

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:24-cv-00958-ACR**

HERITAGE FOUNDATION et al v. U.S. DEPARTMENT OF JUSTICE

Assigned to: Judge Ana C. Reyes

Lead case: [1:24-cv-00952-ACR](#)

Member case: ([View Member Case](#))

Related Case: [1:24-cv-00952-ACR](#)

Cause: 05:552 Freedom of Information Act

Date Filed: 04/03/2024

Date Terminated: 07/22/2024

Jury Demand: None

Nature of Suit: 895 Freedom of Information Act

Jurisdiction: Federal Question

Plaintiff

HERITAGE FOUNDATION

represented by **Eric Neal Cornett**
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Plaintiff

MIKE HOWELL

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Samuel Everett Dewey
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V.

Defendant

U.S. DEPARTMENT OF JUSTICE

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Date Filed	#	Docket Text
04/03/2024	<u>1</u>	ENTERED IN ERROR.....COMPLAINT against All Plaintiffs (Filing fee \$ 405 receipt number ADCDC-10804042) filed by HERITAGE FOUNDATION, MIKE HOWELL. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Civil Cover Sheet, # <u>5</u> Exhibit 1 Part 1, # <u>6</u> Exhibit 1 Part 2, # <u>7</u> Exhibit 2, # <u>8</u> Exhibit 3, # <u>9</u> Exhibit 4, # <u>10</u> Exhibit 5, # <u>11</u> Exhibit 6, # <u>12</u> Exhibit 7, # <u>13</u> Exhibit 8)(Dewey, Samuel) Modified on 4/4/2024 (zjm). (Entered: 04/03/2024)
04/04/2024	<u>2</u>	COMPLAINT against U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 405 receipt number ADCDC-10804042) filed by HERITAGE FOUNDATION, MIKE HOWELL. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Exhibit 1 Part 1, # <u>6</u> Exhibit 1 Part 2, # <u>7</u> Exhibit 2, # <u>8</u> Exhibit 3, # <u>9</u> Exhibit 4, # <u>10</u> Exhibit 5, # <u>11</u> Exhibit 6, # <u>12</u> Exhibit 7, # <u>13</u> Exhibit 8)(Dewey, Samuel) (Entered: 04/04/2024)
04/07/2024		Case Assigned to Judge Royce C. Lamberth. (zsl) (Entered: 04/07/2024)
04/08/2024	<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)(znmw) (Entered: 04/08/2024)
05/07/2024	<u>4</u>	NOTICE of Appearance by Max Taylor Matheu on behalf of All Plaintiffs (Matheu, Max) (Main Document 4 replaced on 5/7/2024) (zdp). (Entered: 05/07/2024)
05/13/2024	<u>5</u>	ANSWER to Complaint by U.S. DEPARTMENT OF JUSTICE.(Meyer, Robert) (Entered: 05/13/2024)
05/14/2024	<u>6</u>	ORDER: Local Rule 16.3(b)(10) exempts parties to a FOIA action from typical scheduling order requirements. Instead, the government has the burden to produce a Vaughn index with a supporting dispositive motion. The Court therefore ORDERS the government to file the index and supporting motion within 30 days. Signed by Judge Royce C. Lamberth on 5/14/2024. (lcrcl2) (Entered: 05/14/2024)
06/04/2024	<u>7</u>	MOTION for Extension of Time to File <i>Dispositive Motion</i> by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Meyer, Robert) (Entered: 06/04/2024)
06/05/2024	<u>8</u>	Memorandum in opposition to re <u>7</u> Motion for Extension of Time to File filed by HERITAGE FOUNDATION, MIKE HOWELL. (Dewey, Samuel) (Entered: 06/05/2024)
06/05/2024	<u>9</u>	DECLARATION of Samuel Everett Dewey by HERITAGE FOUNDATION, MIKE HOWELL re <u>8</u> Memorandum in Opposition. (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)(Dewey, Samuel) (Entered: 06/05/2024)

06/06/2024	<u>10</u>	NOTICE of Appearance by Eric Neal Cornett on behalf of All Plaintiffs (Cornett, Eric) (Main Document 10 replaced on 6/6/2024) (zdp). (Entered: 06/06/2024)
06/06/2024	<u>11</u>	REPLY to opposition to motion re <u>7</u> MOTION for Extension of Time to File <i>Dispositive Motion</i> filed by U.S. DEPARTMENT OF JUSTICE. (Meyer, Robert) (Entered: 06/06/2024)
06/11/2024	<u>12</u>	Case directly reassigned to Judge Ana C. Reyes as there is an earlier related case. Judge Royce C. Lamberth is no longer assigned to the case. (rj) (Entered: 06/11/2024)
06/11/2024	<u>13</u>	STANDING ORDER. The Court hereby ORDERS the parties to comply with its Standing Order. See Standing Order for details. Signed by Judge Ana C. Reyes on 6/11/2024. (lcsj) (Entered: 06/11/2024)
06/11/2024	<u>14</u>	MOTION for Extension of Time to <i>File Dispositive Motion</i> by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Meyer, Robert) (Entered: 06/11/2024)
06/11/2024	<u>15</u>	Memorandum in opposition to re <u>14</u> Motion for Extension of Time to filed by HERITAGE FOUNDATION, MIKE HOWELL. (Dewey, Samuel) (Entered: 06/11/2024)
06/11/2024		<p>MINUTE ORDER. The Court hereby GRANTS Defendant's <u>14</u> Motion for Extension of Time to File a Dispositive Motion. The Court further ORDERS that any dispositive motion in this case must comply with the pre-motion conference requirement described in section 7(f) of the Court's <u>13</u> Standing Order. Accordingly, Defendant shall file the pre-motion notice required by section 7(f) on or before June 27, 2024. Once Defendant files a notice, Plaintiff will have one week to respond. The Court ORDERS Counsel for both parties to contact Judge Reyes's Courtroom Deputy, Jonathan Hopkins (jonathan_hopkins@dcd.uscourts.gov), to schedule a pre-motion conference.</p> <p>The Court expects lawyers appearing before it to extend to each other professional courtesies. Standing Order § 6(a). Thus, the Court is baffled as to why Plaintiff contests a request for a <i>two-week</i> extension and spills eight pages of ink doing so. Plaintiff claims that "prejudice is real here" because of the ongoing Presidential Election and that early voting commences on September 26, 2024. Dkt. 8 at 8. Hardly. Such an extension will have no impact, much less a material impact, on early voting that is months away. Plaintiff's refusal to extend a basic courtesy forced the Government to expend resources on fully briefing a request for a <i>two-week</i> extension and this Court's time and attention in addressing a request for, again, a <i>two-week</i> extension. If counsel refuse to extend obvious professional courtesies in the future, the Court will enter a show cause order on sanctions. Signed by Judge Ana C. Reyes on 6/11/2024. (lcsj) (Entered: 06/11/2024)</p>
06/11/2024	<u>16</u>	DECLARATION by HERITAGE FOUNDATION, MIKE HOWELL re <u>14</u> MOTION for Extension of Time to <i>File Dispositive Motion</i> . (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)(Dewey, Samuel) (Entered: 06/11/2024)
06/11/2024		Set/Reset Deadlines: Pre-motion notice due by 6/27/2024. (zjch,) (Entered: 06/13/2024)
06/27/2024	<u>17</u>	NOTICE <i>Requesting a Pre-Motion Conference</i> by U.S. DEPARTMENT OF JUSTICE (Meyer, Robert) (Entered: 06/27/2024)
07/05/2024	<u>18</u>	RESPONSE re <u>17</u> Notice (Other) <i>Pre-Motion Conference</i> filed by HERITAGE FOUNDATION, MIKE HOWELL. (Cornett, Eric) (Entered: 07/05/2024)
07/09/2024		NOTICE of Hearing:Pre-motion Conference set for 7/18/2024 at 2:00 PM in Courtroom 12- In Person before Judge Ana C. Reyes. (zjch,) (Entered: 07/09/2024)
07/11/2024	<u>19</u>	NOTICE of Appearance by Elizabeth J. Shapiro on behalf of U.S. DEPARTMENT OF JUSTICE (Shapiro, Elizabeth) (Entered: 07/11/2024)
07/18/2024		Minute Entry for Pre-motion Conference held on 7/18/2024 before Judge Ana C. Reyes. CV 24-952 and CV 24-958 to be consolidated. Motion Hearing set for 9/19/2024 at 10:30 AM in Courtroom 12- In Person before Judge Ana C. Reyes. Court

	Reporter Christine Asif. (zjch,) (Entered: 07/19/2024)
07/18/2024	Cases Consolidated. This case has been consolidated with case 24cv952 From this date forward, all pleadings shall be filed ONLY in the lead case, 24cv952. Parties are advised NOT to elect the SPREAD TEXT option when filing in ECF, as this will result in repetitive docketing. (zdp) (Entered: 07/22/2024)