

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:23-cv-01795-JCS**

American Civil Liberties Union v. United States Immigration
and Customs Enforcement et al
Assigned to: Magistrate Judge Joseph C. Spero
Cause: 05:552 Freedom of Information Act

Date Filed: 04/13/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

American Civil Liberties Union

represented by **Eunice Hyunhye Cho**
American Civil Liberties Union
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TERMINATED: 07/26/2024

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V.

Defendant

**United States Immigration and
 Customs Enforcement**

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**United States Department of
 Homeland Security**

represented by **Savith Iyengar**
 (See above for address)
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/13/2023	<u>1</u>	COMPLAINT against United States Department of Homeland Security, United States Immigration and Customs Enforcement (Filing fee \$ 402, receipt number ACANDC-18169630.). Filed by American Civil Liberties Union. (Attachments: # <u>1</u> Civil Cover Sheet)(Kim, Nicole) (Filed on 4/13/2023) (Entered: 04/13/2023)
04/13/2023	<u>2</u>	Proposed Summons. (Kim, Nicole) (Filed on 4/13/2023) (Entered: 04/13/2023)
04/13/2023	<u>3</u>	Proposed Summons. (Kim, Nicole) (Filed on 4/13/2023) (Entered: 04/13/2023)
04/13/2023	<u>4</u>	Certificate of Interested Entities by American Civil Liberties Union [Rule 7.1 Disclosure] (Kim, Nicole) (Filed on 4/13/2023) (Entered: 04/13/2023)
04/13/2023	<u>5</u>	NOTICE of Appearance by Oscar Barron-Guerra (Barron-Guerra, Oscar) (Filed on 4/13/2023) (Entered: 04/13/2023)
04/13/2023	<u>6</u>	NOTICE of Appearance by Kyle A. Virgien (Virgien, Kyle) (Filed on 4/13/2023) (Entered: 04/13/2023)
04/14/2023	7	Case assigned to Magistrate Judge Joseph C. Spero. Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening . Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges . Upon receipt, the summons will be issued and returned electronically. A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 4/28/2023. (mbc, COURT STAFF) (Filed on 4/14/2023) (Entered: 04/14/2023)
04/14/2023	<u>8</u>	Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 7/7/2023. Initial Case Management Conference set for 7/14/2023 02:00 PM in San Francisco, Courtroom F, 15th Floor. (msr,

		COURT STAFF) (Filed on 4/14/2023) (Entered: 04/14/2023)
04/14/2023	<u>9</u>	Summons Issued as to United States Immigration and Customs Enforcement. (msr, COURT STAFF) (Filed on 4/14/2023) (Entered: 04/14/2023)
04/14/2023	<u>10</u>	Summons Issued as to United States Department of Homeland Security. (msr, COURT STAFF) (Filed on 4/14/2023) (Entered: 04/14/2023)
04/17/2023	<u>11</u>	NOTICE of Appearance by Sean Connor Riordan (Riordan, Sean) (Filed on 4/17/2023) (Entered: 04/17/2023)
04/26/2023	<u>12</u>	MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 317, receipt number ACANDC-18208543.) filed by American Civil Liberties Union. (Cipriano, Linnea) (Filed on 4/26/2023) (Entered: 04/26/2023)
04/26/2023	<u>13</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by American Civil Liberties Union. (Kim, Nicole) (Filed on 4/26/2023) Modified on 4/27/2023 (kmg, COURT STAFF). (Entered: 04/26/2023)
04/27/2023	<u>14</u>	Order. Signed 4/27/2023 by Magistrate Judge Joseph C. Spero granting <u>12</u> Motion for Pro Hac Vice for Linnea Cipriano.(klh, COURT STAFF) (Filed on 4/27/2023) (Entered: 04/27/2023)
05/03/2023	<u>15</u>	MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 317, receipt number ACANDC-18230743.) filed by American Civil Liberties Union. (Cho, Eunice) (Filed on 5/3/2023) (Entered: 05/03/2023)
05/08/2023	<u>16</u>	Order. Signed 5/8/2023 by Magistrate Judge Joseph C. Spero granting <u>15</u> Motion for Pro Hac Vice for Eunice Cho.(klh, COURT STAFF) (Filed on 5/8/2023) (Entered: 05/08/2023)
05/19/2023	<u>17</u>	ANSWER to Complaint by United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Iyengar, Savith) (Filed on 5/19/2023) (Entered: 05/19/2023)
05/22/2023	18	CLERK'S NOTICE Re: Consent or Declination: Defendants shall file a consent or declination to proceed before a magistrate judge. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: http://cand.uscourts.gov/civilforms . (Party/parties were also notified via telephone or email.) Consent/Declination due by 6/5/2023. (This is a text-only entry generated by the court. There is no document associated with this entry.) (klh, COURT STAFF) (Filed on 5/22/2023) (Entered: 05/22/2023)
05/22/2023	<u>19</u>	CERTIFICATE OF SERVICE by American Civil Liberties Union <i>as to United States Immigration and Customs Enforcement</i> (Cipriano, Linnea) (Filed on 5/22/2023) (Entered: 05/22/2023)
05/22/2023	<u>20</u>	CERTIFICATE OF SERVICE by American Civil Liberties Union <i>as to United States Department of Homeland Security</i> (Cipriano, Linnea) (Filed on 5/22/2023) (Entered: 05/22/2023)
06/05/2023	<u>21</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by United States Department of Homeland Security, United States Immigration and Customs Enforcement.. (Iyengar, Savith) (Filed on 6/5/2023) (Entered: 06/05/2023)
06/27/2023	22	ADR Clerks Notice re: Non-Compliance with Court Order. The parties have failed to file an ADR Certification as required by the Initial Case Management Scheduling Order. Counsel shall comply promptly with the requirements of ADR L.R. 3-5(b) and shall file the ADR Certification. (This is a text-only entry generated by the court. There is no document associated with this entry.)(cmf, COURT STAFF) (Filed on 6/27/2023) (Entered: 06/27/2023)
06/27/2023	<u>23</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Iyengar, Savith) (Filed on 6/27/2023) (Entered: 06/27/2023)
06/28/2023	24	CLERKS NOTICE SETTING ZOOM HEARING.

		<p>Initial Case Management Conference set for 7/14/2023 02:00 PM in San Francisco, – Videoconference Only. This proceeding will be held via a Zoom webinar.</p> <p>Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/jcs</p> <p>Court Appearances: Advanced notice is required of counsel or parties who wish to be identified by the court as making an appearance or will be participating in the argument at the hearing. A list of names and emails must be sent to the CRD at jcsrd@cand.uscourts.gov no later than 7/12/2023 by 3:00 PM PDT.</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p>Case Management Statement due by 7/7/2023.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (klh, COURT STAFF) (Filed on 6/28/2023) (Entered: 06/28/2023)</p>
06/29/2023	<u>25</u>	ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options (Virgien, Kyle) (Filed on 6/29/2023) (Entered: 06/29/2023)
07/07/2023	<u>26</u>	JOINT CASE MANAGEMENT STATEMENT filed by American Civil Liberties Union. (Barron–Guerra, Oscar) (Filed on 7/7/2023) (Entered: 07/07/2023)
07/17/2023	<u>27</u>	<p>Minute Entry for ZOOM proceedings held before Magistrate Judge Joseph C. Spero: Initial Case Management Conference held on 7/14/2023.</p> <p>Case Management Statement due by 8/25/2023. Further Case Management Conference set for 9/1/2023 02:00 PM in San Francisco, – Videoconference Only. This proceeding will be held via a Zoom webinar.</p> <p>Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/jcs</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p>Digital Recording Time: Not Reported. Attorney for Plaintiff: Oscar Barron–Guerra, Kyle Virgien. Attorney for Defendant: Savith Iyengar.</p> <p>(klh, COURT STAFF) (Date Filed: 7/17/2023) (Entered: 07/17/2023)</p>
08/25/2023	<u>28</u>	JOINT CASE MANAGEMENT STATEMENT filed by United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Iyengar, Savith) (Filed on 8/25/2023) (Entered: 08/25/2023)
09/05/2023	<u>29</u>	<p>Minute Entry for ZOOM proceedings held before Magistrate Judge Joseph C. Spero: Further Case Management Conference held on 9/1/2023.</p> <p>Defendant will start review of 1000 pages per month starting 9/15/2023 and provide a revised page count by this date.</p> <p>Further Case Management Conference set for 1/19/2024 02:00 PM in San Francisco, – Videoconference Only. This proceeding will be held via a Zoom webinar.</p>

		<p>Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/jcs</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p>Case Management Statement due by 1/12/2024.</p> <p>Digital Recording Time: Not Reported. Attorney for Plaintiff: Oscar Barron–Guerra, Kyle Virgien. Attorney for Defendant: Savith Iyengar.</p> <p>(klh, COURT STAFF) (Date Filed: 9/5/2023) (Entered: 09/05/2023)</p>
01/12/2024	<u>30</u>	<p>STIPULATION WITH PROPOSED ORDER <i>Continuing Further Case Management Conference</i> filed by United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Declaration of Savith Iyengar)(Iyengar, Savith) (Filed on 1/12/2024) (Entered: 01/12/2024)</p>
01/12/2024	<u>31</u>	<p>Order. Signed 1/12/2024 by Magistrate Judge Joseph C. Spero granting <u>30</u> Stipulation to Continue Further Case Mgmt Conference.(klh, COURT STAFF) (Filed on 1/12/2024) (Entered: 01/12/2024)</p>
01/12/2024		<p>See Order <u>31</u></p> <p>Set Deadlines/Hearings: Case Management Statement due by 2/16/2024. Further Case Management Conference set for 2/23/2024 02:00 PM in San Francisco, – Videoconference Only. This proceeding will be held via a Zoom webinar.</p> <p>Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/jcs</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p>(klh, COURT STAFF) (Filed on 1/12/2024) (Entered: 01/12/2024)</p>
02/01/2024	<u>32</u>	<p>NOTICE of Change of Address by Kyle A. Virgien (Virgien, Kyle) (Filed on 2/1/2024) (Entered: 02/01/2024)</p>
02/15/2024	<u>33</u>	<p>STIPULATION WITH PROPOSED ORDER <i>Continuing Further Case Management Conference</i> filed by United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Declaration of Savith Iyengar)(Iyengar, Savith) (Filed on 2/15/2024) (Entered: 02/15/2024)</p>
02/16/2024	<u>34</u>	<p>Order. Signed as modified on 2/16/2024 by Magistrate Judge Joseph C. Spero granting <u>33</u> Stipulation to Continue Further Case Mgmt Conference.(klh, COURT STAFF) (Filed on 2/16/2024) (Entered: 02/16/2024)</p>
02/16/2024		<p>See Order <u>34</u></p> <p>Set Deadlines/Hearings: Case Management Statement due by 5/24/2024.</p> <p>Further Case Management Conference set for 5/31/2024 02:00 PM in San Francisco, – Videoconference Only. This proceeding will be held via a Zoom webinar.</p> <p>Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/jcs</p>

		<p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p>(klh, COURT STAFF) (Filed on 2/16/2024) (Entered: 02/16/2024)</p>
05/24/2024	<u>35</u>	JOINT CASE MANAGEMENT STATEMENT filed by American Civil Liberties Union. (Barron-Guerra, Oscar) (Filed on 5/24/2024) (Entered: 05/24/2024)
06/03/2024	<u>36</u>	<p>Minute Entry for ZOOM proceedings held before Magistrate Judge Joseph C. Spero:</p> <p>Further Case Management Conference held on 5/31/2024. Parties will engage in informal discussions to resolve this case. If the case is not resolved by the next case management conference, the Court will set a schedule for summary judgment and whether to refer this matter to a magistrate judge for settlement.</p> <p>Case Management Statement due by 7/26/2024. Further Case Management Conference set for 8/2/2024 02:00 PM in San Francisco, – Videoconference Only. This proceeding will be held via a Zoom webinar.</p> <p>Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/jcs</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p>Digital Recording Time: Not Reported. Attorney for Plaintiff: Oscar Barron-Guerra, Kyle Virgien. Attorney for Defendant: Savith Iyengar.</p> <p>(klh, COURT STAFF) (Date Filed: 6/3/2024) (Entered: 06/03/2024)</p>
07/25/2024	<u>37</u>	NOTICE by American Civil Liberties Union <i>OF WITHDRAWAL OF ATTORNEY SEAN C. RIORDAN</i> (Riordan, Sean) (Filed on 7/25/2024) (Entered: 07/25/2024)
07/25/2024	<u>38</u>	STIPULATION WITH PROPOSED ORDER <i>Continuing Further Case Management Conference</i> filed by United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Declaration of Savith Iyengar)(Iyengar, Savith) (Filed on 7/25/2024) (Entered: 07/25/2024)
07/26/2024	<u>39</u>	Order. Signed 7/26/2024 by Magistrate Judge Joseph C. Spero granting <u>38</u> Stipulation to Continue Further Case Mgmt Conference.(klh, COURT STAFF) (Filed on 7/26/2024) (Entered: 07/26/2024)
07/26/2024		<p>See Order <u>39</u></p> <p>Set Deadlines/Hearings: Case Management Statement due by 8/28/2024. Further Case Management Conference set for 9/4/2024* 02:00 PM in San Francisco, – Videoconference Only. This proceeding will be held via a Zoom webinar.</p> <p>Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/jcs</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p>

		<p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p>*Effective July 1, 2024 Judge Spero's Law and Motion calendar moved to Wednesdays.</p> <p>(klh, COURT STAFF) (Filed on 7/26/2024) (Entered: 07/26/2024)</p>
08/28/2024	<u>40</u>	<p>STIPULATION WITH PROPOSED ORDER <i>Continuing Further Case Management Conference</i> filed by United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Declaration)(Iyengar, Savith) (Filed on 8/28/2024) (Entered: 08/28/2024)</p>
08/28/2024	<u>41</u>	<p>Order. Signed 8/28/2024 by Magistrate Judge Joseph C. Spero granting <u>40</u> Stipulation to Continue Further Case Mgmt Conference.(klh, COURT STAFF) (Filed on 8/28/2024) (Entered: 08/28/2024)</p>
08/28/2024		<p>See Order <u>41</u></p> <p>Set Deadlines/Hearings: Case Management Statement due by 10/30/2024. Further Case Management Conference set for 11/6/2024 02:00 PM in San Francisco, – Videoconference Only. This proceeding will be held via a Zoom webinar.</p> <p>Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/jcs</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p>(klh, COURT STAFF) (Filed on 8/28/2024) (Entered: 08/28/2024)</p>