

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:24-cv-00700-TJK**

JUDICIAL WATCH, INC. v. U.S. DEPARTMENT OF  
JUSTICE

Assigned to: Judge Timothy J. Kelly

Related Case: 1:24-cv-00961-TJK

Cause: 05:552 Freedom of Information Act

**Plaintiff**

**JUDICIAL WATCH, INC.**

Date Filed: 03/11/2024

Jury Demand: None

Nature of Suit: 895 Freedom of  
Information Act

Jurisdiction: U.S. Government Defendant

represented by **Michael Bekesha**  
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**Plaintiff**

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**Plaintiff**

**MIKE HOWELL**

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**Samuel Everett Dewey**  
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**Plaintiff**

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**Plaintiff**

**CBS BROADCASTING INC.**

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**Plaintiff**

**REUTERS NEWS & MEDIA, INC.**

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**Plaintiff**

**DOW JONES & COMPANY**

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**Plaintiff**

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**Plaintiff**

**BLOOMBERG L.P.**

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**Plaintiff**

**E.W. SCRIPPS COMPANY**

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**Plaintiff**

**UNIVISION NETWORKS &  
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**Plaintiff**

**RADIO TELEVISION DIGITAL  
NEWS ASSOCIATION**

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**Plaintiff**

**AMERICAN BROADCASTING  
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**Plaintiff**

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**Plaintiff**

**ASSOCIATED PRESS**

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**Plaintiff**

**INSIDER, INC.**

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V.

**Defendant**

**U.S. DEPARTMENT OF JUSTICE**

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Date Filed	#	Docket Text
03/11/2024	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF JUSTICE ( Filing fee \$ 405 receipt number ADCDC-10747917) filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons U.S. Department of Justice, # <u>3</u> Summons U.S. Attorney General, # <u>4</u> Summons U.S. Attorney)(Bekesha, Michael) (Entered: 03/11/2024)
03/11/2024	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by JUDICIAL WATCH, INC. (Bekesha, Michael) (Entered: 03/11/2024)
03/13/2024		Case Assigned to Judge Timothy J. Kelly. (mg) (Entered: 03/13/2024)
03/13/2024	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(mg) (Entered: 03/13/2024)
04/10/2024	<u>4</u>	ENTERED IN ERROR.....RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/14/2024. ( Answer due for ALL FEDERAL DEFENDANTS by 4/13/2024.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/8/2024., RETURN OF SERVICE/AFFIDAVIT of Summons and

		Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 4/8/2024 (Attachments: # <u>1</u> Declaration of Cristina Rotaru)(Blankenberg, Kathryn) Modified on 4/10/2024, pursuant to Counsel (mg). (Entered: 04/10/2024)
04/10/2024	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/14/2024. ( Answer due for ALL FEDERAL DEFENDANTS by 4/13/2024.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/8/2024., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 4/8/2024 (Attachments: # <u>1</u> Declaration of Cristina Rotaru)(Bekesha, Michael) Modified to add defendant served on 4/11/2024 (znmw). (Entered: 04/10/2024)
04/15/2024	<u>6</u>	ANSWER to Complaint by U.S. DEPARTMENT OF JUSTICE.(Abbuhl, Joshua) (Entered: 04/15/2024)
04/16/2024		MINUTE ORDER: Before the Court in this FOIA case is a complaint and an answer. It is hereby ORDERED that the parties shall meet, confer, and file, by April 30, 2024, a joint proposed schedule for briefing or disclosure. Signed by Judge Timothy J. Kelly on 4/16/2024. (lctjk2) (Entered: 04/16/2024)
04/18/2024	<u>7</u>	MOTION to Consolidate Cases by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order)(Abbuhl, Joshua) (Entered: 04/18/2024)
04/22/2024	<u>8</u>	MOTION for Extension of Time to <i>File Schedule</i> by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Abbuhl, Joshua) (Entered: 04/22/2024)
04/23/2024	<u>9</u>	Memorandum in opposition to re <u>8</u> Motion for Extension of Time to filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Bekesha, Michael) (Entered: 04/23/2024)
04/24/2024	<u>10</u>	Emergency MOTION Oral Argument re <u>7</u> MOTION to Consolidate Cases by HERITAGE FOUNDATION, MIKE HOWELL. (Dewey, Samuel) Modified event on 4/24/2024 (znmw). (Entered: 04/24/2024)
04/24/2024	<u>11</u>	DECLARATION of Samuel Everett Dewey by HERITAGE FOUNDATION, MIKE HOWELL re <u>10</u> Emergency MOTION Oral Argument re <u>7</u> MOTION to Consolidate Cases . (Attachments: # <u>1</u> Exhibit Dewey Decl. Ex. 1, # <u>2</u> Exhibit Dewey Decl. Ex. 2, # <u>3</u> Exhibit Dewey Decl. Ex. 3, # <u>4</u> Exhibit Dewey Decl. Ex. 4, # <u>5</u> Exhibit Dewey Decl. Ex. 5, # <u>6</u> Exhibit Dewey Decl. Ex. 6)(Dewey, Samuel) (Entered: 04/24/2024)
04/25/2024		MINUTE ORDER denying Defendant's <u>8</u> Motion to Extend Deadline to File Schedule, and denying without prejudice Heritage Plaintiffs' <u>10</u> Emergency Motion for Oral Argument on Motion to Consolidate. On April 16, 2024, the Court ordered the parties in this case to meet, confer, and file a joint proposed schedule for briefing or disclosure by April 30, 2024. Two days later, Defendant filed a <u>7</u> Motion to Consolidate Cases with two separate cases against Defendant involving similar FOIA requests. Then, on April 22, 2024, Defendant moved to extend the Courts April 30 deadline, arguing that until the Court rules on the motion to consolidate, it will not know whether it is necessary to also confer with the plaintiffs in those cases. However, the motion to consolidate depends, in part, on the outcome of the conferral between Defendant and Plaintiff. As Plaintiff explains in its opposition, if Defendant intends to produce the material requested, then Plaintiff anticipates dismissing the case, and if Defendant does not intend to produce the material, then Plaintiff has no objection to consolidating the cases and establishing a briefing schedule for all parties. Accordingly, the Court finds that there is no good cause for an extension based on the pending motion to consolidate—in fact, if the parties meet, confer, and file a joint proposed schedule for briefing or disclosure according to the current schedule in place, that will aid in the resolution of that motion. Thus, it is hereby ORDERED that Defendant's <u>8</u> Motion to Extend Deadline to File Schedule is DENIED. For these same reasons, the Court will also deny the Heritage Plaintiffs' <u>10</u> Emergency Motion for Oral Argument on Motion to Consolidate, without prejudice to its refiling should the Court need to decide the motion to consolidate. Signed by Judge Timothy J. Kelly on 4/25/2024. (lctjk2) (Entered: 04/25/2024)

04/30/2024	<u>12</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Abbuhl, Joshua) (Entered: 04/30/2024)
05/02/2024	<u>13</u>	NOTICE by HERITAGE FOUNDATION, MIKE HOWELL re <u>7</u> Motion to Consolidate Cases (Dewey, Samuel) (Entered: 05/02/2024)
05/02/2024	<u>14</u>	DECLARATION of Samuel Everett Dewey by HERITAGE FOUNDATION, MIKE HOWELL re <u>13</u> Notice (Other). (Attachments: # <u>1</u> Exhibit 1)(Dewey, Samuel) (Entered: 05/02/2024)
05/03/2024	<u>15</u>	RESPONSE re <u>13</u> Notice (Other) Filed By Heritage Foundation Concerning Briefing Schedule filed by U.S. DEPARTMENT OF JUSTICE. (Abbuhl, Joshua) (Entered: 05/03/2024)
05/03/2024		MINUTE ORDER granting Defendant's <u>7</u> Motion to Consolidate Cases. Defendant seeks consolidation of this case with case numbers 24-cv-960 and 24-cv-961. All three FOIA cases were brought against Defendant and seek the same records, and none of the plaintiffs oppose the motion. <i>See</i> ECF No. 7 at 5 n.2; ECF No. 12 at 1. Under Local Civil Rule 40.5(d), "[m]otions to consolidate cases assigned to different judges of this Court shall be heard and determined by the judge to whom the earlier-numbered case is assigned," which is this Court. Upon consideration of the "common question[s] of law [and] fact," Fed. R. Civ. P. 42(a), between these three cases, the Court finds that consolidation serves the interests of judicial economy, will not result in confusion or prejudice, and avoids the risk of inconsistent rulings. <i>See Nat'l Sec. Counselors v. CIA</i> , 322 F.R.D. 41, 43 (D.D.C. 2017); <i>Judicial Watch, Inc. v. U.S. Dep't of Energy</i> , 207 F.R.D. 8, 8-9 (D.D.C. 2002). Accordingly, it is hereby ORDERED that (1) <i>Judicial Watch, Inc. v. DOJ</i> (24-cv-700), <i>Heritage Foundation v. DOJ</i> (24-cv-960), and <i>Cable News Network, Inc. v. DOJ</i> (24-cv-961) are CONSOLIDATED before this Court; (2) all pleadings, motions, or other papers relating to the consolidated cases shall be filed only on the docket for case number 24-cv-700; (3) the Clerk shall administratively close case numbers 24-cv-960 and 24-cv-961, and transfer the parties to case number 24-cv-700; and (4) the parties shall NOT elect to spread text when filing on ECF, as this will result in repetitive docketing. It is further ORDERED that by May 6, 2024, Plaintiff Cable News Network, Inc. shall file a notice advising the Court as to its proposed briefing schedule for further proceedings. It is further ORDERED that Defendant shall promptly furnish counsel for Plaintiff Cable News Network, Inc. with a copy of this order. Signed by Judge Timothy J. Kelly on 5/3/2024. (lctjk2) (Entered: 05/03/2024)
05/03/2024	<u>16</u>	NOTICE of Appearance by Daniel D. Mauler on behalf of HERITAGE FOUNDATION, MIKE HOWELL (Mauler, Daniel) (Entered: 05/03/2024)
05/03/2024	<u>17</u>	NOTICE of Appearance by Eric Neal Cornett on behalf of HERITAGE FOUNDATION, MIKE HOWELL (Cornett, Eric) (Entered: 05/03/2024)
05/03/2024	<u>18</u>	REPLY re <u>15</u> Response to Document <i>Notice on Motion to Consolidate</i> filed by HERITAGE FOUNDATION, MIKE HOWELL. (Cornett, Eric) (Entered: 05/03/2024)
05/03/2024	<u>19</u>	DECLARATION of Eric Neal Cornett by HERITAGE FOUNDATION, MIKE HOWELL re <u>18</u> Reply to Document. (Attachments: # <u>1</u> Exhibit)(Cornett, Eric) (Entered: 05/03/2024)
05/03/2024		Cases Consolidated: The following cases have been consolidated with this case: 24cv960 and 24cv961 pursuant to Minute Order on Motion to Consolidate Cases. From this date forward, all pleadings shall be filed ONLY in this case. Parties are advised NOT to elect the SPREAD TEXT option when filing in ECF, as this will result in repetitive docketing. (znmw) (Entered: 05/07/2024)
05/06/2024	<u>20</u>	NOTICE by CABLE NEWS NETWORK, INC. re Order on Motion to Consolidate Cases,,,,,,,,, Set/Reset Deadlines,,,,,,,, (Tobin, Charles) (Entered: 05/06/2024)
05/06/2024	<u>21</u>	NOTICE of Appearance by Charles D. Tobin on behalf of CABLE NEWS NETWORK, INC. (Tobin, Charles) (Entered: 05/06/2024)
05/06/2024	<u>22</u>	NOTICE of Appearance by Kyle Brosnan on behalf of HERITAGE FOUNDATION, MIKE HOWELL (Brosnan, Kyle) (Entered: 05/06/2024)

05/06/2024	<u>23</u>	NOTICE of Appearance by Max Taylor Matheu on behalf of HERITAGE FOUNDATION, MIKE HOWELL (Matheu, Max) (Entered: 05/06/2024)
05/06/2024		MINUTE ORDER: Upon consideration of the parties' various proposed briefing schedules, ECF No. 12 at 2–3; ECF No. 13 at 4; ECF No. 20 at 1, it is hereby ORDERED that the following schedule shall govern further proceedings: Defendant shall file its motion for summary judgment by May 31, 2024; Plaintiffs shall file their oppositions to Defendant's motion for summary judgment and their cross–motions for summary judgment by June 21, 2024; Defendant shall file its replies in support of its motion for summary judgment and its oppositions to Plaintiffs' cross–motions by July 15, 2024; and Plaintiffs shall file their replies in support of their cross–motions by July 29, 2024. Signed by Judge Timothy J. Kelly on 5/6/2024. (lctjk2) (Entered: 05/06/2024)
05/08/2024	<u>24</u>	ANSWER to Complaint of <i>Cable News Network, Inc.</i> by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> CNN Complaint)(Abbuhl, Joshua) (Entered: 05/08/2024)
05/13/2024	<u>25</u>	ANSWER to Complaint of <i>the Heritage Foundation and Mike Howell</i> by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Heritage Foundation Complaint)(Abbuhl, Joshua) (Entered: 05/13/2024)
05/15/2024	<u>26</u>	AMENDED COMPLAINT against U.S. DEPARTMENT OF JUSTICE filed by CABLE NEWS NETWORK, INC., CBS BROADCASTING INC., REUTERS NEWS & MEDIA, INC., DOW JONES & COMPANY, WP COMPANY LLC, BLOOMBERG L.P., THE E.W. SCRIPPS COMPANY, UNIVISION NETWORKS & STUDIOS, INC., RADIO TELEVISION DIGITAL NEWS ASSOCIATION, AMERICAN BROADCASTING COMPANIES, INC., NBCUNIVERSAL MEDIA, LLC, THE ASSOCIATED PRESS, INSIDER, INC.. (Attachments: # <u>1</u> Exhibit A – X)(Tobin, Charles) (Entered: 05/15/2024)
05/15/2024	<u>27</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN BROADCASTING COMPANIES, INC., BLOOMBERG L.P., CBS BROADCASTING INC., DOW JONES & COMPANY, INSIDER, INC., NBCUNIVERSAL MEDIA, LLC, RADIO TELEVISION DIGITAL NEWS ASSOCIATION, REUTERS NEWS & MEDIA, INC., THE ASSOCIATED PRESS, THE E.W. SCRIPPS COMPANY, UNIVISION NETWORKS & STUDIOS, INC., WP COMPANY LLC (Tobin, Charles) (Entered: 05/15/2024)
05/17/2024	<u>28</u>	Emergency MOTION to Modify Briefing Schedule re Order,, Set Deadlines,, by HERITAGE FOUNDATION, MIKE HOWELL. (Dewey, Samuel) Modified event on 5/20/2024 (znmw). (Entered: 05/17/2024)
05/17/2024	<u>29</u>	DECLARATION by HERITAGE FOUNDATION, MIKE HOWELL re <u>28</u> Emergency MOTION Modify Briefing Schedule re Order,, Set Deadlines,, . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Dewey, Samuel) (Entered: 05/17/2024)
05/19/2024	<u>30</u>	Memorandum in opposition to re <u>28</u> Motion to Modify Briefing Schedule filed by U.S. DEPARTMENT OF JUSTICE. (Abbuhl, Joshua) Modified docket text on 5/20/2024 (znmw). (Entered: 05/19/2024)
05/20/2024	<u>31</u>	REPLY to opposition to motion re <u>28</u> Emergency MOTION Modify Briefing Schedule re Order,, Set Deadlines,, filed by HERITAGE FOUNDATION, MIKE HOWELL. (Dewey, Samuel) (Entered: 05/20/2024)
05/20/2024		NOTICE OF ERROR re <u>29</u> Declaration; emailed to samueledewey@sedchambers.com, cc'd 14 associated attorneys -- The PDF file you docketed contained errors: 1. <b>Please note the following for future filings; do not refile document</b> , 2. Future filings may be ENTERED IN ERROR, 3. Declarations and all supporting documents must be attachments to the motion or main document entry, not filed separately. (znmw, ) (Entered: 05/20/2024)
05/21/2024		MINUTE ORDER denying Plaintiff Heritage Foundation's <u>28</u> Emergency Motion to Modify Briefing Schedule. In these consolidated FOIA cases, Plaintiffs seek an audio recording of an interview of President Biden with Special Counsel Robert K. Hur. On May 6, 2024, after receiving the parties' various proposed briefing schedules, the Court entered a briefing schedule that balanced the need to move the case forward expeditiously for Plaintiffs while providing the parties adequate time to prepare their

		<p>cross-motions and related submissions. <i>Cf. United States v. Taylor</i>, No. 13-cr-67 (BAH), 2020 WL 6146787, at *5 n.3 (D.D.C. Oct. 20, 2020) (describing a court's duty "to ensure that both parties have the opportunity to fully present their positions to the Court, giving the Court the ability to rely on thoughtful briefs in making its decision on the pending motion") (internal quotations omitted). Under that schedule, the Government's motion for summary judgment is due in eight business days, and briefing will be completed by July 29, 2024. A few days ago, Plaintiff Heritage Foundation moved to modify that briefing schedule, requesting that the Government's motion be due four days earlier, and on a federal holiday to boot; its schedule would have briefing completed by July 1, 2024. Heritage argues that modification of the briefing schedule is warranted because President Biden asserted executive privilege over the relevant audio recordings in response to congressional subpoenas, which somehow shows that the Government does not need much time to prepare its briefing in this case. <i>See</i> ECF No. 28 at 3-4. The Court disagrees. While the President's assertion of executive privilege is obviously relevant, Heritage has not demonstrated that the assertion of executive privilege substantially lessens the Government's obligations in preparing its summary judgment motion and other filings in this case. The Government must still develop and brief FOIA arguments and prepare declarations that have nothing to do with executive privilege. Indeed, that the President has invoked executive privilege may increase the complexity of the Government's task. Moreover, not only is Heritage's proposal objectionable to the Government, but even Judicial Watch—a fellow plaintiff—has represented that complying with it would be "extremely difficult." ECF No. 28 at 6 n.1. In the end, nothing in Heritage's motion suggests that any change to the briefing schedule is necessary. Thus, it is hereby ORDERED that Heritage's <u>28</u> Emergency Motion to Modify Briefing Schedule is DENIED. Signed by Judge Timothy J. Kelly on 5/21/2024. (lctjk2) (Entered: 05/21/2024)</p>
05/29/2024	<u>32</u>	ANSWER to <u>26</u> Amended Complaint, of <i>Media Plaintiffs</i> by U.S. DEPARTMENT OF JUSTICE.(Abbuhl, Joshua) (Entered: 05/29/2024)
05/31/2024	<u>33</u>	NOTICE of Appearance by Elizabeth J. Shapiro on behalf of U.S. DEPARTMENT OF JUSTICE (Shapiro, Elizabeth) (Entered: 05/31/2024)
05/31/2024	<u>34</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Weinsheimer Declaration, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Statement of Facts, # <u>10</u> Text of Proposed Order)(Abbuhl, Joshua) (Entered: 05/31/2024)
06/21/2024	<u>35</u>	Memorandum in opposition to re <u>34</u> Motion for Summary Judgment, filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Text of Proposed Order)(Bekesha, Michael) (Entered: 06/21/2024)
06/21/2024	<u>36</u>	Cross MOTION for Summary Judgment by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order)(Bekesha, Michael) (Entered: 06/21/2024)
06/21/2024	<u>37</u>	Memorandum in opposition to re <u>34</u> Motion for Summary Judgment, filed by AMERICAN BROADCASTING COMPANIES, INC., ASSOCIATED PRESS, BLOOMBERG L.P., CABLE NEWS NETWORK, INC., CBS BROADCASTING INC., DOW JONES & COMPANY, E.W. SCRIPPS COMPANY, INSIDER, INC., NBCUNIVERSAL MEDIA, LLC, RADIO TELEVISION DIGITAL NEWS ASSOCIATION, REUTERS NEWS & MEDIA, INC.. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of Charles B. Tobin, # <u>4</u> Exhibit A to Tobin Declaration, # <u>5</u> Exhibit B to Tobin Declaration, # <u>6</u> Exhibit C to Tobin Declaration, # <u>7</u> Exhibit D to Tobin Declaration, # <u>8</u> Exhibit E to Tobin Declaration, # <u>9</u> Exhibit F to Tobin Declaration, # <u>10</u> Exhibit G to Tobin Declaration, # <u>11</u> Exhibit H to Tobin Declaration, # <u>12</u> Exhibit I to Tobin Declaration, # <u>13</u> Exhibit J to Tobin Declaration, # <u>14</u> Text of Proposed Order)(Tobin, Charles) (Entered: 06/21/2024)
06/21/2024	<u>38</u>	Cross MOTION for Summary Judgment by AMERICAN BROADCASTING COMPANIES, INC., ASSOCIATED PRESS, BLOOMBERG L.P., CABLE NEWS NETWORK, INC., CBS BROADCASTING INC., DOW JONES & COMPANY, E.W. SCRIPPS COMPANY, INSIDER, INC., NBCUNIVERSAL MEDIA, LLC,



		RADIO TELEVISION DIGITAL NEWS ASSOCIATION, REUTERS NEWS & MEDIA, INC., UNIVISION NETWORKS & STUDIOS, INC., WP COMPANY LLC. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of Charles B. Tobin, # <u>4</u> Exhibit A to Tobin Declaration, # <u>5</u> Exhibit B to Tobin Declaration, # <u>6</u> Exhibit C to Tobin Declaration, # <u>7</u> Exhibit D to Tobin Declaration, # <u>8</u> Exhibit E to Tobin Declaration, # <u>9</u> Exhibit F to Tobin Declaration, # <u>10</u> Exhibit G to Tobin Declaration, # <u>11</u> Exhibit H to Tobin Declaration, # <u>12</u> Exhibit I to Tobin Declaration, # <u>13</u> Exhibit J to Tobin Declaration, # <u>14</u> Text of Proposed Order)(Tobin, Charles) (Entered: 06/21/2024)
06/21/2024	<u>39</u>	Memorandum in opposition to re <u>34</u> Motion for Summary Judgment, filed by HERITAGE FOUNDATION, MIKE HOWELL. (Dewey, Samuel) (Entered: 06/21/2024)
06/21/2024	<u>40</u>	Cross MOTION for Summary Judgment by HERITAGE FOUNDATION, MIKE HOWELL. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of the Hon. Michael B. Mukasey, # <u>4</u> Declaration of Jerry Hatchett, # <u>5</u> Exhibit Ex. 1 to Hatchett Decl., # <u>6</u> Text of Proposed Order)(Dewey, Samuel) (Entered: 06/21/2024)
06/21/2024	<u>41</u>	DECLARATION of Eric Neal Cornett by HERITAGE FOUNDATION, MIKE HOWELL re <u>40</u> MOTION for Summary Judgment . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31, # <u>32</u> Exhibit 32, # <u>33</u> Exhibit 33, # <u>34</u> Exhibit 34, # <u>35</u> Exhibit 35, # <u>36</u> Exhibit 36, # <u>37</u> Exhibit 37, # <u>38</u> Exhibit 38, # <u>39</u> Exhibit 39, # <u>40</u> Exhibit 40)(Dewey, Samuel) (Entered: 06/21/2024)
06/21/2024	<u>42</u>	DECLARATION of Max Taylor Matheu by HERITAGE FOUNDATION, MIKE HOWELL re <u>40</u> MOTION for Summary Judgment . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10 Part 1, # <u>11</u> Exhibit 10 Part 2, # <u>12</u> Exhibit 10 Part 3, # <u>13</u> Exhibit 10 Part 4, # <u>14</u> Exhibit 10 Part 5, # <u>15</u> Exhibit 11, # <u>16</u> Exhibit 12, # <u>17</u> Exhibit 13, # <u>18</u> Exhibit 14)(Dewey, Samuel) (Entered: 06/21/2024)
07/08/2024	<u>43</u>	MOTION for Extension of Time to File Response/Reply in support of Department of Justice's Motion for Summary Judgment (Relief Partially Unopposed) by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Abbuhl, Joshua) (Entered: 07/08/2024)
07/10/2024		MINUTE ORDER granting Defendant's <u>43</u> Partially Unopposed Motion for Extension of Time. Upon consideration of Defendant's <u>43</u> Motion, it is hereby ORDERED that the Motion is GRANTED. It is further ORDERED that Defendant shall file its replies in support of its motion for summary judgment and its oppositions to Plaintiffs' cross-motions by July 18, 2024. It is further ORDERED that Plaintiffs shall file their replies in support of their cross-motions by August 1, 2024. Signed by Judge Timothy J. Kelly on 7/10/2024. (lctjk2) (Entered: 07/10/2024)
07/18/2024	<u>44</u>	Unopposed MOTION for Leave to File Excess Pages by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Abbuhl, Joshua) (Entered: 07/18/2024)
07/18/2024	<u>45</u>	REPLY to opposition to motion re <u>34</u> MOTION for Summary Judgment filed by U.S. DEPARTMENT OF JUSTICE. (Abbuhl, Joshua) (Entered: 07/18/2024)
07/18/2024	<u>46</u>	Memorandum in opposition to re <u>40</u> Motion for Summary Judgment, <u>38</u> Motion for Summary Judgment,, <u>36</u> Motion for Summary Judgment filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Response to Judicial Watch Statement of Facts, # <u>2</u> Response to Media Plaintiffs Statement of Facts, # <u>3</u> Response to Heritage Statement of Facts)(Abbuhl, Joshua) (Entered: 07/18/2024)
07/22/2024		MINUTE ORDER granting Defendant's <u>44</u> Unopposed Motion for Enlargement of Page limit. Upon consideration of Defendant's <u>44</u> Unopposed Motion, and for good cause shown, it is hereby ORDERED that the Unopposed Motion is GRANTED. It is

		further ORDERED that the page limit for Defendant's Combined Opposition to Plaintiffs' Motions for Summary Judgment and Reply in Support of Defendant's Motion for Summary Judgment shall be enlarged to 50 pages. Signed by Judge Timothy J. Kelly on 7/22/2024. (lctjk2) (Entered: 07/22/2024)
07/29/2024	<u>47</u>	REPLY to opposition to motion re <u>36</u> Cross MOTION for Summary Judgment filed by JUDICIAL WATCH, INC.. (Bekesha, Michael) (Entered: 07/29/2024)
08/01/2024	<u>48</u>	REPLY to opposition to motion re <u>38</u> Cross MOTION for Summary Judgment filed by AMERICAN BROADCASTING COMPANIES, INC., ASSOCIATED PRESS, BLOOMBERG L.P., CABLE NEWS NETWORK, INC., CBS BROADCASTING INC., DOW JONES & COMPANY, E.W. SCRIPPS COMPANY, INSIDER, INC., NBCUNIVERSAL MEDIA, LLC, RADIO TELEVISION DIGITAL NEWS ASSOCIATION, REUTERS NEWS & MEDIA, INC., UNIVISION NETWORKS & STUDIOS, INC., WP COMPANY LLC. (Tobin, Charles) (Entered: 08/01/2024)
08/01/2024	<u>49</u>	REPLY to opposition to motion re <u>40</u> MOTION for Summary Judgment filed by HERITAGE FOUNDATION, MIKE HOWELL. (Dewey, Samuel) (Entered: 08/01/2024)
08/07/2024	<u>50</u>	NOTICE of Appearance by Paul Clement on behalf of HERITAGE FOUNDATION, MIKE HOWELL (Clement, Paul) (Entered: 08/07/2024)
08/07/2024	<u>51</u>	NOTICE of Appearance by Erin Elizabeth Murphy on behalf of HERITAGE FOUNDATION, MIKE HOWELL (Murphy, Erin) (Entered: 08/07/2024)
08/07/2024	<u>52</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– James Y. Xi, Filing fee \$ 100, receipt number ADCDC–11077200. Fee Status: Fee Paid. by HERITAGE FOUNDATION, MIKE HOWELL. (Attachments: # <u>1</u> Declaration, # <u>2</u> Certificate of Good Standing)(Clement, Paul) (Entered: 08/07/2024)
08/08/2024		MINUTE ORDER granting Plaintiffs Heritage Foundation and Mike Howell's <u>52</u> Motion for Leave to Appear Pro Hac Vice. Attorney James Y. Xi is hereby admitted pro hac vice on behalf of Plaintiffs Heritage Foundation and Mike Howell. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a) <a href="#">Click for instructions</a>.</b> Signed by Judge Timothy J. Kelly on 8/8/2024. (lctjk2) (Entered: 08/08/2024)
08/08/2024	<u>53</u>	NOTICE of Appearance by James Xi on behalf of HERITAGE FOUNDATION, MIKE HOWELL (Xi, James) (Entered: 08/08/2024)