

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:24-cv-00816-BAH**

DEFENSE OF FREEDOM INSTITUTE FOR POLICY STUDIES, INC. v. US DEPARTMENT OF EDUCATION
Assigned to: Judge Beryl A. Howell
Case in other court: Florida Middle, 6:23-cv-01695
Cause: 05:552 Freedom of Information Act

Date Filed: 03/21/2024
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**DEFENSE OF FREEDOM
INSTITUTE FOR POLICY STUDIES,
INC.**

represented by **Martha Astor**
DEFENSE OF FREEDOM INSTITUTE
1455 Pennsylvania Avenue, NW
Suite 400
Washington, DC 20004
321-390-2707
Email: martha.astor@dfipolicy.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Donald Albert Daugherty , Jr
DONALD A. DAUGHERTY, JR.
851 West Heather Lane
River Hills, WI 53217
414-559-6902
Email: don.daugherty@dfipolicy.org
ATTORNEY TO BE NOTICED

V.

Defendant

US DEPARTMENT OF EDUCATION

represented by **Kaitlin Kerry Eckrote**
DOJ-USAO
Civil Division
601 D Street NW
Room 7.1525
Washington DC, DC 20530
202-252-2485
Email: kaitlin.eckrote@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/05/2023	<u>1</u>	COMPLAINT against Defense of Freedom Institute for Policy Studies, Inc. (Filing fee \$402 receipt number AFLMDC-21213759) filed by Defense of Freedom Institute for Policy Studies, Inc. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Proposed Summons, # <u>3</u> Exhibits A-1 through B-4)(Astor, Martha) [Transferred from Florida Middle on 3/21/2024.] (Entered: 09/05/2023)
09/05/2023	2	NEW CASE ASSIGNED to Judge Roy B. Dalton, Jr. and Magistrate Judge Embry J. Kidd. New case number: 6:23-cv-1695-RBD-EJK. (ARC) [Transferred from Florida Middle on 3/21/2024.] (Entered: 09/05/2023)
09/05/2023	<u>3</u>	MOTION for Donald A. Daugherty, Jr. to appear pro hac vice, Special Admission fee paid, Receipt No. AFLMDC-21217009 for \$150 by Defense of Freedom Institute for Policy Studies, Inc.. (Astor, Martha) Motions referred to Magistrate Judge Embry J. Kidd. [Transferred from Florida Middle on 3/21/2024.] (Entered: 09/05/2023)

09/05/2023	<u>4</u>	NOTICE of a related action per Local Rule 1.07(c) by Defense of Freedom Institute for Policy Studies, Inc.. Related case(s): Yes (Astor, Martha) [Transferred from Florida Middle on 3/21/2024.] (Entered: 09/05/2023)
09/05/2023	<u>5</u>	CORPORATE Disclosure Statement by Defense of Freedom Institute for Policy Studies, Inc. identifying Corporate Parent Defense of Freedom Institute for Policy Studies, Inc. for Defense of Freedom Institute for Policy Studies, Inc... (Astor, Martha) [Transferred from Florida Middle on 3/21/2024.] (Entered: 09/05/2023)
09/06/2023	<u>6</u>	ORDER ON DISCOVERY MOTIONS. Signed by Magistrate Judge Embry J. Kidd on 9/6/2023. (JOR) [Transferred from Florida Middle on 3/21/2024.] (Entered: 09/06/2023)
09/06/2023	7	Remark: Doc. <u>5</u> has been reviewed. Signed by Judge Roy B. Dalton, Jr. on 9/6/2023. (JWG) [Transferred from Florida Middle on 3/21/2024.] (Entered: 09/06/2023)
09/06/2023	<u>8</u>	SUMMONS issued as to US Department of Education. (ABC) [Transferred from Florida Middle on 3/21/2024.] (Entered: 09/06/2023)
09/06/2023	<u>9</u>	ORDER granting <u>3</u> Plaintiff's Motion for Special Admission of Donald A. Daugherty, Jr. Signed by Magistrate Judge Embry J. Kidd on 9/6/2023. (RMN) [Transferred from Florida Middle on 3/21/2024.] (Entered: 09/06/2023)
09/11/2023	<u>10</u>	INITIAL ORDER re: Case Management and Deadlines. Signed by Judge Roy B. Dalton, Jr. on 9/11/2023. (ALL) [Transferred from Florida Middle on 3/21/2024.] (Entered: 09/11/2023)
09/18/2023	<u>11</u>	PROOF of service as to US Department of Education by Defense of Freedom Institute for Policy Studies, Inc. (Attachments: # <u>1</u> Mailing Envelope)(Astor, Martha) Modified text on 9/25/2023 (LNR). [Transferred from Florida Middle on 3/21/2024.] (Entered: 09/18/2023)
10/11/2023	<u>12</u>	NOTICE of Lead Counsel Designation by Martha Astor on behalf of Defense of Freedom Institute for Policy Studies, Inc. Lead Counsel: Martha A. Astor. (Astor, Martha) Modified on 10/11/2023 (CTR). [Transferred from Florida Middle on 3/21/2024.] (Entered: 10/11/2023)
10/11/2023	<u>13</u>	MOTION to Dismiss <u>1</u> Complaint <i>or, Alternatively, to Transfer Case</i> by All Defendants. (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)(Sowell, Robert) [Transferred from Florida Middle on 3/21/2024.] (Entered: 10/11/2023)
10/22/2023	<u>14</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>13</u> MOTION to Dismiss <u>1</u> Complaint <i>or, Alternatively, to Transfer Case</i> by Defense of Freedom Institute for Policy Studies, Inc.. (Astor, Martha) Motions referred to Magistrate Judge Embry J. Kidd. [Transferred from Florida Middle on 3/21/2024.] (Entered: 10/22/2023)
10/24/2023	<u>15</u>	NOTICE of WITHDRAWAL of motion re <u>14</u> Motion for Extension of Time to File Response/Reply filed by Defense of Freedom Institute for Policy Studies, Inc. by Defense of Freedom Institute for Policy Studies, Inc. (Astor, Martha) [Transferred from Florida Middle on 3/21/2024.] (Entered: 10/24/2023)
10/24/2023	16	ENDORSED ORDER denying as moot <u>14</u> Motion for Extension of Time, in light of the <u>15</u> Notice of Withdrawal. Signed by Magistrate Judge Embry J. Kidd on 10/24/2023. (Kidd, Embry) [Transferred from Florida Middle on 3/21/2024.] (Entered: 10/24/2023)
11/01/2023	<u>17</u>	RESPONSE in Opposition re <u>13</u> MOTION to Dismiss <u>1</u> Complaint <i>or, Alternatively, to Transfer Case</i> filed by Defense of Freedom Institute for Policy Studies, Inc.. (Attachments: # <u>1</u> Declaration, # <u>2</u> Declaration)(Astor, Martha) [Transferred from Florida Middle on 3/21/2024.] (Entered: 11/01/2023)
11/16/2023	<u>18</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>10</u> Order by US Department of Education. (Sowell, Robert) [Transferred from Florida Middle on 3/21/2024.] (Entered: 11/16/2023)

11/16/2023	<u>19</u>	NOTICE of a related action per Local Rule 1.07(c) by US Department of Education. Related case(s): Yes (Sowell, Robert) [Transferred from Florida Middle on 3/21/2024.] (Entered: 11/16/2023)
11/18/2023	<u>20</u>	MOTION for Miscellaneous Relief, specifically For Leave to File Reply in Support of <u>13</u> Motion to Dismiss by All Defendants. (Sowell, Robert) Motions referred to Magistrate Judge Embry J. Kidd. [Transferred from Florida Middle on 3/21/2024.] (Entered: 11/18/2023)
11/20/2023	21	Remark: Doc. <u>18</u> has been reviewed. Signed by Judge Roy B. Dalton, Jr. on 11/20/2023. (JWG) [Transferred from Florida Middle on 3/21/2024.] (Entered: 11/20/2023)
11/20/2023	22	ENDORSED ORDER granting <u>20</u> Motion. Defendant may file a reply of no more than six pages by Wednesday, November 22, 2023. Signed by Judge Roy B. Dalton, Jr. on 11/20/2023. (LLM) [Transferred from Florida Middle on 3/21/2024.] (Entered: 11/20/2023)
11/21/2023	<u>23</u>	REPLY to Response to Motion re <u>13</u> MOTION to Dismiss <u>1</u> Complaint <i>or, Alternatively, to Transfer Case</i> filed by US Department of Education. (Sowell, Robert) [Transferred from Florida Middle on 3/21/2024.] (Entered: 11/21/2023)
11/28/2023	<u>24</u>	It is ORDERED that the parties are DIRECTED to file a joint Case Management Report no later than December 11, 2023. Signed by Judge Roy B. Dalton, Jr. on 11/27/2023. (ALL) [Transferred from Florida Middle on 3/21/2024.] (Entered: 11/28/2023)
12/01/2023	<u>25</u>	Time Sensitive MOTION for Miscellaneous Relief, specifically for Relief from Case Management Report Requirement or, Alternatively, for Rule 16(b) Scheduling Conference by All Defendants. (Sowell, Robert) Motions referred to Magistrate Judge Embry J. Kidd. [Transferred from Florida Middle on 3/21/2024.] (Entered: 12/01/2023)
12/04/2023	<u>26</u>	RESPONSE in Opposition re <u>25</u> Time Sensitive MOTION for Miscellaneous Relief, specifically for Relief from Case Management Report Requirement or, Alternatively, for Rule 16(b) Scheduling Conference filed by Defense of Freedom Institute for Policy Studies, Inc. (Astor, Martha) Modified text on 12/5/2023 (GL). [Transferred from Florida Middle on 3/21/2024.] (Entered: 12/04/2023)
12/04/2023	<u>27</u>	ORDER pursuant to Local Rule 1.05(a), the Court orders this case be TRANSFERRED to U.S. District Judge Paul G. Byron, with his consent, in light of Case No. 6:23-cv-1515-PGB-EJK. Signed by Judge Roy B. Dalton, Jr. on 12/4/2023. (RPB) [Transferred from Florida Middle on 3/21/2024.] (Entered: 12/04/2023)
12/04/2023	28	Case Reassigned to Judge Paul G. Byron. New case number: 6:23-cv-1695-PGB-EJK. Judge Roy B. Dalton, Jr. no longer assigned to the case. (RPB) [Transferred from Florida Middle on 3/21/2024.] (Entered: 12/04/2023)
12/05/2023	<u>29</u>	ORDER granting <u>25</u> Time-Sensitive Motion for Relief from Case Management Report Requirement. The parties are relieved from their obligation to file a joint Case Management Report until further Order of the Court. See Order for further details. Signed by Judge Paul G. Byron on 12/5/2023. [Transferred from Florida Middle on 3/21/2024.] (Entered: 12/05/2023)
03/19/2024	<u>30</u>	ORDER granting <u>13</u> Motion to Dismiss for Improper Venue. The Clerk of Court is DIRECTED to transfer this matter to the District Court for the District of Columbia, where venue properly lies pursuant to 5 U.S.C. § 552(a)(4)(B), and close the case. See Order for further details. Signed by Judge Paul G. Byron on 3/19/2024. (ABD) [Transferred from Florida Middle on 3/21/2024.] (Entered: 03/19/2024)
03/21/2024	<u>31</u>	Case transferred in from District of Florida Middle; Case Number 6:23-cv-01695. Original file ,transfer order and docket sheet received. (Entered: 03/21/2024)
04/01/2024	<u>32</u>	NOTICE of Appearance by Kaitlin Kerry Eckrote on behalf of US DEPARTMENT OF EDUCATION (Eckrote, Kaitlin) (Entered: 04/01/2024)

04/02/2024	<u>33</u>	STANDING ORDER. Signed by Judge Beryl A. Howell on April 2, 2024. (lcbah2) (Entered: 04/02/2024)
04/12/2024	<u>34</u>	ANSWER to <u>1</u> Complaint, by US DEPARTMENT OF EDUCATION.(Eckrote, Kaitlin) (Entered: 04/12/2024)
04/26/2024	<u>35</u>	MEET AND CONFER STATEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Eckrote, Kaitlin) (Entered: 04/26/2024)
04/29/2024		MINUTE ORDER (paperless) DIRECTING the parties, upon consideration of their <u>35</u> Meet and Confer Statement, to file, by July 1, 2024, a joint status report, advising the Court of the status of this matter. Signed by Judge Beryl A. Howell on April 29, 2024. (lcbah1) (Entered: 04/29/2024)
04/29/2024		Set/Reset Deadlines: Parties Joint Status Report due by 7/1/2024 (mac) (Entered: 04/29/2024)
07/01/2024	<u>36</u>	Joint STATUS REPORT by DEFENSE OF FREEDOM INSTITUTE FOR POLICY STUDIES, INC.. (Astor, Martha) (Entered: 07/01/2024)
07/09/2024		MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>36</u> Joint Status report, the parties to submit, by August 30, 2024, a joint status report advising the Court whether any disputes remain between the parties, and if so, proposing a schedule for further proceedings. Signed by Judge Beryl A. Howell on July 9, 2024. (lcbah2) (Entered: 07/09/2024)
07/09/2024		Set/Reset Deadlines: Parties Joint Status Report due by 8/30/2024. (mac) (Entered: 07/09/2024)
08/30/2024	<u>37</u>	Joint STATUS REPORT by US DEPARTMENT OF EDUCATION. (Attachments: # <u>1</u> Text of Proposed Order)(Eckrote, Kaitlin) (Entered: 08/30/2024)
08/30/2024		MINUTE ORDER (paperless), upon consideration of the parties' <u>37</u> Joint Status Report, DIRECTING the parties to file, by October 29, 2024, and every 60 days thereafter, another joint status report advising the Court of the status of this matter, whether any disputes remain between the parties, and, if so, proposing a schedule to govern further proceedings. Signed by Judge Beryl A. Howell on August 30, 2024. (lcbah2) (Entered: 08/30/2024)
08/30/2024		Set/Reset Deadlines: Joint Status Report due by 10/29/2024. (zalh) (Entered: 08/30/2024)