

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:23-cv-03762-RDM**

MAYOR AND CITY COUNCIL OF BALTIMORE v.
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
EXPLOSIVES

Assigned to: Judge Randolph D. Moss
Cause: 05:552 Freedom of Information Act

Date Filed: 12/18/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**MAYOR AND CITY COUNCIL OF
BALTIMORE**

represented by **Gary A. Orseck**
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V.

Defendant

**BUREAU OF ALCOHOL,
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Movant

**NATIONAL SHOOTING SPORTS
FOUNDATION, INC.**

represented by **John Parker Sweeney**
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Date Filed	#	Docket Text
12/18/2023	<u>1</u>	COMPLAINT against BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES (Filing fee \$ 405 receipt number ADCDC-10567704) filed by MAYOR AND CITY COUNCIL OF BALTIMORE. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Civil Cover Sheet, # <u>6</u> Summons USAO Summons, # <u>7</u> Summons AG Summons, # <u>8</u> Summons ATF Summons)(Orseck, Gary) (Entered: 12/18/2023)
12/19/2023		Case Assigned to Judge Randolph D. Moss. (zrtw) (Entered: 12/19/2023)
12/19/2023	<u>2</u>	SUMMONS (3) Issued Electronically as to BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zrtw) (Entered: 12/19/2023)

12/20/2023	<u>3</u>	STANDING ORDER: The parties are hereby ORDERED to comply with the directives set forth in the attached Standing Order. See document for details. Signed by Judge Randolph D. Moss on 12/20/2023. (lcrdm1) (Main Document 3 replaced on 8/21/2024) (zglw). (Entered: 12/20/2023)
12/22/2023	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Paul F. Brzyski, Filing fee \$ 100, receipt number ADCDC–10578817. Fee Status: Fee Paid. by MAYOR AND CITY COUNCIL OF BALTIMORE. (Attachments: # <u>1</u> Declaration of Paul F. Brzyski, # <u>2</u> Certificates of Good Standing, # <u>3</u> Text of Proposed Order)(Orseck, Gary) (Entered: 12/22/2023)
12/22/2023	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Alla Lefkowitz, Filing fee \$ 100, receipt number ADCDC–10578896. Fee Status: Fee Paid. by MAYOR AND CITY COUNCIL OF BALTIMORE. (Attachments: # <u>1</u> Declaration of Alla Lefkowitz, # <u>2</u> Certificates of Good Standing, # <u>3</u> Text of Proposed Order)(Orseck, Gary) (Entered: 12/22/2023)
12/22/2023	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Aaron Esty, Filing fee \$ 100, receipt number ADCDC–10578919. Fee Status: Fee Paid. by MAYOR AND CITY COUNCIL OF BALTIMORE. (Attachments: # <u>1</u> Declaration of Aaron Esty, # <u>2</u> Certificates of Good Standing, # <u>3</u> Text of Proposed Order)(Orseck, Gary) (Entered: 12/22/2023)
12/22/2023	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Mollie Krent, Filing fee \$ 100, receipt number ADCDC–10579186. Fee Status: Fee Paid. by MAYOR AND CITY COUNCIL OF BALTIMORE. (Attachments: # <u>1</u> Declaration of Mollie Krent, # <u>2</u> Certificates of Good Standing, # <u>3</u> Text of Proposed Order)(Orseck, Gary) (Entered: 12/22/2023)
01/02/2024		MINUTE ORDER: Upon consideration of Defendant's Motion for Admission Pro Hac Vice, Dkt. <u>4</u> , it is hereby ORDERED that the motion is GRANTED. Paul Brzyski is hereby granted leave to appear pro hac vice in this case. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a)/LCrR 44.5(a). Click for Instructions. Signed by Judge Randolph D. Moss on 1/2/2024. (lcrdm1) (Entered: 01/02/2024)
01/02/2024		MINUTE ORDER: Upon consideration of Plaintiff's Motion for Admission Pro Hac Vice, Dkt. <u>5</u> , it is hereby ORDERED that the motion is GRANTED. Alla Lefkowitz is hereby granted leave to appear pro hac vice in this case. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a)/LCrR 44.5(a). Click for Instructions. Signed by Judge Randolph D. Moss on 1/2/2024. (lcrdm1) (Entered: 01/02/2024)
01/02/2024		MINUTE ORDER: Upon consideration of Plaintiff's Motion for Admission Pro Hac Vice, Dkt. <u>6</u> , it is hereby ORDERED that the motion is GRANTED. Aaron Esty is hereby granted leave to appear pro hac vice in this case. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a)/LCrR 44.5(a). Click for Instructions. Signed by Judge Randolph D. Moss on 1/2/2024. (lcrdm1) (Entered: 01/02/2024)
01/02/2024		MINUTE ORDER: Upon consideration of Plaintiff's Motion for Admission Pro Hac Vice, Dkt. <u>7</u> , it is hereby ORDERED that the motion is GRANTED. Mollie Krent is hereby granted leave to appear pro hac vice in this case. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a)/LCrR 44.5(a). Click for Instructions. Signed by Judge Randolph D. Moss on 1/2/2024. (lcrdm1) (Entered: 01/02/2024)
01/08/2024	<u>8</u>	NOTICE of Appearance by Paul Brzyski on behalf of MAYOR AND CITY COUNCIL OF BALTIMORE (Brzyski, Paul) (Entered: 01/08/2024)
01/11/2024	<u>9</u>	NOTICE of Appearance by Aaron Esty on behalf of MAYOR AND CITY COUNCIL OF BALTIMORE (Esty, Aaron) (Entered: 01/11/2024)
01/11/2024	<u>10</u>	NOTICE of Appearance by Mollie Krent on behalf of MAYOR AND CITY COUNCIL OF BALTIMORE (Krent, Mollie) (Entered: 01/11/2024)
01/23/2024	<u>11</u>	MOTION to Intervene by NATIONAL SHOOTING SPORTS FOUNDATION, INC.. (Attachments: # <u>1</u> Exhibit Proposed Answer, # <u>2</u> Exhibit Corporate Disclosure, # <u>3</u>

		Memorandum in Support, # <u>4</u> Text of Proposed Order)(Sweeney, John) (Entered: 01/23/2024)
01/24/2024		MINUTE ORDER: In light of the National Shooting Sports Foundation, Inc.'s motion to intervene, Dkt. <u>11</u> , it is hereby ORDERED that Plaintiff and Defendant respond to the motion on or before February 7, 2024. Signed by Judge Randolph D. Moss on 1/24/2024. (lcrdm1) (Entered: 01/24/2024)
01/26/2024	<u>12</u>	DECLARATION of Service by MAYOR AND CITY COUNCIL OF BALTIMORE re <u>1</u> Complaint,. (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)(Brzyski, Paul) (Entered: 01/26/2024)
01/29/2024	<u>13</u>	NOTICE of Appearance by Pardis Gheibi on behalf of All Defendants (Gheibi, Pardis) (Entered: 01/29/2024)
01/29/2024	<u>14</u>	ANSWER to Complaint by BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES.(Gheibi, Pardis) (Entered: 01/29/2024)
01/30/2024		MINUTE ORDER: It is ORDERED that, on or before March 1, 2024, the parties shall confer and file a joint status report addressing (1) any documents still to be produced pursuant to FOIA; (2) an anticipated schedule for processing and producing any such documents; and (3) any substantive areas of disagreement between the parties. It is further ORDERED that the parties shall appear for an Initial Scheduling Conference on March 8, 2024, at 9:30 a.m., in Courtroom 8. Signed by Judge Randolph D. Moss on 1/30/2024.(lcrdm1) (Entered: 01/30/2024)
02/05/2024	<u>15</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>11</u> MOTION to Intervene by MAYOR AND CITY COUNCIL OF BALTIMORE. (Attachments: # <u>1</u> Text of Proposed Order)(Orseck, Gary) (Entered: 02/05/2024)
02/06/2024	<u>16</u>	NOTICE of Appearance by Alla Lefkowitz on behalf of MAYOR AND CITY COUNCIL OF BALTIMORE (Lefkowitz, Alla) (Entered: 02/06/2024)
02/07/2024	<u>17</u>	RESPONSE re <u>11</u> MOTION to Intervene filed by BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES. (Gheibi, Pardis) Modified on 2/8/2024 to correct event/ add docket link (zjm). (Entered: 02/07/2024)
02/07/2024		MINUTE ORDER: Upon consideration of Plaintiff's consent motion for extension of time, Dkt. <u>15</u> , it is hereby ORDERED that the motion is GRANTED. Plaintiff shall file its response to NSSF's motion to intervene (Dkt. 11) on or before February 14, 2024. Signed by Judge Randolph D. Moss on 2/7/24. (lcrdm2) (Entered: 02/07/2024)
02/14/2024	<u>18</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Ebony Monet Thompson, Filing fee \$ 100, receipt number ADCDC–10688770. Fee Status: Fee Paid. by MAYOR AND CITY COUNCIL OF BALTIMORE. (Attachments: # <u>1</u> Declaration of Ebony Monet Thompson, # <u>2</u> Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Orseck, Gary) (Entered: 02/14/2024)
02/14/2024	<u>19</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Sara Elaine Gross, Filing fee \$ 100, receipt number ADCDC–10688821. Fee Status: Fee Paid. by MAYOR AND CITY COUNCIL OF BALTIMORE. (Attachments: # <u>1</u> Declaration of Sara Elaine Gross, # <u>2</u> Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Orseck, Gary) (Entered: 02/14/2024)
02/14/2024	<u>20</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Thomas Patrick George Webb, Filing fee \$ 100, receipt number ADCDC–10688859. Fee Status: Fee Paid. by MAYOR AND CITY COUNCIL OF BALTIMORE. (Attachments: # <u>1</u> Declaration of Thomas Patrick George Webb, # <u>2</u> Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Orseck, Gary) (Entered: 02/14/2024)
02/14/2024	<u>21</u>	Memorandum in opposition to re <u>11</u> Motion to Intervene filed by MAYOR AND CITY COUNCIL OF BALTIMORE. (Orseck, Gary) (Entered: 02/14/2024)
02/15/2024		MINUTE ORDER: Upon consideration of Plaintiff's Motion for Admission Pro Hac Vice, Dkt. <u>18</u> , it is hereby ORDERED that the motion is GRANTED. Ebony Monet Thompson is hereby granted leave to appear pro hac vice in this case. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a)/LCrR 44.5(a). <u>Click for Instructions</u>. Signed by Judge Randolph D. Moss on

		2/15/2024. (lcrdm1) (Entered: 02/15/2024)
02/15/2024		MINUTE ORDER: Upon consideration of Plaintiff's Motion for Admission Pro Hac Vice, Dkt. <u>19</u> , it is hereby ORDERED that the motion is GRANTED. Sara Elaine Gross is hereby granted leave to appear pro hac vice in this case. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a)/LCrR 44.5(a). Click for Instructions. Signed by Judge Randolph D. Moss on 2/15/2024. (lcrdm1) (Entered: 02/15/2024)
02/15/2024		MINUTE ORDER: Upon consideration of Plaintiff's Motion for Admission Pro Hac Vice, Dkt. <u>20</u> , it is hereby ORDERED that the motion is GRANTED. Thomas Patrick George Webb is hereby granted leave to appear pro hac vice in this case. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a)/LCrR 44.5(a). Click for Instructions. Signed by Judge Randolph D. Moss on 2/15/2024. (lcrdm1) (Entered: 02/15/2024)
02/16/2024	<u>22</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>11</u> MOTION to Intervene by NATIONAL SHOOTING SPORTS FOUNDATION, INC.. (Porter, James) (Entered: 02/16/2024)
02/18/2024		MINUTE ORDER: Upon consideration of National Shooting Sports Foundation's consent motion to extend time, Dkt. <u>22</u> , it is hereby ORDERED that the motion is GRANTED. National Shooting Sports Foundation shall file its reply on or before February 28, 2024. Signed by Judge Randolph D. Moss on 2/18/2024. (lcrdm1) (Entered: 02/18/2024)
02/28/2024	<u>23</u>	REPLY to opposition to motion re <u>11</u> MOTION to Intervene filed by NATIONAL SHOOTING SPORTS FOUNDATION, INC.. (Attachments: # <u>1</u> Declaration Exhibit A)(Sweeney, John) (Entered: 02/28/2024)
03/01/2024	<u>24</u>	Joint STATUS REPORT by MAYOR AND CITY COUNCIL OF BALTIMORE. (Attachments: # <u>1</u> Text of Proposed Order)(Orseck, Gary) (Entered: 03/01/2024)
03/04/2024		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>24</u> , it is hereby ORDERED that: (1) Defendant will submit a motion for summary judgment on or before April 15, 2024; (2) Plaintiff will submit its opposition and cross-motion for summary judgment on or before May 31, 2024; (3) Defendant will submit its reply and opposition on or before June 21, 2024; and (4) Plaintiff will submit its reply on or before July 12, 2024. It is further ORDERED that the initial scheduling conference on March 8, 2024 is hereby VACATED. In addition, upon consideration of the National Shooting Sports Foundation's motion to intervene, Dkt. <u>11</u> , Plaintiff's opposition, Dkt. <u>21</u> , and NSSF's reply, Dkt. <u>23</u> , it is hereby ORDERED that the motion is DENIED. NSSF does not claim that it has standing to intervene in its own right; rather, it claims that it has standing to sue on behalf of its members who are federally licensed firearms manufacturers, distributors, and retailers (also referred to as federal firearms licensees or "FFLs"). "An association has standing to sue on behalf of its members if: '(1) at least one of its members would have standing to sue in his own right, (2) the interests the association seeks to protect are germane to its purpose, and (3) neither the claim asserted nor the relief requested requires that an individual member of the association participate in the lawsuit.'" <i>Chamber of Com. of U.S. v. EPA</i> , 642 F.3d 192, 199 (D.C. Cir. 2011) (quoting <i>Sierra Club v. EPA</i> , 292 F.3d 895, 898 (D.C. Cir. 2002)). When an organization claims that it has associational standing, "it is not enough to aver that unidentified members have been injured." <i>Id.</i> An organization "must specifically 'identify members who have suffered the requisite harm.'" <i>Id.</i> (quoting <i>Summers v. Earth Island Inst.</i> , 555 U.S. 488, 499 (2009)); <i>see also Am. Chemistry Council v. Dep't of Transp.</i> , 468 F.3d 810, 815, 820 (D.C. Cir. 2006) ("[A]n organization bringing a claim based on associational standing must show that at least one specifically-identified member has suffered an injury-in-fact.... At the very least, the identity of the party suffering an injury in fact must be firmly established."). Here, NSSF has not met that requirement. NSSF only asserts that "its members include Baltimore-area FFLs who were selling firearms between from 2018 through 2022; those members either submitted information to the ATF or had their information submitted to the ATF; and they therefore would have standing to challenge on their own behalf Baltimore's FOIA requests." Dkt. 23 at 1213. But NSSF does not point to any specific member who falls into this generic description NSSF provides, nor does NSSF argue that all of its members are affected by the challenged activity, which can,

in some circumstances, be sufficient to dispense with the identification requirement. *Summers*, 555 U.S. at 499 (citing, as an example of this principle, *NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 459 (1958), where "all organization members [were] affected by release of membership lists"). As the record now stands, the Court cannot determine whether disclosure of the records sought in this case would injure an NSSF member and, if so, how that member would be injured. As Plaintiff notes, for example, some of the information that they seek is already public and, thus, the requested disclosures may affect different FFLs in different ways, if at all. Nor can the Court, on the present record, assess the nature of the alleged injury that NSSF invokes in support of its derivative standing. It is one thing, for example, for a particular FFL to suffer reputational damage or lost sales due to a disclosure. It is quite another thing to argue, as NSSF seems to posit, that any disclosure of information relating to the sale of firearms will necessarily result in a concrete injury to the FFL, even if the FFL would suffer no reputational damage, lost sales, or any other distinct injury, and, indeed, might not even oppose the disclosure. Without some evidence that at least one member of NSSF will suffer a concrete injury in fact due to the proposed disclosures, the Court cannot discharge its obligation to ensure that NSSF has standing. Seemingly aware of this shortcoming, NSSF refuses to identify any specific member, arguing that it would be "fundamentally unfair to randomly produce a member and subject him or her to exactly the kind of reputational harm NSSF's intervention seeks to prevent (and Baltimore's suit seeks to achieve)." Dkt. 23 at 13. But this Court lacks the ability to ignore Article III standing requirements. And, to the extent NSSF is concerned about the privacy interests of its members, NSSF can file a motion seeking leave to submit the necessary information under seal (although such a request is not before the Court at this time, and, absent a request supported by the necessary factual showing and an opportunity for the other parties to be heard on the question, the Court takes no position at this time whether it would grant such a request). Because the Court concludes that NSSF has failed to demonstrate "that at least one member... has standing to pursue this challenge," *Am. Chemistry Council v. Dep't of Transp.*, 468 F.3d 810, 815 (D.C. Cir. 2006) (quoting *Am. Library Ass'n. v. FCC*, 406 F.3d 689, 696 (D.C. Cir. 2005)), the Court denies NSSF's motion to intervene as of right. Compare with *Advocs. for Highway & Auto Safety v. Fed. Motor Carrier Safety Admin.*, 41 F.4th 586, 594 (D.C. Cir. 2022) (noting that "it is not enough to merely aver that unidentified members have been injured" but finding that "here we do not need to 'speculat[e]' whether 'one individual will meet all of the[] [standing] criteria'" because "[t]he Teamsters submitted survey responses with direct quotations from individual members affected by the proposed changes to the short-haul requirement" (internal citations omitted)). In addition, the Court finds that NSSF's failure to demonstrate standing also forecloses its motion for permissive intervention. Although the question of whether standing is required for permissive intervention has been described as "open" by the D.C. Circuit, see *In re Endangered Species Act Section 4 Deadline Litig.—MDL No. 2165*, 704 F.3d 972, 980 (D.C. Cir. 2013), the D.C. Circuit recently upheld a district court order denying a party's motion for permissive intervention on the ground that the proposed intervenor lacked standing, see *Yocha Dehe v. United States Dep't of the Interior*, 3 F.4th 427, 43132 (D.C. Cir. 2021) ("Because Yocha Dehe does not currently satisfy the injury requirement of Article III standing, it lacks standing to intervene. Accordingly, we affirm the judgment of the district court and do not reach Rule 24(a)(2)'s requirements or permissive intervention."). Moreover, it is generally up to the agency to decide what FOIA exceptions to assert and a court cannot determine that an agency appropriately withheld records based on an exemption that the agency does not assert. Cf. *Maydak v. U.S. Dep't of Just.*, 218 F.3d 760, 765 (D.C. Cir. 2000). Here, NSSF seeks to intervene to argue that the withholdings were justified under Exemptions 4 and 6, Dkt. 11–3 at 13; Dkt. 23 at 11; exemptions that, to date, ATF has not asserted, Dkt. 1–2; Dkt. 14. To be sure, a private party can object to an agency's failure to protect that party's trade secrets, but there are procedures for doing so, which, among other things, require the private party to bring a reverse FOIA case, which NSSF does not purport to do here, and, if it did, would need standing to do so. See *EEOC v. Nat'l Children's Ctr., Inc.*, 146 F.3d 1042, 1046 (D.C. Cir. 1998) (explaining that "the putative intervenor must ordinarily present: (1) an independent ground for subject matter jurisdiction; (2) a timely motion; and (3) a claim or defense that has a question of law or fact in common with the main action" because "the typical movant asks the district court to adjudicate an additional claim on the merits"). Accordingly, the Court declines in its discretion to find that permissive intervention is warranted here. See *Aristotle Int'l, Inc. v. NGP Software, Inc.*, 714 F. Supp. 2d 1, 18

		(D.D.C. 2010) (outlining the factors a court can weigh when deciding whether to permit a party to intervene under Rule 24(b)).For these reasons, the Court hereby DENIES NSSF's motion to intervene, as of right or permissively. The Court will, however, permit NSSF to file an amicus brief on or before April 21, 2024, setting forth its arguments on the merits. Signed by Judge Randolph D. Moss on 3/4/2024. (lcrdm1) (Entered: 03/04/2024)
03/19/2024	<u>25</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by NATIONAL SHOOTING SPORTS FOUNDATION, INC. (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Declaration, # <u>2</u> Declaration, # <u>3</u> Declaration, # <u>4</u> Text of Proposed Order)(Sweeney, John) (Entered: 03/19/2024)
03/19/2024	<u>26</u>	MOTION to Intervene by NATIONAL SHOOTING SPORTS FOUNDATION, INC.. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Text of Proposed Order, # <u>6</u> Exhibit, # <u>7</u> Exhibit)(Sweeney, John) (Entered: 03/19/2024)
03/21/2024	<u>27</u>	ENTERED IN ERROR.....NOTICE of <i>Letter to Court Regarding Correspondence with Counsel</i> by NATIONAL SHOOTING SPORTS FOUNDATION, INC. (Sweeney, John) Modified on 3/22/2024 (zjm). (Entered: 03/21/2024)
03/22/2024		NOTICE OF ERROR regarding <u>27</u> Notice (Other). The following error(s) need correction: Incorrect format (Letter)– correspondence is not permitted (LCvR 5.1(a)). Please refile. (zjm) (Entered: 03/22/2024)
03/22/2024	<u>28</u>	NOTICE of <i>Service of Documents Related to National Shooting Sports Foundation's Pending Motion to File Under Seal</i> by NATIONAL SHOOTING SPORTS FOUNDATION, INC. (Sweeney, John) (Entered: 03/22/2024)
03/26/2024	<u>29</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>25</u> SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by NATIONAL SHOOTING SPORTS FOUNDATION, INC. (This document is SEALED and only available to authorized persons.), <u>26</u> MOTION to Intervene by MAYOR AND CITY COUNCIL OF BALTIMORE. (Attachments: # <u>1</u> Text of Proposed Order)(Esty, Aaron) (Entered: 03/26/2024)
03/26/2024		MINUTE ORDER: Upon consideration of Plaintiff's consent motion to extend time, Dkt. <u>29</u> , it is hereby ORDERED that Plaintiff's motion is GRANTED. It is further ORDERED that Plaintiff shall respond to NSSF's renewed motion to intervene and motion to file under seal documents in support of intervention and for a limited protective order on or before April 9, 2024. Signed by Judge Randolph D. Moss on 3/26/2024. (lcrdm1) (Entered: 03/26/2024)
04/03/2024	<u>30</u>	NOTICE of Appearance by Sara Gross on behalf of MAYOR AND CITY COUNCIL OF BALTIMORE (Gross, Sara) (Main Document 30 replaced on 4/3/2024) (zjm). (Main Document 30 replaced on 4/3/2024) (zjm). (Entered: 04/03/2024)
04/09/2024	<u>31</u>	Memorandum in opposition to re <u>25</u> Sealed Motion for Leave to File Document Under Seal, <u>26</u> Motion to Intervene filed by MAYOR AND CITY COUNCIL OF BALTIMORE. (Orseck, Gary) (Entered: 04/09/2024)
04/11/2024	<u>32</u>	REPLY to opposition to motion re <u>25</u> SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by NATIONAL SHOOTING SPORTS FOUNDATION, INC. (This document is SEALED and only available to authorized persons.), <u>26</u> MOTION to Intervene filed by NATIONAL SHOOTING SPORTS FOUNDATION, INC.. (Sweeney, John) (Entered: 04/11/2024)
04/15/2024	<u>33</u>	MOTION for Summary Judgment by BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES. (Attachments: # <u>1</u> Declaration of Elizabeth A. Wood, # <u>2</u> Exhibit A to Declaration of Elizabeth A. Wood, # <u>3</u> Exhibit B to Declaration of Elizabeth A. Wood, # <u>4</u> Exhibit C to Declaration of Elizabeth A. Wood, # <u>5</u> Exhibit D to Declaration of Elizabeth A. Wood, # <u>6</u> Statement of Facts, # <u>7</u> Text of Proposed Order)(Gheibi, Pardis) (Entered: 04/15/2024)
04/19/2024	<u>34</u>	AMICUS BRIEF in <i>Support of Defendant ATF's Motion for Summary Judgment</i> by NATIONAL SHOOTING SPORTS FOUNDATION, INC.. (Attachments: # <u>1</u> Corporate Disclosure)(Sweeney, John) (Entered: 04/19/2024)

05/31/2024	<u>35</u>	Cross MOTION for Summary Judgment by MAYOR AND CITY COUNCIL OF BALTIMORE. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Aaron Esty, # <u>3</u> Declaration of Stefanie Mavronis, # <u>4</u> Declaration of Ebony M. Thompson, # <u>5</u> Combined Statement of Material Facts Not in Dispute, # <u>6</u> Text of Proposed Order)(Orseck, Gary) (Entered: 05/31/2024)
05/31/2024	<u>36</u>	Memorandum in opposition to re <u>33</u> Motion for Summary Judgment, filed by MAYOR AND CITY COUNCIL OF BALTIMORE. (Attachments: # <u>1</u> Declaration of Aaron Esty, # <u>2</u> Declaration of Stefanie Mavronis, # <u>3</u> Declaration Ebony M. Thompson, # <u>4</u> Combined Statement of Material Facts Not in Dispute)(Orseck, Gary) (Entered: 05/31/2024)
06/21/2024	<u>37</u>	MEMORANDUM OPINION AND ORDER: For the reasons contained herein, it is hereby ORDERED that NSSFs renewed motion to intervene, Dkt. 26, is DENIED. It is further ORDERED that NSSFs motion for leave to file under seal is GRANTED. NSSF is directed to file a redacted version of the declarations on the public docket on or before July 1, 2024. See document for details. Signed by Judge Randolph D. Moss on 6/21/24. (zglw) (Entered: 06/21/2024)
06/21/2024	<u>38</u>	REPLY to opposition to motion re <u>33</u> MOTION for Summary Judgment filed by BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES. (Gheibi, Pardis) (Entered: 06/21/2024)
06/28/2024	<u>39</u>	NOTICE OF FILING REDACTED DOCUMENT to <u>37</u> Memorandum & Opinion,, Terminate Motions,, Set Deadlines, by NATIONAL SHOOTING SPORTS FOUNDATION, INC. (Attachments: # <u>1</u> Declaration, # <u>2</u> Declaration, # <u>3</u> Declaration)(Sweeney, John) (Entered: 06/28/2024)
07/12/2024	<u>40</u>	REPLY to opposition to motion re <u>35</u> Cross MOTION for Summary Judgment filed by MAYOR AND CITY COUNCIL OF BALTIMORE. (Orseck, Gary) (Entered: 07/12/2024)