

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:23-cv-05372-ER**

Brennan Center For Justice At New York University School Of  
Law v. U.S. Department of Homeland Security et al  
Assigned to: Judge Edgardo Ramos  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/23/2023  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: Federal Question

**Plaintiff**

**Brennan Center For Justice At New  
York University School Of Law**

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V.

**Defendant**

**U.S. Department of Homeland Security**

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**Defendant**

**U.S. Immigration and Customs  
 Enforcement**

represented by **Rebecca Lynn Salk**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Samuel Hilliard Dolinger**  
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**Tomoko Onozawa**  
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**Defendant**

**Federal Bureau of Investigation**

represented by **Rebecca Lynn Salk**  
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**Samuel Hilliard Dolinger**  
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**Tomoko Onozawa**  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/23/2023	<u>1</u>	COMPLAINT against The Federal Bureau of Investigation (FBI), U.S. Immigration and Customs Enforcement, United States Department of Homeland Security. (Filing Fee \$ 402.00, Receipt Number ANYSDC-27915331)Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Exhibit A.) Brennan Center FOIA Requests Timeline, # <u>2</u> Exhibit B.) March 2022 Request, # <u>3</u> Exhibit C.) First January 2023 Request., # <u>4</u> Exhibit D.) Second January 2023 Request, # <u>5</u> Exhibit E.) Third January 2023 Request, # <u>6</u> Exhibit F.) Fourth January 2023 Request).(Browning, John) (Entered: 06/23/2023)
06/23/2023	<u>2</u>	CIVIL COVER SHEET filed..(Browning, John) (Entered: 06/23/2023)
06/23/2023	<u>3</u>	<b>FILING ERROR – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS</b> as to U.S. Department of Homeland Security, re: <u>1</u> Complaint,.. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) Modified on 6/26/2023 (jgo). (Entered: 06/23/2023)
06/23/2023	<u>4</u>	<b>FILING ERROR – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS</b> as to U.S. Immigration and Customs Enforcement, re: <u>1</u> Complaint,.. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) Modified on 6/26/2023 (jgo). (Entered: 06/23/2023)
06/23/2023	<u>5</u>	<b>FILING ERROR – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS</b> as to Federal Bureau of Investigation, re: <u>1</u> Complaint,.. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) Modified on 6/26/2023 (jgo). (Entered: 06/23/2023)
06/26/2023		<b>***NOTICE TO ATTORNEY REGARDING CIVIL CASE OPENING STATISTICAL ERROR CORRECTION: Notice to attorney John Moses</b>

		<b>Browning. The following case opening statistical information was erroneously selected/entered: Jurisdiction code 2 (U.S. Government Defendant);. The following correction(s) have been made to your case entry: the Jurisdiction code has been modified to 3 (Federal Question);. (jgo) (Entered: 06/26/2023)</b>
06/26/2023		<b>***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney John Moses Browning. The party information for the following party/parties has been modified: United States Department of Homeland Security; The Federal Bureau of Investigation (FBI). The information for the party/parties has been modified for the following reason/reasons: party name contained a typographical error;.</b> (jgo) (Entered: 06/26/2023)
06/26/2023		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge John G. Koeltl. Please download and review the Individual Practices of the assigned District Judge, located at <a href="https://nysd.uscourts.gov/judges/district–judges">https://nysd.uscourts.gov/judges/district–judges</a> . 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 <a href="https://nysd.uscourts.gov/rules/ecf–related–instructions">https://nysd.uscourts.gov/rules/ecf–related–instructions</a> ..(jgo) (Entered: 06/26/2023)
06/26/2023		Magistrate Judge Sarah L. Cave 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: <a href="https://nysd.uscourts.gov/sites/default/files/2018–06/AO–3.pdf">https://nysd.uscourts.gov/sites/default/files/2018–06/AO–3.pdf</a> . (jgo) (Entered: 06/26/2023)
06/26/2023		Case Designated ECF. (jgo) (Entered: 06/26/2023)
06/26/2023		<b>***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney John Moses Browning to RE–FILE Document No. <u>4</u> Request for Issuance of Summons, <u>5</u> Request for Issuance of Summons, <u>3</u> Request for Issuance of Summons,. The filing is deficient for the following reason(s): the form used for the summons is not the official A.O. Freedom of Information Act Summons form. 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. (jgo) (Entered: 06/26/2023)</b>
06/26/2023		NOTICE OF CASE REASSIGNMENT to Judge Edgardo Ramos. Judge John G. Koeltl is no longer assigned to the case. (vba) (Entered: 06/26/2023)
06/26/2023	<u>6</u>	<b>FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS</b> as to U.S. Department of Homeland Security, re: <u>1</u> Complaint,,. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) Modified on 6/27/2023 (pc). (Entered: 06/26/2023)
06/26/2023	<u>7</u>	<b>FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS</b> as to The Federal Bureau of Investigation, re: <u>1</u> Complaint,,. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) Modified on 6/27/2023 (pc). (Entered: 06/26/2023)
06/26/2023	<u>8</u>	<b>FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS</b> as to U.S. Immigration and Customs Enforcement, re: <u>1</u> Complaint,,. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) Modified on 6/27/2023 (pc). (Entered: 06/26/2023)
06/27/2023		<b>***DELETED DOCUMENT. Deleted document number <u>9</u> incorrectly issued summons. The document was incorrectly filed in this case. (pc) (Entered: 06/27/2023)</b>
06/27/2023		<b>***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney John Moses Browning to RE–FILE Document No. <u>6</u> Request for Issuance of Summons, <u>7</u> Request for</b>

		<b>Issuance of Summons, 8 Request for Issuance of Summons. The filing is deficient for the following reason(s): the PDF attached to the docket entry for the issuance of summons is not correct; Caption title does not exactly match complaint caption title ( U.S. Department of Homeland Security);. 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)</b> (Entered: 06/27/2023)
06/28/2023	<u>9</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Department of Homeland Security, re: <u>1</u> Complaint,.. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) (Entered: 06/28/2023)
06/28/2023	<u>10</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Immigration and Customs Enforcement, re: <u>1</u> Complaint,.. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) (Entered: 06/28/2023)
06/28/2023	<u>11</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Federal Bureau of Investigation, re: <u>1</u> Complaint,.. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) (Entered: 06/28/2023)
06/29/2023	<u>12</u>	ELECTRONIC SUMMONS ISSUED as to U.S. Department of Homeland Security..(pc) (Entered: 06/29/2023)
06/29/2023	<u>13</u>	ELECTRONIC SUMMONS ISSUED as to U.S. Immigration and Customs Enforcement..(pc) (Entered: 06/29/2023)
06/29/2023	<u>14</u>	ELECTRONIC SUMMONS ISSUED as to Federal Bureau of Investigation..(pc) (Entered: 06/29/2023)
07/18/2023	<u>15</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). Federal Bureau of Investigation served on 7/5/2023, answer due 8/4/2023. Service was accepted by Derick Mayers. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) (Entered: 07/18/2023)
07/18/2023	<u>16</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). Service was accepted by Pooja Patel, Assistant General Counsel. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) (Entered: 07/18/2023)
07/18/2023	<u>17</u>	MOTION for Samuel Austin Turner to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC–28018067. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Exhibit Declaration of Samuel Turner In Support of Motion for Admission PHV, # <u>2</u> Text of Proposed Order for Admission Pro Hac Vice).(Turner, Sam) (Entered: 07/18/2023)
07/18/2023	<u>18</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). U.S. Department of Homeland Security served on 7/5/2023, answer due 8/4/2023. Service was accepted by Derick Mayers. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) (Entered: 07/18/2023)
07/18/2023	<u>19</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). U.S. Department of Homeland Security served on 7/3/2023, answer due 8/4/2023. Service was made by Certified Mail, Return Receipt Requested.. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) (Entered: 07/18/2023)
07/18/2023	<u>20</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). U.S. Immigration and Customs Enforcement served on 7/5/2023, answer due 8/4/2023. Service was accepted by Derick Mayers. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) (Entered: 07/18/2023)
07/18/2023	<u>21</u>	SUMMONS RETURNED EXECUTED (FOIA CASE). U.S. Immigration and Customs Enforcement served on 7/3/2023, answer due 8/4/2023. Service was made by Certified Mail, Return Receipt Requested.. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) (Entered: 07/18/2023)

07/19/2023		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>17</u> MOTION for Samuel Austin Turner to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-28018067. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (dsh) (Entered: 07/19/2023)
07/19/2023	<u>22</u>	AFFIDAVIT OF SERVICE of Summons, Civil Cover Sheet, and Complaint for Declaratory and Injunctive Relief for Violation of the Freedom of Information Act, 5 U.S.C. § 552 et seq. with Exhibits served on Attorney General, U.S. Department of Justice on 7/3/2023. Service was made by Certified Mail, Return Receipt Requested.. Document filed by Brennan Center For Justice At New York University School Of Law..(Browning, John) (Entered: 07/19/2023)
07/21/2023	<u>23</u>	NOTICE OF APPEARANCE by Samuel Hilliard Dolinger on behalf of Federal Bureau of Investigation, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement..(Dolinger, Samuel) (Entered: 07/21/2023)
07/21/2023	<u>24</u>	NOTICE OF APPEARANCE by Rebecca Lynn Salk on behalf of Federal Bureau of Investigation, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement..(Salk, Rebecca) (Entered: 07/21/2023)
08/04/2023	<u>25</u>	ANSWER to <u>1</u> Complaint,.. Document filed by Federal Bureau of Investigation, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement..(Salk, Rebecca) (Entered: 08/04/2023)
08/25/2023	<u>26</u>	MOTION for Thomas R. Burke to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-28202266. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Brennan Center For Justice At New York University School Of Law. (Attachments: # <u>1</u> Affidavit : Declaration of Thomas R. Burke ISO Motion for Pro Hac Admission with Certificate of Good Standings, # <u>2</u> Proposed Order Granting Motion for PHV Admission).(Burke, Thomas) (Entered: 08/25/2023)
08/28/2023		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>26</u> MOTION for Thomas R. Burke to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-28202266. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (sgz) (Entered: 08/28/2023)
08/28/2023	27	ORDER granting <u>26</u> Motion for Thomas R. Burke to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (jar) (Entered: 08/28/2023)
08/28/2023	28	ORDER granting <u>17</u> Motion for Samuel Austin Turner to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (jar) (Entered: 08/28/2023)
08/28/2023	<u>29</u>	NOTICE OF INITIAL COURT CONFERENCE: This matter has been scheduled for an initial case management and scheduling conference, pursuant to Fed. R. Civ. P. 16, on September 26, 2023 at 11:00 a.m. The conference will be held by telephone. The parties are instructed to call the Court at (877) 411-9748 and use access code: 3029857#. PLAINTIFF, OR COUNSEL FOR PLAINTIFF SHALL NOTIFY ALL PARTIES IN WRITING AND PROVIDE ALL PARTIES WITH A COPY OF THIS NOTICE AND THE ATTACHED CIVIL CASE DISCOVERY PLAN AND SCHEDULING ORDER.Telephonic Initial Conference set for 9/26/2023 at 11:00 AM before Judge Edgardo Ramos. (ama) (Entered: 08/28/2023)
09/18/2023	<u>30</u>	RESCHEDULING NOTICE: The telephonic initial conference previously scheduled for September 26, 2023, is hereby rescheduled for September 27, 2023 at 10:30 a.m. The parties are reminded to call (877) 411-9748 and enter access code 3029857# when prompted.Telephonic Initial Conference set for 9/27/2023 at 10:30 AM before Judge Edgardo Ramos..(ama) (Entered: 09/18/2023)
09/22/2023	<u>31</u>	LETTER addressed to Judge Edgardo Ramos from Samuel Dolinger dated 9/22/2023 re: Joint submission in advance of initial conference scheduled for September 27, 2023. Document filed by Federal Bureau of Investigation, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement..(Dolinger, Samuel) (Entered: 09/22/2023)

09/26/2023	<u>32</u>	MEMO ENDORSEMENT on re: <u>31</u> Letter, filed by U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Federal Bureau of Investigation. ENDORSEMENT: The request to adjourn the September 27, 2023 conference sine die is granted. SO ORDERED. (Signed by Judge Edgardo Ramos on 9/26/2023) (rro) (Entered: 09/26/2023)
11/21/2023	<u>33</u>	STATUS REPORT. Document filed by Federal Bureau of Investigation, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement..(Salk, Rebecca) (Entered: 11/21/2023)
11/22/2023	<u>34</u>	MEMO ENDORSEMENT on re: <u>33</u> Status Report filed by U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Federal Bureau of Investigation ENDORSEMENT: The request to provide a further status update on January 22, 2024 is granted. SO ORDERED (Signed by Judge Edgardo Ramos on 11/22/2023) (ks) (Entered: 11/22/2023)
01/19/2024	<u>35</u>	MOTION for Extension of Time to File <i>Status Report</i> . Document filed by Federal Bureau of Investigation, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement..(Onozawa, Tomoko) (Entered: 01/19/2024)
01/22/2024	<u>36</u>	ORDER granting <u>35</u> Letter Motion for Extension of Time to File. The request to extend until February 5, 2024 the deadline for the parties to file a further status update is granted. SO ORDERED. (Signed by Judge Edgardo Ramos on 1/22/2024) (ks) (Entered: 01/22/2024)
02/05/2024	<u>37</u>	STATUS REPORT. Document filed by Federal Bureau of Investigation, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement..(Onozawa, Tomoko) (Entered: 02/05/2024)
02/06/2024	<u>38</u>	MEMO ENDORSEMENT: on re: <u>37</u> Status Report filed by U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Federal Bureau of Investigation. ENDORSEMENT: The parties' request to provide a further status update on April 5, 2024 is granted. SO ORDERED. (Signed by Judge Edgardo Ramos on 2/06/2024) (ama) (Entered: 02/06/2024)
04/05/2024	<u>39</u>	STATUS REPORT. Document filed by Federal Bureau of Investigation, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement..(Dolinger, Samuel) (Entered: 04/05/2024)
04/08/2024	<u>40</u>	MEMO ENDORSEMENT on re: <u>39</u> Status Report filed by U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Federal Bureau of Investigation ENDORSEMENT The parties request to provide a further status update on June 4, 2024 is granted. SO ORDERED. (Signed by Judge Edgardo Ramos on 4/8/2024) (jca) (Entered: 04/08/2024)
06/04/2024	<u>41</u>	STATUS REPORT. Document filed by Federal Bureau of Investigation, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement..(Dolinger, Samuel) (Entered: 06/04/2024)
08/05/2024	<u>42</u>	STATUS REPORT. Document filed by Federal Bureau of Investigation, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement..(Salk, Rebecca) (Entered: 08/05/2024)
08/06/2024	<u>43</u>	MEMO ENDORSEMENT on re: <u>42</u> Status Report filed by U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Federal Bureau of Investigation. ENDORSEMENT: The parties' request to provide a further status update on October 4, 2024 is granted. SO ORDERED. (Signed by Judge Edgardo Ramos on 8/6/2024) (tg) (Entered: 08/06/2024)