

**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CIVIL DOCKET FOR CASE #: 2:24-cv-00314-SMM**

Barry Goldwater Institute for Public Policy Research v. United States Department of Education
Assigned to: Senior Judge Stephen M McNamee
Cause: 05:552 Freedom of Information Act

Date Filed: 02/14/2024
Jury Demand: None
Nature of Suit: 895 Other Statutes:
Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Barry Goldwater Institute for Public Policy Research

represented by **Jonathan Riches**
Goldwater Institute
500 E Coronado Rd.
Phoenix, AZ 85004
602-462-5000
Email: jriches@goldwaterinstitute.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stacy C Skankey
Goldwater Institute
500 E Coronado Rd.
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ATTORNEY TO BE NOTICED

V.

Defendant

United States Department of Education
named as: U.S. Department of Education

represented by **Victoria H Gray**
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2 Renaissance Square
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Date Filed	#	Docket Text
02/14/2024	<u>1</u>	COMPLAINT. Filing fee received: \$405.00, receipt number AAZDC-22754891 filed by Barry Goldwater Institute for Public Policy Research. (submitted by Jonathan Riches) (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> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Civil Cover Sheet)(REK) (Entered: 02/14/2024)
02/14/2024	<u>2</u>	Corporate Disclosure Statement by Barry Goldwater Institute for Public Policy Research. (submitted by Jonathan Riches) (REK) (Entered: 02/14/2024)
02/14/2024	<u>3</u>	SUMMONS Submitted by Barry Goldwater Institute for Public Policy Research. (submitted by Jonathan Riches) (REK) (Entered: 02/14/2024)
02/14/2024	<u>4</u>	Filing fee paid, receipt number AAZDC-22754891. This case has been assigned to the Honorable Stephen M McNamee. All future pleadings or documents should bear the correct case number: CV-24-00314-PHX-SMM. Notice of Availability of Magistrate Judge to Exercise Jurisdiction form attached. (REK) (Entered: 02/14/2024)

02/14/2024	<u>5</u>	Summons Issued as to United States Department of Education. (REK). *** IMPORTANT: When printing the summons, select "Document and stamps" or "Document and comments" for the seal to appear on the document. (Entered: 02/14/2024)
02/14/2024	<u>6</u>	NOTICE TO FILER OF DEFICIENCY re: <u>1</u> Complaint filed by Barry Goldwater Institute for Public Policy Research. Document not in compliance with LRCiv 7.1(a)(3) – Party names must be capitalized using proper upper and lower case type. <i>No further action is required.</i> This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (REK) (Entered: 02/14/2024)
02/20/2024	<u>7</u>	SERVICE EXECUTED filed by Barry Goldwater Institute for Public Policy Research: Affidavit of Process re: Summons & Complaint to US Department of Education upon US Attorneys Office on 02/14/2024. (Skankey, Stacy) (Entered: 02/20/2024)
03/08/2024	<u>8</u>	First MOTION for Extension of Time to File Answer re: <u>1</u> Complaint, (<i>Unopposed</i>) by United States Department of Education. (Attachments: # <u>1</u> Proposed Order)(Gray, Victoria) (Entered: 03/08/2024)
03/11/2024	<u>9</u>	ORDER granting the Motion <u>8</u> . IT IS FURTHER ORDERED allowing Defendant up to and including April 19, 2024 to file an answer or otherwise respond to Plaintiff's Complaint. Signed by Senior Judge Stephen M McNamee on 3/11/24. (KLG) (Entered: 03/11/2024)
04/09/2024	<u>10</u>	Second MOTION for Extension of Time to File Answer re: <u>1</u> Complaint, (<i>Unopposed</i>) by United States Department of Education. (Attachments: # <u>1</u> Proposed Order)(Gray, Victoria) (Entered: 04/09/2024)
04/12/2024	<u>11</u>	ORDER granting the Motion to Extend Responsive Pleading Deadline (Doc. <u>10</u>). IT IS FURTHER ORDERED allowing Defendant up to and including 5/17/2024 to file an answer or otherwise respond to Plaintiff's complaint. Signed by Senior Judge Stephen M McNamee on 4/12/2024. (KJ) (Entered: 04/12/2024)
04/29/2024	<u>12</u>	Joint MOTION for Extension of Time to Respond to Plaintiff's Amended Complaint by Barry Goldwater Institute for Public Policy Research. (Attachments: # <u>1</u> Proposed Order)(Skankey, Stacy) (Entered: 04/29/2024)
04/29/2024	<u>13</u>	ORDER granting the Joint Motion. (Doc. <u>12</u>). Plaintiff may file an Amended Complaint by no later than Friday, 5/3/2024. Defendant has until Friday, 5/24/2024 to file an Answer or otherwise respond to the Amended Complaint. Signed by Senior Judge Stephen M McNamee on 4/29/2024. (KJ) (Entered: 04/29/2024)
05/03/2024	<u>14</u>	AMENDED COMPLAINT against United States Department of Education filed by Barry Goldwater Institute for Public Policy Research. (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> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L Part 1, # <u>13</u> Exhibit L Part 2, # <u>14</u> Exhibit L Part 3, # <u>15</u> Exhibit L Part 4, # <u>16</u> Exhibit L Part 5, # <u>17</u> Exhibit L Part 6, # <u>18</u> Exhibit L Part 7, # <u>19</u> Exhibit L Part 8, # <u>20</u> Exhibit L Part 9, # <u>21</u> Exhibit L Part 10, # <u>22</u> Exhibit M)(Skankey, Stacy) (Entered: 05/03/2024)
05/03/2024	<u>15</u>	NOTICE of Filing Amended Pleading pursuant to LRCiv 15.1(b) by Barry Goldwater Institute for Public Policy Research . (Attachments: # <u>1</u> Attachment Redlined First Amended Complaint, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L Part 1, # <u>14</u> Exhibit L Part 2, # <u>15</u> Exhibit L Part 3, # <u>16</u> Exhibit L Part 4, # <u>17</u> Exhibit L Part 5, # <u>18</u> Exhibit L Part 6, # <u>19</u> Exhibit L Part 7, # <u>20</u> Exhibit L Part 8, # <u>21</u> Exhibit L Part 9, # <u>22</u> Exhibit L Part 10, # <u>23</u> Exhibit M)(Skankey, Stacy) (Entered: 05/03/2024)
05/24/2024	<u>16</u>	ANSWER to <u>14</u> Amended Complaint., by United States Department of Education.(Gray, Victoria) (Entered: 05/24/2024)
05/24/2024	<u>17</u>	SCHEDULING ORDER: The deadline for filing dispositive motions will be Wednesday, 9/4/2024. If no dispositive motions have been filed, the parties shall file a written joint status report with the Court on this date. If neither a dispositive motion nor a joint status report has been filed by the above date, the Court will dismiss this case without further notice or will provide other such relief as the Court deems appropriate. Signed by Senior Judge Stephen M McNamee on 5/24/2024. (KJ)

		(Entered: 05/24/2024)
07/26/2024	<u>18</u>	MOTION for Summary Judgment by Barry Goldwater Institute for Public Policy Research. (Skankey, Stacy) (Entered: 07/26/2024)
07/26/2024	<u>19</u>	STATEMENT OF FACTS re: <u>18</u> MOTION for Summary Judgment by Plaintiff Barry Goldwater Institute for Public Policy Research. (Skankey, Stacy) (Entered: 07/26/2024)
08/23/2024	<u>20</u>	First MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION for Summary Judgment (<i>Unopposed</i>) by United States Department of Education. (Attachments: # <u>1</u> Proposed Order)(Gray, Victoria) (Entered: 08/23/2024)
08/26/2024	<u>21</u>	ORDER granting the Unopposed Motion (Doc. <u>20</u>). IT IS FURTHER ORDERED allowing Defendant up to and including 8/30/2024 to respond to Plaintiff's Motion for Summary Judgment (Doc. <u>18</u>). Signed by Senior Judge Stephen M McNamee on 8/26/2024. (KJ) (Entered: 08/26/2024)
08/30/2024	<u>22</u>	*RESPONSE to Motion re: <u>18</u> MOTION for Summary Judgment, CROSS-MOTION for Summary Judgment filed by United States Department of Education. (Gray, Victoria) *Added motion part on 9/3/2024 (KJ). (Entered: 08/30/2024)
08/30/2024	<u>23</u>	STATEMENT OF FACTS re: <u>22</u> Response to Motion for Summary Judgment (<i>Controverting and Separate</i>) by Defendant United States Department of Education. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Vaughn Index)(Gray, Victoria) (Entered: 08/30/2024)
09/09/2024	<u>24</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION for Summary Judgment by Barry Goldwater Institute for Public Policy Research. (Attachments: # <u>1</u> Proposed Order)(Skankey, Stacy) (Entered: 09/09/2024)
09/09/2024	<u>25</u>	ORDER granting the Unopposed Motion. (Doc. <u>24</u>). IT IS FURTHER ORDERED allowing Plaintiff up to and including 9/30/2024 to file a Reply in support of Plaintiff's Motion for Summary Judgment. Signed by Senior Judge Stephen M McNamee on 9/9/2024. (KJ) (Entered: 09/09/2024)