

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:23-cv-03179-JEB**

HERITAGE FOUNDATION et al v. U.S. DEPARTMENT OF
HOMELAND SECURITY

Assigned to: Chief Judge James E. Boasberg

Demand: \$0

Cause: 05:552 Freedom of Information Act

Date Filed: 10/24/2023

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

HERITAGE FOUNDATION

represented by **Samuel Everett Dewey**
CHAMBERS OF SAMUEL EVERETT
DEWEY, LLC
2200 12th Court North
Apt. 609
Arlington, VA 22201
(703) 261-4194
Email: samueledewey@sedchambers.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joseph Benjamin Edlow
THE LAW OFFICES OF JOSEPH
EDLOW LLC
1201 Seven Locks Road
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410-303-1450
Email: joseph@edlowlaw.com
ATTORNEY TO BE NOTICED

Plaintiff

MIKE HOWELL

represented by **Samuel Everett Dewey**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joseph Benjamin Edlow
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF
HOMELAND SECURITY**

represented by **Jeremy S. Simon**
DOJ-USAO
Patrick Henry Building
601 D. Street, N.W.
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Brian P. Hudak
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DISTRICT OF COLUMBIA
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 TERMINATED: 12/18/2023
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/24/2023	<u>1</u>	COMPLAINT against DEPARTMENT OF HOMELAND SECURITY (Filing fee \$ 402 receipt number ADCDC-10441057) filed by HERITAGE FOUNDATION, MIKE HOWELL. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Civil Cover Sheet, # <u>9</u> Summons)(Edlow, Joseph) (Entered: 10/24/2023)
10/24/2023	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by HERITAGE FOUNDATION (Edlow, Joseph) (Entered: 10/24/2023)
10/24/2023	<u>3</u>	NOTICE of Appearance by Samuel Everett Dewey on behalf of HERITAGE FOUNDATION, MIKE HOWELL (Dewey, Samuel) (Entered: 10/24/2023)
10/25/2023		Case Assigned to Chief Judge James E. Boasberg. (zdp) (Entered: 10/25/2023)
10/25/2023	<u>4</u>	SUMMONS (3) Issued Electronically as to DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zdp) (Entered: 10/25/2023)
11/07/2023	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/02/2023. (Attachments: # <u>1</u> Exhibit Certified Mail Receipt, # <u>2</u> Exhibit USPS Tracker Printout)(Edlow, Joseph) (Entered: 11/07/2023)
11/07/2023	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF HOMELAND SECURITY served on 11/1/2023 (Attachments: # <u>1</u> Exhibit Certified Mail Receipt, # <u>2</u> Exhibit USPS Tracker Printout)(Edlow, Joseph) (Entered: 11/07/2023)
11/07/2023	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/2/2023. Answer due for ALL FEDERAL DEFENDANTS by 12/2/2023. (Attachments: # <u>1</u> Exhibit Certified Mail Receipt, # <u>2</u> Exhibit USPS Tracker Printout)(Edlow, Joseph) (Entered: 11/07/2023)
11/16/2023	<u>8</u>	NOTICE of Appearance by Brian P. Hudak on behalf of DEPARTMENT OF HOMELAND SECURITY (Hudak, Brian) (Entered: 11/16/2023)
11/16/2023	<u>9</u>	NOTICE of Non-Service by DEPARTMENT OF HOMELAND SECURITY (Hudak, Brian) (Entered: 11/16/2023)
11/17/2023	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/17/2023. Answer due for ALL FEDERAL DEFENDANTS by 12/17/2023. (Attachments: # <u>1</u> Exhibit Printout of Email to Civil Process Clerk)(Edlow, Joseph) (Entered: 11/17/2023)
12/18/2023	<u>11</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Jeremy S. Simon on behalf of U.S. DEPARTMENT OF HOMELAND SECURITY Substituting for attorney Brian P. Hudak (Simon, Jeremy) (Entered: 12/18/2023)
12/18/2023	<u>12</u>	ANSWER to Complaint by U.S. DEPARTMENT OF HOMELAND SECURITY.(Simon, Jeremy) (Entered: 12/18/2023)
12/18/2023		MINUTE ORDER: The Court ORDERS that the parties shall confer and submit a joint proposed briefing schedule by January 2, 2024. So ORDERED by Chief Judge James E. Boasberg on 12/18/2023. (lcjeb2) (Entered: 12/18/2023)
12/18/2023		Set/Reset Deadlines: Proposed Briefing Schedule due by 1/2/2024. (znbn) (Entered: 12/18/2023)

12/21/2023	<u>13</u>	Consent MOTION for Extension of Time to <i>File Proposed Schedule</i> by U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 12/21/2023)
12/21/2023		MINUTE ORDER: The Court ORDERS that: 1) The Consent <u>13</u> Motion for Extension of Time is GRANTED; and 2) The parties shall file their joint proposed briefing schedule by January 9, 2024. So ORDERED by Chief Judge James E. Boasberg on 12/21/2023. (lcjeb2) (Entered: 12/21/2023)
12/21/2023		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 1/9/2024. (znbn) (Entered: 12/21/2023)
01/09/2024	<u>14</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 01/09/2024)
01/09/2024		MINUTE ORDER: The Court ADOPTS that parties' <u>14</u> Joint Status Report and ORDERS that they shall file a further joint status report by February 27, 2024. So ORDERED by Chief Judge James E. Boasberg on 1/9/2024. (lcjeb2) (Entered: 01/09/2024)
01/09/2024		Set/Reset Deadlines: Joint Status Report due by 2/27/2024. (znbn) (Entered: 01/09/2024)
02/27/2024	<u>15</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 02/27/2024)
02/27/2024		MINUTE ORDER: The Court ADOPTS that parties' <u>15</u> Joint Status Report and ORDERS that they shall file a further joint status report by March 27, 2024. So ORDERED by Chief Judge James E. Boasberg on 2/27/2024. (lcjeb2) (Entered: 02/27/2024)
02/27/2024		Set/Reset Deadlines: Joint Status Report due by 3/27/2024. (znbn) (Entered: 02/29/2024)
03/27/2024	<u>16</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 03/27/2024)
03/27/2024		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 May 8, 2024. So ORDERED by Chief Judge James E. Boasberg on 3/27/2024. (lcjeb2) (Entered: 03/27/2024)
03/27/2024		Set/Reset Deadlines: Status Report due by 5/8/2024. (znbn) (Entered: 03/27/2024)
05/08/2024	<u>17</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 05/08/2024)
05/08/2024		MINUTE ORDER: The Court ADOPTS the parties' <u>17</u> Joint Status Report and ORDERS that they shall file a further joint status report by July 11, 2024. So ORDERED by Chief Judge James E. Boasberg on 5/8/2024. (lcjeb2) (Entered: 05/08/2024)
05/08/2024		Set/Reset Deadlines: Joint Status Report due by 7/11/2024. (znbn) (Entered: 05/08/2024)
07/11/2024	<u>18</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 07/11/2024)
07/11/2024		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 September 10, 2024. So ORDERED by Chief Judge James E. Boasberg on 7/11/2024. (lcjeb2) (Entered: 07/11/2024)
07/12/2024		Set/Reset Deadlines: Joint Status Report due by 9/10/2024. (znbn) (Entered: 07/12/2024)
09/10/2024	<u>19</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 09/10/2024)

09/10/2024		MINUTE ORDER: The Court ADOPTS the parties' <u>19</u> Joint Status Report and ORDERS that they shall file a further joint status report by November 13, 2024. So ORDERED by Chief Judge James E. Boasberg on 9/10/2024. (lcjeb2) (Entered: 09/10/2024)
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