

**U.S. District Court
 District of Columbia (Washington, DC)
 CIVIL DOCKET FOR CASE #: 1:23-cv-01471-JEB**

HALEEM v. DEPARTMENT OF DEFENSE et al
 Assigned to: Chief Judge James E. Boasberg
 Demand: \$1,500,000
 Cause: 05:552 Freedom of Information Act

Date Filed: 05/23/2023
 Jury Demand: Plaintiff
 Nature of Suit: 895 Freedom of Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff

DEEN HALEEM

represented by **Brett John O'Brien**
 NATIONAL SECURITY LAW FIRM
 LLC
 1250 Connecticut Avenue, NW
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 Washington, DC 20036
 202-600-4996
 Email: brett@nationalsecuritylawfirm.com
ATTORNEY TO BE NOTICED

V.

Defendant

DEPARTMENT OF DEFENSE

represented by **Brenda A. Gonzalez Horowitz**
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LEAD ATTORNEY
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Defendant

DEPARTMENT OF JUSTICE

represented by **Brenda A. Gonzalez Horowitz**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/23/2023	<u>1</u>	COMPLAINT <i>DEEN HALEEM</i> against All Defendants <i>DEPARTMENT OF DEFENSE, et al</i> (Filing fee \$ 402 receipt number ADCDC-10088540) filed by DEEN HALEEM. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(O'Brien, Brett) (Entered: 05/23/2023)
05/24/2023		Case Assigned to Judge Colleen Kollar-Kotelly. (zcb) (Entered: 05/24/2023)
05/24/2023	<u>2</u>	SUMMONS (4) Issued Electronically as to DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zcb) (Entered: 05/24/2023)
06/21/2023	<u>3</u>	NOTICE of Appearance by Brenda A. Gonzalez Horowitz on behalf of All Defendants (Gonzalez Horowitz, Brenda) (Entered: 06/21/2023)
06/22/2023	<u>4</u>	NOTICE OF RELATED CASE by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE. Case related to Case No. 22-3021 (JEB). (Gonzalez Horowitz, Brenda) (Entered: 06/22/2023)

06/22/2023	<u>5</u>	Unopposed MOTION for Extension of Time to <i>File Response to Plaintiff's Complaint</i> by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE. (Gonzalez Horowitz, Brenda) (Entered: 06/22/2023)
07/06/2023	<u>6</u>	Case directly reassigned to Chief Judge James E. Boasberg by consent. Judge Colleen Kollar-Kotelly is no longer assigned to the case. (ztnr) (Entered: 07/06/2023)
07/06/2023		MINUTE ORDER: The Court ORDERS that: 1) The Unopposed <u>5</u> Motion for Extension of Time is GRANTED; and 2) Defendants shall file their Answer or otherwise respond to Plaintiff's Complaint by August 10, 2023. So ORDERED by Chief Judge James E. Boasberg on 7/6/2023. (lcjeb3) (Entered: 07/06/2023)
07/06/2023		Set/Reset Deadlines: Answer due by 8/10/2023. (nbn) (Entered: 07/07/2023)
08/09/2023	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 05/31/2023. (O'Brien, Brett) (Entered: 08/09/2023)
08/09/2023	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF DEFENSE served on 5/31/2023 (O'Brien, Brett) (Entered: 08/09/2023)
08/09/2023	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF JUSTICE served on 5/31/2023 (O'Brien, Brett) (Entered: 08/09/2023)
08/10/2023	<u>10</u>	Unopposed MOTION for Extension of Time to <i>File Response to Plaintiff's Complaint</i> by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE. (Gonzalez Horowitz, Brenda) (Entered: 08/10/2023)
08/10/2023		MINUTE ORDER: The Court ORDERS that: 1) The Unopposed <u>10</u> Motion for Extension of Time is GRANTED; and 2) Defendants shall file their Answer or otherwise respond to Plaintiff's Complaint by August 16, 2023. So ORDERED by Chief Judge James E. Boasberg on 08/10/2023. (lcjeb3) (Entered: 08/10/2023)
08/10/2023		Set/Reset Deadlines: Answer due by 8/16/2023. (nbn) (Entered: 08/15/2023)
08/16/2023	<u>11</u>	MOTION to Dismiss <i>Plaintiff's Complaint</i> by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, DCSA April 21, 2023, Letter, # <u>3</u> Exhibit 2, OIP April 14, 2023, Letter, # <u>4</u> Text of Proposed Order)(Gonzalez Horowitz, Brenda) (Entered: 08/16/2023)
08/17/2023	<u>12</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>11</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> by DEEN HALEEM. (Attachments: # <u>1</u> Text of Proposed Order)(O'Brien, Brett) (Entered: 08/17/2023)
08/18/2023		MINUTE ORDER: The Court ORDERS that: 1) The Consent <u>12</u> Motion for Extension of Time is GRANTED; and 2) Plaintiff shall respond to Defendants' <u>11</u> Motion to Dismiss by September 29, 2023. So ORDERED by Chief Judge James E. Boasberg on 08/18/2023. (lcjeb3) (Entered: 08/18/2023)
08/18/2023		Set/Reset Deadlines: Responses due by 9/29/2023. (nbn) (Entered: 08/18/2023)
09/26/2023	<u>13</u>	Consent MOTION for Extension of Time to <i>Extend Time to Reply/File</i> by DEEN HALEEM. (Attachments: # <u>1</u> Text of Proposed Order)(O'Brien, Brett) (Entered: 09/26/2023)
09/26/2023		MINUTE ORDER: The Court ORDERS that: 1) The Consent <u>13</u> Motion for Extension of Time is GRANTED; and 2) Plaintiff shall respond to Defendants' <u>11</u> Motion to Dismiss by October 13, 2023. So ORDERED by Chief Judge James E. Boasberg on 09/26/2023. (lcjeb3) (Entered: 09/26/2023)
09/26/2023		Set/Reset Deadlines: Responses due by 10/13/2023. (nbn) (Entered: 09/26/2023)
10/13/2023	<u>14</u>	RESPONSE re <u>11</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> filed by DEEN HALEEM. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(O'Brien, Brett) (Entered: 10/13/2023)
10/17/2023	<u>15</u>	Unopposed MOTION for Extension of Time to <i>File Reply in Support of Defendants' Motion to Dismiss</i> by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE.

		(Gonzalez Horowitz, Brenda) (Entered: 10/17/2023)
10/17/2023		MINUTE ORDER: The Court ORDERS that: 1) The Unopposed <u>15</u> Motion for Extension of Time is GRANTED; and 2) Defendants shall file their Reply in support of their <u>11</u> Motion to Dismiss by November 20, 2023. So ORDERED by Chief Judge James E. Boasberg on 10/17/2023. (lcjeb3) (Entered: 10/17/2023)
10/17/2023		Set/Reset Deadlines: Replies due by 11/20/2023. (zbn) (Entered: 10/19/2023)
11/20/2023	<u>16</u>	REPLY to opposition to motion re <u>11</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> filed by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE. (Gonzalez Horowitz, Brenda) (Entered: 11/20/2023)
01/22/2024	<u>17</u>	ORDER: For the reasons set forth in the accompanying Memorandum Opinion, the Court ORDERS that: 1) Defendants' <u>11</u> Motion to Dismiss is GRANTED IN PART and DENIED IN PART; 2) All claims against the Department of Justice are DISMISSED WITHOUT PREJUDICE; 3) All claims against the Department of Defense, except the claims that (a) the Army Intelligence and Security Command's denial of Plaintiff's 2023 request violated the Privacy Act, (b) the U.S. Army Reserve Command's failure to respond to his 2022 request violated the Freedom of Information Act, and (c) the Army Intelligence and Security Command's denial of his 2023 request violated the Freedom of Information Act, are DISMISSED WITHOUT PREJUDICE; and 4) The Department of Defense shall file its Answer by February 5, 2024. Signed by Chief Judge James E. Boasberg on 1/22/2024. (lcjeb4) (Entered: 01/22/2024)
01/22/2024	<u>18</u>	MEMORANDUM OPINION re: Order <u>17</u> on Motion to Dismiss. Signed by Chief Judge James E. Boasberg on 1/22/2024. (lcjeb4) (Entered: 01/22/2024)
01/22/2024		Set/Reset Deadlines: Answer due by 2/5/2024. (zbn) (Entered: 01/22/2024)
02/02/2024	<u>19</u>	MOTION to Amend/Correct <i>Complaint</i> by DEEN HALEEM. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Errata, # <u>3</u> Text of Proposed Order)(O'Brien, Brett) (Entered: 02/02/2024)
02/02/2024	<u>20</u>	RESPONSE re <u>19</u> MOTION to Amend/Correct <i>Complaint</i> filed by DEPARTMENT OF DEFENSE. (Gonzalez Horowitz, Brenda) (Entered: 02/02/2024)
02/16/2024	<u>21</u>	Memorandum in opposition to re <u>19</u> Motion to Amend/Correct filed by DEPARTMENT OF DEFENSE. (Gonzalez Horowitz, Brenda) (Entered: 02/16/2024)
03/29/2024	<u>22</u>	ORDER: For the reasons set forth in the accompanying Memorandum Opinion, the Court ORDERS that Plaintiff's <u>19</u> Motion to Amend is DENIED. Signed by Chief Judge James E. Boasberg on 3/29/2024. (lcjeb3) (Entered: 03/29/2024)
03/29/2024	<u>23</u>	MEMORANDUM OPINION re. Order <u>22</u> on Motion to Amend. Signed by Chief Judge James E. Boasberg on 3/29/2024. (lcjeb3) (Entered: 03/29/2024)
04/12/2024	<u>24</u>	ANSWER to Complaint by DEPARTMENT OF DEFENSE.(Gonzalez Horowitz, Brenda) (Entered: 04/12/2024)
04/15/2024		MINUTE ORDER: The Court ORDERS that the parties shall confer and submit a joint proposed briefing schedule by April 24, 2024. So ORDERED by Chief Judge James E. Boasberg on 4/15/2024. (lcjeb3) (Entered: 04/15/2024)
04/15/2024		Set/Reset Deadlines: Joint Status Report due by 4/24/2024. (zbn) (Entered: 04/15/2024)
04/24/2024	<u>25</u>	Joint STATUS REPORT by DEPARTMENT OF DEFENSE. (Gonzalez Horowitz, Brenda) (Entered: 04/24/2024)
04/25/2024		MINUTE ORDER: Having reviewed the parties' <u>25</u> Joint Status Report, the Court ORDERS that they shall submit a further JSR with a proposed briefing schedule by May 1, 2024. So ORDERED by Chief Judge James E. Boasberg on 4/25/2024. (lcjeb3) (Entered: 04/25/2024)
04/25/2024		Set/Reset Deadlines: Joint Status Report due by 5/1/2024. (zbn) (Entered: 04/25/2024)
05/01/2024	<u>26</u>	Joint STATUS REPORT by DEPARTMENT OF DEFENSE. (Gonzalez Horowitz, Brenda) (Entered: 05/01/2024)

05/02/2024		MINUTE ORDER: The Court ADOPTS Defendant's <u>26</u> proposed briefing schedule and ORDERS that: (1) Defendant shall file its Motion for Summary Judgment by July 3, 2024; (2) Plaintiff shall file his Cross-Motion for Summary Judgment and opposition to Defendant's Motion by August 12, 2024; (3) Defendant shall file its Reply in support of its Motion and Opposition to Plaintiff's Cross-Motion by September 9, 2024; and (4) Plaintiff shall file his Reply in support of his Cross-Motion by September 30, 2024. So ORDERED by Chief Judge James E. Boasberg on 5/2/2024. (lcjeb3) (Entered: 05/02/2024)
05/02/2024		Set/Reset Deadlines: Defendant shall file its Motion for Summary Judgment by July 3, 2024. Plaintiff shall file his Cross-Motion for Summary Judgment and opposition to Defendant's Motion by August 12, 2024. Defendant shall file its Reply in support of its Motion and Opposition to Plaintiff's Cross-Motion by September 9, 2024. Plaintiff shall file his Reply in support of his Cross-Motion by September 30, 2024. (znbn) (Entered: 05/02/2024)
06/28/2024	<u>27</u>	MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by DEPARTMENT OF DEFENSE. (Gonzalez Horowitz, Brenda) (Entered: 06/28/2024)
07/01/2024		MINUTE ORDER: The Court ORDERS that Plaintiff shall file any opposition to Defendants' <u>27</u> Motion for Extension today. So ORDERED by Chief Judge James E. Boasberg on 7/1/2024. (lcjeb3) Modified to amend due date on 7/1/2024 (znbn). (Entered: 07/01/2024)
07/01/2024		Set/Reset Deadlines: Plaintiff shall file any opposition by 7/1/2024. (znbn) (Entered: 07/01/2024)
07/01/2024	<u>28</u>	RESPONSE re <u>27</u> MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> filed by DEEN HALEEM. (Attachments: # <u>1</u> Text of Proposed Order)(O'Brien, Brett) (Entered: 07/01/2024)
07/01/2024		MINUTE ORDER: The Court ORDERS that: (1) The <u>27</u> Motion for Extension of Time is GRANTED; and (2) Defendants shall file their Motion for Summary Judgment by July 15, 2024. So ORDERED by Chief Judge James E. Boasberg on 7/1/2024. (lcjeb3) (Entered: 07/01/2024)
07/01/2024		Set/Reset Deadlines: Summary Judgment motions due by 7/15/2024. (znbn) (Entered: 07/01/2024)
07/15/2024	<u>29</u>	MOTION for Summary Judgment by DEPARTMENT OF DEFENSE. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of Michael T. Heaton, # <u>3</u> INSCOM Vaughn Index, # <u>4</u> Declaration of Brandon R. Tegtmeier)(Gonzalez Horowitz, Brenda) (Entered: 07/15/2024)
08/12/2024	<u>30</u>	Memorandum in opposition to re <u>29</u> Motion for Summary Judgment filed by DEEN HALEEM. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order)(O'Brien, Brett) (Entered: 08/12/2024)
08/12/2024	31	Cross MOTION for Summary Judgment by DEEN HALEEM. (See Docket Entry <u>30</u> to view document). (znmw) (Entered: 08/13/2024)
09/09/2024	<u>32</u>	REPLY to opposition to motion re <u>29</u> MOTION for Summary Judgment filed by DEPARTMENT OF DEFENSE. (Attachments: # <u>1</u> Supplemental Declaration of Michael Heaton)(Gonzalez Horowitz, Brenda) (Entered: 09/09/2024)
09/09/2024	<u>33</u>	Memorandum in opposition to re 31 Motion for Summary Judgment filed by DEPARTMENT OF DEFENSE. (Attachments: # <u>1</u> Supplemental Declaration of Michael Heaton, # <u>2</u> Defendant's Response to Plaintiff's Statement of Facts)(Gonzalez Horowitz, Brenda) (Entered: 09/09/2024)