) (Entered: 09/05/2023)
09/06/2023	<u>14</u>	NOTICE of Appearance– Pro Bono by Jeffrey Stuart Gutman on behalf of CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Gutman, Jeffrey) (Entered: 09/06/2023)
09/28/2023	<u>15</u>	Joint STATUS REPORT by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Gutman, Jeffrey) (Entered: 09/28/2023)
09/28/2023		MINUTE ORDER: The Court ADOPTS the parties' <u>15</u> Joint Status Report and ORDERS that they shall file a further joint status report by November 2, 2023. So ORDERED by Chief Judge James E. Boasberg on 09/28/2023. (lcjeb3) (Entered: 09/28/2023)
09/29/2023		Set/Reset Deadlines: Joint Status Report due by 11/2/2023. (znbn) (Entered: 09/29/2023)
11/01/2023	<u>16</u>	Joint STATUS REPORT by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Gutman, Jeffrey) (Entered: 11/01/2023)
11/01/2023		MINUTE ORDER: The Court ADOPTS the parties' <u>16</u> Joint Status Report and ORDERS that they shall file a further joint status report by December 4, 2023. So ORDERED by Chief Judge James E. Boasberg on 11/1/2023. (lcjeb3) (Entered: 11/01/2023)
11/01/2023		Set/Reset Deadlines: Joint Status Report due by 12/4/2023. (znbn) (Entered: 11/01/2023)
11/28/2023	<u>17</u>	NOTICE of Appearance by Anne L. Weismann on behalf of CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Weismann, Anne) (Entered: 11/28/2023)
11/29/2023	<u>18</u>	Joint STATUS REPORT by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Weismann, Anne) (Entered: 11/29/2023)
11/29/2023		MINUTE ORDER: The Court ADOPTS the parties' <u>18</u> Joint Status Report and ORDERS that they shall file a further joint status report by January 3, 2024. So ORDERED by Chief Judge James E. Boasberg on 11/29/2023. (lcjeb3) (Entered: 11/29/2023)
11/29/2023		Set/Reset Deadlines: Joint Status Report due by 1/3/2024 (lsj) (Entered: 11/29/2023)
01/03/2024	<u>19</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Clendenen, Michael) (Entered: 01/03/2024)
01/03/2024		MINUTE ORDER: The Court ADOPTS the parties' <u>19</u> Joint Status Report and ORDERS that: (1) Defendant shall file any Motion for Summary Judgment and Vaughn Index by February 29, 2024; (2) Plaintiff shall file its Opposition to Defendant's Motion for Summary Judgment and Cross–Motion for Summary Judgment by March 28, 2024; (3) Defendant shall file its Reply and Opposition to Plaintiff's Cross–Motion by April 25, 2024; and (4) Plaintiff shall file its Reply by May 16, 2024. So ORDERED by Chief Judge James E. Boasberg on 1/3/2024. (lcjeb3) (Entered: 01/03/2024)
01/03/2024		Set/Reset Deadlines: Vaughn Index due by 2/29/2024. Summary Judgment motions due by 2/29/2024. Response to Cross Motions due by 4/25/2024. Cross Motions due by 3/28/2024. Reply to Motion for Summary Judgment due by 4/25/2024. Reply to Cross Motions due by 5/16/2024. (znbn) (Entered: 01/03/2024)

01/04/2024		ENTERED IN ERROR/WRONG CASE NUMBER.....Set/Reset Deadlines/Hearings: Fact Discovery due by 4/3/2024. Expert Disclosures due by 4/17/2024. Rebuttal Expert Disclosures due by 6/3/2024. Expert Discovery due by 7/1/2024. Status Conference set for 7/2/2024 at 10:00 AM in Telephonic/VTC before Chief Judge James E. Boasberg. (zbn) Modified on 1/4/2024 (zbn). (Entered: 01/04/2024)
02/29/2024	<u>20</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of Robert S. Berman, # <u>4</u> Exhibit Vaughn Index, # <u>5</u> Exhibit May 31, 2023 Production, # <u>6</u> Exhibit August 30, 2023 Production)(Clendenen, Michael) (Entered: 02/29/2024)
03/22/2024	<u>21</u>	Unopposed MOTION for Leave to File Supplement to Motion for Summary Judgment by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Declaration of Kilian Kagle, # <u>2</u> Text of Proposed Order)(Clendenen, Michael) Modified event on 3/25/2024 (znmw). (Entered: 03/22/2024)
03/25/2024		MINUTE ORDER: The Court ORDERS that: (1) The Unopposed <u>21</u> Motion for Leave to File is GRANTED; and (2) The [21-1] Declaration is deemed FILED. So ORDERED by Chief Judge James E. Boasberg on 3/25/2024. (lcjeb3) (Entered: 03/25/2024)
03/25/2024	<u>22</u>	DECLARATION by U.S. DEPARTMENT OF JUSTICE re <u>20</u> MOTION for Summary Judgment . (znmw) (Entered: 03/26/2024)
03/28/2024	<u>23</u>	Memorandum in opposition to re <u>20</u> Motion for Summary Judgment, filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Affidavit Sus Declaration, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Statement of Facts Response, # <u>5</u> Text of Proposed Order)(Weismann, Anne) (Entered: 03/28/2024)
03/28/2024	<u>24</u>	Cross MOTION for Summary Judgment by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit Sus Declaration, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Statement of Facts, # <u>6</u> Text of Proposed Order)(Weismann, Anne) (Entered: 03/28/2024)
04/25/2024	<u>25</u>	RESPONSE re <u>24</u> Cross MOTION for Summary Judgment filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Statement of Facts Response)(Clendenen, Michael) (Entered: 04/25/2024)
04/25/2024	<u>26</u>	REPLY to opposition to motion re <u>20</u> MOTION for Summary Judgment filed by U.S. DEPARTMENT OF JUSTICE. (Clendenen, Michael) (Entered: 04/25/2024)
05/16/2024	<u>27</u>	REPLY to opposition to motion re <u>24</u> Cross MOTION for Summary Judgment filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Weismann, Anne) (Entered: 05/16/2024)
08/02/2024		MINUTE ORDER: The Court ORDERS that the Government shall submit by August 7, 2024, the unredacted copies of the materials partially and fully withheld in its May 31, 2023, and August 30, 2023, productions. So ORDERED by Chief Judge James E. Boasberg on 8/2/2024. (lcjeb2) (Entered: 08/02/2024)
08/02/2024		Set/Reset Deadlines: Government shall submit by August 7, 2024, the unredacted copies. (zbn) (Entered: 08/05/2024)
08/19/2024	<u>28</u>	ORDER: For the reasons set forth in the accompanying Memorandum Opinion, the Court ORDERS that: 1) Defendant's <u>20</u> Motion for Summary Judgment is GRANTED IN PART and DENIED IN PART; 2) Plaintiff's <u>23</u> Cross-Motion is GRANTED IN PART and DENIED IN PART; 3) The Government shall release to Plaintiff unredacted versions of pages 25-28 of the May production and pages 53-55 of the August production; and 4) By September 3, 2024, the parties shall file a joint status report proposing a briefing schedule for a further motion for summary judgment. Signed by Chief Judge James E. Boasberg on 8/19/2024. (lcjeb1) (Entered: 08/19/2024)
08/19/2024	<u>29</u>	MEMORANDUM OPINION re: Order <u>28</u> on Cross-Motions for Summary Judgment. Signed by Chief Judge James E. Boasberg on 8/19/2024. (lcjeb1) (Entered: 08/19/2024)

08/19/2024		Set/Reset Deadlines: Joint Status Report due by 9/3/2024. (znbn) (Entered: 08/19/2024)
09/03/2024	<u>30</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Clendenen, Michael) (Entered: 09/03/2024)
09/04/2024		MINUTE ORDER: The Court ADOPTS the parties' <u>30</u> Joint Status Report and ORDERS that: (1) Defendant shall file its motion for summary judgment by October 18, 2024; (2) Plaintiff shall file its cross-motion for summary judgment and opposition to Defendant's motion by November 14, 2024; (3) Defendant shall file its reply in support of its motion and opposition to Plaintiff's cross-motion by November 26, 2024; and (4) Plaintiff shall file its reply in support of its cross-motion by December 4, 2024. So ORDERED by Chief Judge James E. Boasberg on September 4, 2024. (lcjeb3) (Entered: 09/04/2024)
09/04/2024		Set/Reset Deadlines: (1) Defendant shall file its motion for summary judgment by October 18, 2024; (2) Plaintiff shall file its cross-motion for summary judgment and opposition to Defendant's motion by November 14, 2024; (3) Defendant shall file its reply in support of its motion and opposition to Plaintiff's cross-motion by November 26, 2024; and (4) Plaintiff shall file its reply in support of its cross-motion by December 4, 2024.(znbn) (Entered: 09/04/2024)