

**U.S. District Court  
California Northern District (San Francisco)  
CIVIL DOCKET FOR CASE #: 3:23-cv-05270-SK**

American Immigration Council et al v. U.S. Customs and Border Protection et al  
Assigned to: Magistrate Judge Sallie Kim  
Referred to: Magistrate Judge Peter H Kang (Settlement)  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/16/2023  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: Federal Question

**Plaintiff**

**American Immigration Council**

represented by **Neela O Chakravartula**  
Center for Gender and Refugee Studies  
UC College of the Law, San Francisco  
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**LEAD ATTORNEY**  
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**TERMINATED: 11/28/2023**

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**Plaintiff**

**Center for Gender & Refugee Studies**

represented by **Neela O Chakravartula**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Melissa E Crow**  
(See above for address)  
**TERMINATED: 11/28/2023**

**Raul A. Pinto**

(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Suchita D. Mathur**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**U.S. Customs and Border Protection**

represented by **Michael A. Keough**  
The United States Attorney's Office  
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450 Golden Gate Avenue, Box 36055  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

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

represented by **Michael A. Keough**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
10/16/2023	<u>1</u>	COMPLAINT against U.S. Customs and Border Protection, U.S. Department of Homeland Security (Filing fee \$ 402, receipt number ACANDC-18739640). Filed by Center for Gender & Refugee Studies. (Attachments: # <u>1</u> Civil Cover Sheet)(Chakravartula, Neela) (Filed on 10/16/2023) Modified on 10/18/2023 (slh, COURT STAFF). (Entered: 10/16/2023)
10/16/2023	<u>2</u>	Certificate of Interested Entities by American Immigration Council (Chakravartula, Neela) (Filed on 10/16/2023) (Entered: 10/16/2023)
10/16/2023	<u>3</u>	Certificate of Interested Entities by Center for Gender & Refugee Studies (Chakravartula, Neela) (Filed on 10/16/2023) (Entered: 10/16/2023)
10/16/2023	<u>4</u>	Proposed Summons. (Chakravartula, Neela) (Filed on 10/16/2023) (Entered: 10/16/2023)
10/16/2023	<u>5</u>	Proposed Summons. (Chakravartula, Neela) (Filed on 10/16/2023) (Entered: 10/16/2023)
10/16/2023	<u>6</u>	Case assigned to Magistrate Judge Sallie Kim.  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 <a href="http://cand.uscourts.gov/ecf/caseopening">http://cand.uscourts.gov/ecf/caseopening</a> .  Standing orders can be downloaded from the court's web page at <a href="http://www.cand.uscourts.gov/judges">www.cand.uscourts.gov/judges</a> . 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 10/30/2023. (sec, COURT STAFF) (Filed on 10/16/2023) (Entered: 10/16/2023)
10/16/2023	<u>7</u>	MOTION for leave to appear in Pro Hac Vice ( Filing fee \$ 317, receipt number ACANDC-18742504.) filed by American Immigration Council. (Pinto, Raul) (Filed on 10/16/2023) (Entered: 10/16/2023)

10/17/2023	<u>8</u>	MOTION for leave to appear in Pro Hac Vice ( Filing fee \$ 317, receipt number ACANDC-18744184.) filed by American Immigration Council. (Attachments: # <u>1</u> Exhibit Certificate of Good Standing)(Mathur, Suchita) (Filed on 10/17/2023) (Entered: 10/17/2023)
10/18/2023	<u>9</u>	<b>Order by Magistrate Judge Sallie Kim granting <u>7</u> Motion for Pro Hac Vice. (bxl, COURT STAFF) (Filed on 10/18/2023) (Entered: 10/18/2023)</b>
10/18/2023	<u>10</u>	<b>Order by Magistrate Judge Sallie Kim granting <u>8</u> Motion for Pro Hac Vice. (bxl, COURT STAFF) (Filed on 10/18/2023) (Entered: 10/18/2023)</b>
10/18/2023	<u>11</u>	<b>Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 1/15/2024. Initial Case Management Conference set for 1/22/2024 at 01:30 PM in San Francisco, Courtroom C, 15th Floor. (slh, COURT STAFF) (Filed on 10/18/2023) (Entered: 10/18/2023)</b>
10/18/2023	<u>12</u>	Summons Issued as to U.S. Customs and Border Protection. (slh, COURT STAFF) (Filed on 10/18/2023) (Entered: 10/18/2023)
10/18/2023	<u>13</u>	Summons Issued as to U.S. Department of Homeland Security. (slh, COURT STAFF) (Filed on 10/18/2023) (Entered: 10/18/2023)
10/20/2023	<u>14</u>	Proposed Summons. (Pinto, Raul) (Filed on 10/20/2023) (Entered: 10/20/2023)
10/20/2023	<u>15</u>	Proposed Summons. (Pinto, Raul) (Filed on 10/20/2023) (Entered: 10/20/2023)
10/24/2023	<u>16</u>	Summons Issued as to U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> U.S. Attorney)(slh, COURT STAFF) (Filed on 10/24/2023) (Entered: 10/24/2023)
10/25/2023	<u>17</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by American Immigration Council, Center for Gender & Refugee Studies.. (Pinto, Raul) (Filed on 10/25/2023) (Entered: 10/25/2023)
11/10/2023	<u>18</u>	CERTIFICATE OF SERVICE by American Immigration Council, Center for Gender & Refugee Studies (Pinto, Raul) (Filed on 11/10/2023) (Entered: 11/10/2023)
11/28/2023	<u>19</u>	NOTICE OF ERRATA re <u>1</u> Complaint – <i>CORRECTION OF DOCKET # <u>1</u></i> by American Immigration Council, Center for Gender & Refugee Studies. (Attachments: #(1) CORRECTED Complaint)(Chakravartula, Neela) (Filed on 11/28/2023) Modified on 11/28/2023 (tn, COURT STAFF). (Entered: 11/28/2023)
11/29/2023	<u>20</u>	NOTICE of Appearance by Michael A. Keough (Keough, Michael) (Filed on 11/29/2023) (Entered: 11/29/2023)
11/29/2023	<u>21</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by U.S. Customs and Border Protection, U.S. Department of Homeland Security.. (Keough, Michael) (Filed on 11/29/2023) (Entered: 11/29/2023)
11/29/2023	<u>22</u>	STIPULATION WITH PROPOSED ORDER to <i>Continue Date of Defendants' Response to Complaint</i> filed by U.S. Customs and Border Protection, U.S. Department of Homeland Security. (Attachments: # <u>1</u> Declaration of Michael A. Keough)(Keough, Michael) (Filed on 11/29/2023) (Entered: 11/29/2023)
11/30/2023	<u>23</u>	<b>Order by Magistrate Judge Sallie Kim granting <u>22</u> Stipulation. (sklc2, COURT STAFF) (Filed on 11/30/2023) (Entered: 11/30/2023)</b>
12/15/2023	<u>24</u>	ANSWER to Complaint by U.S. Customs and Border Protection, U.S. Department of Homeland Security. (Keough, Michael) (Filed on 12/15/2023) (Entered: 12/15/2023)
12/19/2023	<u>25</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Pinto, Raul) (Filed on 12/19/2023) (Entered: 12/19/2023)
12/28/2023	<u>26</u>	STIPULATION WITH PROPOSED ORDER RE <i>Joint Stipulation to Continue Date of Initial Case Management Conference</i> filed by U.S. Customs and Border Protection, U.S. Department of Homeland Security. (Attachments: # <u>1</u> Declaration of Michael A. Keough)(Keough, Michael) (Filed on 12/28/2023) (Entered: 12/28/2023)
01/02/2024	<u>27</u>	<b>Order by Magistrate Judge Sallie Kim granting <u>26</u> Stipulation to Continue Initial Case Management Conference. Initial Case Management Conference set for 1/22/2024 continued to 2/12/2024 at 1:30 PM in San Francisco – Videoconference</b>

		<b>Only. (bxl, COURT STAFF) (Filed on 1/2/2024) (Entered: 01/02/2024)</b>
02/05/2024	<u>28</u>	JOINT CASE MANAGEMENT STATEMENT filed by U.S. Customs and Border Protection, U.S. Department of Homeland Security. (Keough, Michael) (Filed on 2/5/2024) (Entered: 02/05/2024)
02/08/2024	29	<p>CLERKS NOTICE SETTING ZOOM HEARING.</p> <p>Initial Case Management Conference set for 2/12/2024 at 1:30 PM in San Francisco, – Videoconference Only before Magistrate Judge Sallie Kim. This proceeding will be held via a Zoom webinar.</p> <p><b>Webinar Access:</b> All counsel, members of the public, and media may access the webinar information at <a href="https://www.cand.uscourts.gov/sk">https://www.cand.uscourts.gov/sk</a></p> <p><b>General Order 58.</b> 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><b>Zoom Guidance and Setup:</b> <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a>.</p> <p>(This is a text–only entry generated by the court. There is no document associated with this entry.) (bxl, COURT STAFF) (Filed on 2/8/2024) (Entered: 02/08/2024)</p>
02/12/2024	30	<p><b>Minute Entry for proceedings held by Zoom before Magistrate Judge Sallie Kim: Initial Case Management Conference held on 2/12/2024. A partial schedule was set. The Court will issue a Case Management Order. Case referred to a Magistrate Judge for Settlement to be completed by 6/11/2024.</b></p> <p>Further Case Management Conference set for 6/24/2024 at 1:30 PM in San Francisco, – Videoconference Only. Case Management Statement due by 6/17/2024.</p> <p>Digital Recording Time: 1:31–1:33.  Attorney for Plaintiff: Raul Pinto.  Attorney for Defendant: Michael Keough.</p> <p>(This is a text–only entry generated by the court. There is no document associated with this entry.) (bxl, COURT STAFF) (Date Filed: 2/12/2024) (Entered: 02/12/2024)</p>
02/13/2024	<u>31</u>	<p><b>CASE MANAGEMENT AND PRETRIAL ORDER (BENCH TRIAL): Close of Fact Discovery is 10/4/2024. Initial Expert Disclosures due by 10/18/2024. Rebuttal Expert Disclosures due by 11/15/2024. Close of Expert Discovery is 12/6/2024. Dispositive Motion Hearing set for 2/17/2025 at 9:30 AM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Pretrial Conference set for 4/18/2025 at 1:30 PM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Bench Trial set for 5/20/2025–5/21/2025 at 8:30 AM before Magistrate Judge Sallie Kim. Further Case Management Conference set for 6/24/2024 at 1:30 PM in San Francisco, Courtroom C, 15th Floor. Case Management Statement due by 6/17/2024. Signed by Judge Sallie Kim on 2/13/2024. (bxl, COURT STAFF) (Filed on 2/13/2024) (Entered: 02/13/2024)</b></p>
05/22/2024	<u>32</u>	STIPULATION WITH PROPOSED ORDER <i>Joint Stipulation Regarding Case Management and FOIA Record Production</i> filed by U.S. Customs and Border Protection, U.S. Department of Homeland Security. (Keough, Michael) (Filed on 5/22/2024) (Entered: 05/22/2024)
05/23/2024	<u>33</u>	<b>ORDER regarding <u>32</u> Stipulation Regarding Case Management and FOIA Record Production. Signed by Magistrate Judge Sallie Kim on 5/23/2024. (sklc2, COURT STAFF) (Filed on 5/23/2024) (Entered: 05/23/2024)</b>
06/17/2024	<u>34</u>	JOINT CASE MANAGEMENT STATEMENT filed by American Immigration Council. (Pinto, Raul) (Filed on 6/17/2024) (Entered: 06/17/2024)

06/20/2024	35	<p>CLERK'S NOTICE Setting Zoom Hearing:</p> <p>Further Case Management Conference set for 6/24/2024 at 1:30 PM in San Francisco – Videoconference Only. This proceeding will be held via a Zoom webinar.</p> <p><b>Webinar Access:</b> All counsel, members of the public, and media may access the webinar information at <a href="https://www.cand.uscourts.gov/sk">https://www.cand.uscourts.gov/sk</a></p> <p><b>General Order 58.</b> 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><b>Zoom Guidance and Setup:</b> <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a>.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (bxl, COURT STAFF) (Filed on 6/20/2024) (Entered: 06/20/2024)</p>
06/24/2024	36	<p><b>Minute Entry for proceedings held by Zoom before Magistrate Judge Sallie Kim: Further Case Management Conference held on 6/24/2024.</b></p> <p>CASE REFERRED to Magistrate Judge for Settlement Conference.</p> <p>Zoom Recording Time: 1:35–1:39. Attorneys for Plaintiff: Neela Chakravartula and Raul Pinto. Attorney for Defendant: Michael Keough.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (bxl, COURT STAFF) (Date Filed: 6/24/2024) (Entered: 06/24/2024)</p>
06/24/2024	<u>37</u>	<p><b>Order by Magistrate Judge Sallie Kim granting <u>32</u> Stipulation Regarding Case Management and FOIA Record Production. (bxl, COURT STAFF) (Filed on 6/24/2024) (Entered: 06/24/2024)</b></p>
06/25/2024		<p>CASE REFERRED to Magistrate Judge Peter H Kang for Settlement. (shy, COURT STAFF) (Filed on 6/25/2024) (Entered: 06/25/2024)</p>
06/26/2024	38	<p><b>[IN-CHAMBERS TEXT ONLY ORDER]:</b></p> <p>This case has been referred to Magistrate Judge Peter H. Kang for settlement. Per Judge Kang's Settlement Conference Standing Order, the Parties are to meet and confer by <b>August 3, 2024</b>, and determine three mutually agreeable dates for the Court to hold the Pre-Settlement Conference; immediately following the meet and confer, the Parties are to send the three dates to Judge Kang's Courtroom Deputy via email at <a href="mailto:PHKcrd@cand.uscourts.gov">PHKcrd@cand.uscourts.gov</a>. Additionally, the Pre-Settlement Conference shall occur on or before <b>September 30, 2024</b>.</p> <p>The Court directs counsel for all parties to review and comply with Judge Kang's Settlement Conference Standing Order prior to the Pre-Settlement Planning Conference, particularly the meet and confer requirements for scheduling the Settlement Conference itself. At the Pre-Settlement Planning Conference, the parties shall be prepared to discuss, and the Court will set the final date for the Settlement Conference. The Pre-Settlement Planning Conference will be held via a non-public Zoom meeting.</p> <p><b>Appearances by Counsel:</b> All counsel shall provide advance notice to the Court if they will be participating in the Pre-Settlement Planning Conference, in order for Court to ensure proper participation in the Zoom meeting. Each party shall send a list of names of each participating attorney, their email addresses, and party they are representing to Judge Kang's Courtroom Deputy via email at <a href="mailto:PHKcrd@cand.uscourts.gov">PHKcrd@cand.uscourts.gov</a> no later than <b>two (2) business days</b> before the Pre-Settlement Planning Conference.</p> <p><b>Zoom Meeting Access:</b> Information on how to join the Pre-Settlement Planning Conference can be found on Judge Kang's webpage on the Court's website under the subheading Non-Public Hearings [Settlement Conferences] at</p>

		<p><a href="https://www.cand.uscourts.gov/judges/peter-h-kang-phk/">https://www.cand.uscourts.gov/judges/peter-h-kang-phk/</a></p> <p><b>General Order 58:</b> The Court reminds all persons granted access to Court proceedings held by telephone or videoconference that photographing, recording, and rebroadcasting of Court proceedings from a location outside the Courthouse (including screenshots or other audio or visual copying of a hearing or conference) are prohibited, absent prior written authorization from the Chief Judge. Violation of these prohibitions may result in sanctions, including removal of court-issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court.</p> <p><b>Zoom Guidance and Setup can be found on the Court's website:</b>  <a href="https://www.cand.uscourts.gov/zoom/">https://www.cand.uscourts.gov/zoom/</a>. Signed by Judge Peter H. Kang on June 26, 2024. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (phklc1, COURT STAFF) (Filed on 6/26/2024) (Entered: 06/26/2024)</p>
08/01/2024	<u>39</u>	NOTICE of Change of Address by Raul A. Pinto (Pinto, Raul) (Filed on 8/1/2024) (Entered: 08/01/2024)
08/02/2024	<u>40</u>	NOTICE of Change of Address by Suchita D. Mathur (Mathur, Suchita) (Filed on 8/2/2024) (Entered: 08/02/2024)
08/05/2024	<u>41</u>	STIPULATION WITH PROPOSED ORDER <i>Joint Stipulation Regarding Settlement Conference Deadlines</i> filed by U.S. Customs and Border Protection, U.S. Department of Homeland Security. (Attachments: # <u>1</u> Declaration of Michael A. Keough)(Keough, Michael) (Filed on 8/5/2024) (Entered: 08/05/2024)
08/06/2024	<u>42</u>	<b>***Please Disregard, see docket <u>43</u>***</b> Order by Magistrate Judge Sallie Kim granting <u>41</u> Stipulation Regarding Settlement Conference Deadlines. Settlement Conference Deadline of 9/30/2024 is vacated. Status Report due by 10/1/2024. (bxl, COURT STAFF) (Filed on 8/6/2024) Modified on 8/7/2024 (bxl, COURT STAFF). (Entered: 08/06/2024)
08/06/2024	<u>43</u>	<b>Order. Signed on 8/6/2024 by Magistrate Judge Peter H Kang granting <u>41</u> Stipulation regarding Settlement Deadlines. Joint Status Report due by 10/1/2024.</b>  (jaf, COURT STAFF) (Filed on 8/6/2024) (Entered: 08/06/2024)