

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:22-cv-02480-TJK**

KHAN et al v. DEPARTMENT OF HOMELAND SECURITY
(DHS) et al
Assigned to: Judge Timothy J. Kelly
Cause: 05:552 Freedom of Information Act

Date Filed: 08/19/2022
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

FRAZ KHAN

represented by **Adam Malik**
PO BOX 110251
Carrollton, TX 75011
214-290-2000
Email: adam@lawfma.com
ATTORNEY TO BE NOTICED

Plaintiff

MALIK AND ASSOCIATES PLLC

represented by **Adam Malik**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**DEPARTMENT OF HOMELAND
SECURITY**

represented by **Jeremy S. Simon**
DOJ-USAO
Patrick Henry Building
601 D. Street, N.W.
Washington, DC 20530
(202) 252-2528
Email: jeremy.simon@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**CUSTOMS AND BORDER
PROTECTION**

represented by **Jeremy S. Simon**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**CITIZENSHIP AND IMMIGRATION
SERVICES**

represented by **Jeremy S. Simon**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**IMMIGRATION AND CUSTOMS
ENFORCEMENT**

represented by **Jeremy S. Simon**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**FEDERAL BUREAU OF
INVESTIGATION**

represented by **Jeremy S. Simon**
(See above for address)
LEAD ATTORNEY

Defendant

ALEJANDRO N. MAYORKAS
Secretary of US DHS
 TERMINATED: 10/24/2023

represented by **Jeremy S. Simon**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Defendant

CHRIS MAGNUS
Commissioner of the US CBP
 TERMINATED: 10/24/2023

represented by **Jeremy S. Simon**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Defendant

UR MENDOZA JADDOU
Director of USCIS
 TERMINATED: 10/24/2023

represented by **Jeremy S. Simon**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Defendant

TAE JOHNSON
Acting Director US ICE
 TERMINATED: 10/24/2023

represented by **Jeremy S. Simon**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Defendant

CHRISTOPHER WRAY
Director of the FBI
 TERMINATED: 10/24/2023

represented by **Jeremy S. Simon**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/19/2022	<u>1</u>	COMPLAINT <i>Original</i> against All Defendants (Filing fee \$ 402 receipt number ADCDC-9454964) filed by MALIK AND ASSOCIATES PLLC, FRAZ KHAN. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit)(Malik, Adam) (Entered: 08/19/2022)
08/19/2022	<u>2</u>	REQUEST FOR SUMMONS TO ISSUE filed by MALIK AND ASSOCIATES PLLC, FRAZ KHAN. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Summons, # <u>9</u> Summons)(Malik, Adam) (Entered: 08/19/2022)
08/19/2022	<u>3</u>	SEALED DOCUMENT filed by FRAZ KHAN, MALIK AND ASSOCIATES PLLC re <u>1</u> Complaint (This document is SEALED and only available to authorized persons.)(Malik, Adam) (Entered: 08/19/2022)
08/23/2022		Case Assigned to Judge Timothy J. Kelly. (zmrl) (Entered: 08/23/2022)
08/23/2022	<u>4</u>	SUMMONS (10) Issued Electronically as to All Defendants. (Attachments: # <u>1</u> Notice and Consent)(zmrl) (Entered: 08/23/2022)
08/23/2022		NOTICE OF ERROR re <u>2</u> Request for Summons to Issue; emailed to amalik@malikfirm.com, cc'd 0 associated attorneys -- The PDF file you docketed contained errors: 1. Missing summonses--government. When naming a government agent or agency as a defendant, you must supply a summons for each defendant & two additional summonses for the U.S. Attorney & U.S. Attorney General. Please submit using the event Request for Summons to Issue., 2. COMPLIANCE DEADLINE is by close of business today. This case will not proceed any further until all errors are satisfied. (zmrl,) (Entered: 08/23/2022)

08/23/2022	<u>5</u>	REQUEST FOR SUMMONS TO ISSUE re <u>2</u> Request for Summons to Issue filed by MALIK AND ASSOCIATES PLLC, FRAZ KHAN. Related document: <u>2</u> Request for Summons to Issue filed by MALIK AND ASSOCIATES PLLC, FRAZ KHAN. (Attachments: # <u>1</u> Summons)(Malik, Adam) (Entered: 08/23/2022)
08/24/2022	<u>6</u>	SUMMONS (2) Issued Electronically as to U.S. Attorney and U.S. Attorney General. (zttt) (Entered: 08/24/2022)
10/18/2022	<u>7</u>	Consent MOTION for Extension of Time to <i>Answer or Otherwise Respond to Complaint</i> by CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HOMELAND SECURITY (DHS), FEDERAL BUREAU OF INVESTIGATION, IMMIGRATION AND CUSTOMS ENFORCEMENT, UR JADDOU, TAE JOHNSON, CHRIS MAGNUS, ALEJANDRO MAYORKAS, CHRISTOPHER WRAY. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 10/18/2022)
10/19/2022		MINUTE ORDER granting Defendants' <u>7</u> Consent Motion for Extension of Time to Answer or Otherwise Respond to <u>1</u> Complaint. It is hereby ORDERED, for good cause shown, that Defendants' <u>7</u> Consent Motion for Extension of Time is GRANTED. It is further ORDERED that Defendants shall file a response to Plaintiff's complaint by November 18, 2022. Signed by Judge Timothy J. Kelly on 10/19/2022. (lctjk2) (Entered: 10/19/2022)
11/17/2022	<u>8</u>	Consent MOTION for Extension of Time to <i>Answer or Otherwise Respond to Complaint</i> by CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HOMELAND SECURITY (DHS), FEDERAL BUREAU OF INVESTIGATION, IMMIGRATION AND CUSTOMS ENFORCEMENT, UR JADDOU, TAE JOHNSON, CHRIS MAGNUS, ALEJANDRO MAYORKAS, CHRISTOPHER WRAY. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 11/17/2022)
11/17/2022		MINUTE ORDER granting Defendants' <u>8</u> Consent Motion for Extension of Time to Answer or Otherwise Respond to <u>1</u> Complaint. It is hereby ORDERED, for good cause shown, that Defendants' <u>8</u> Consent Motion for Extension of Time is GRANTED. It is further ORDERED that Defendants shall file a response to Plaintiffs' complaint by December 1, 2022. Signed by Judge Timothy J. Kelly on 11/17/2022. (lctjk2) (Entered: 11/17/2022)
11/17/2022	<u>9</u>	STANDING ORDER. See Order for details. Signed by Judge Timothy J. Kelly on 11/17/2022. (lctjk2) (Entered: 11/17/2022)
12/01/2022	<u>10</u>	MOTION to Dismiss <i>in Part</i> , MOTION to Strike <u>1</u> Complaint (<i>Motion to Strike Remainder of Complaint</i>) by CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, IMMIGRATION AND CUSTOMS ENFORCEMENT, UR JADDOU, TAE JOHNSON, CHRIS MAGNUS, ALEJANDRO MAYORKAS, CHRISTOPHER WRAY. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 12/01/2022)
12/15/2022	<u>11</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>10</u> MOTION to Dismiss <i>in Part</i> MOTION to Strike <u>1</u> Complaint (<i>Motion to Strike Remainder of Complaint</i>) by FRAZ KHAN, MALIK AND ASSOCIATES PLLC. (Attachments: # <u>1</u> Proposed Order)(Malik, Adam) (Entered: 12/15/2022)
12/16/2022		MINUTE ORDER granting Plaintiffs' <u>11</u> Consent Motion For Extension Of Time To File Response To <u>10</u> Motion To Dismiss. It is hereby ORDERED, for good cause shown, that Plaintiffs' <u>11</u> Motion is GRANTED. It is further ORDERED that Plaintiffs shall file their response to Defendants' <u>10</u> Motion To Dismiss In Part And To Strike Remainder Of Complaint by January 6, 2023. Signed by Judge Timothy J. Kelly on 12/16/2022. (lctjk2) (Entered: 12/16/2022)
01/06/2023	<u>12</u>	Memorandum in opposition to re <u>10</u> Motion to Dismiss,, Motion to Strike, <i>Response to Motion to Dismiss</i> filed by FRAZ KHAN. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order, # <u>2</u> Exhibit Exhibits)(Malik, Adam) (Entered: 01/06/2023)
01/11/2023	<u>13</u>	Consent MOTION for Extension of Time to <i>File Reply in Support of Motion to Dismiss in Part and to Strike</i> by CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HOMELAND

		SECURITY, FEDERAL BUREAU OF INVESTIGATION, IMMIGRATION AND CUSTOMS ENFORCEMENT, UR JADDOU, TAE JOHNSON, CHRIS MAGNUS, ALEJANDRO MAYORKAS, CHRISTOPHER WRAY. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 01/11/2023)
01/11/2023		MINUTE ORDER granting Defendants' <u>13</u> Consent Motion for Extension of Time to File Reply in Support of <u>10</u> Motion to Dismiss in Part and to Strike. It is hereby ORDERED, for good cause shown, that Defendants' <u>13</u> Consent Motion is GRANTED. It is further ORDERED that Defendants shall file their reply in support of the <u>10</u> Motion to Dismiss in Part and to Strike by January 30, 2023. Signed by Judge Timothy J. Kelly on 1/11/2023. (lctjk2) (Entered: 01/11/2023)
01/26/2023	<u>14</u>	Consent MOTION for Extension of Time to <i>File Reply In Support of Motion to Dismiss in Part and to Strike</i> by CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, IMMIGRATION AND CUSTOMS ENFORCEMENT, UR JADDOU, TAE JOHNSON, CHRIS MAGNUS, ALEJANDRO MAYORKAS, CHRISTOPHER WRAY. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 01/26/2023)
01/30/2023		MINUTE ORDER granting Defendants' <u>14</u> Consent Motion for Extension of Time to File Reply in Support of <u>10</u> Motion to Dismiss in Part and to Strike. It is hereby ORDERED, for good cause shown, that Defendants' <u>14</u> Consent Motion is GRANTED. It is further ORDERED that Defendants shall file their reply in support of the <u>10</u> Motion to Dismiss in Part and to Strike by February 3, 2023. Signed by Judge Timothy J. Kelly on 1/30/2023. (lctjk2) (Entered: 01/30/2023)
02/03/2023	<u>15</u>	REPLY to opposition to motion re <u>10</u> MOTION to Dismiss <i>in Part</i> MOTION to Strike <u>1</u> Complaint (<i>Motion to Strike Remainder of Complaint</i>) filed by CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, IMMIGRATION AND CUSTOMS ENFORCEMENT, UR JADDOU, TAE JOHNSON, CHRIS MAGNUS, ALEJANDRO MAYORKAS, CHRISTOPHER WRAY. (Simon, Jeremy) (Entered: 02/03/2023)
09/25/2023	<u>16</u>	MEMORANDUM OPINION AND ORDER granting in part and denying in part Defendants' <u>10</u> Motion to Dismiss in Part and to Strike Remainder of Complaint. See Memorandum Opinion and Order for details. Signed by Judge Timothy J. Kelly on 9/25/2023. (lctjk2) (Entered: 09/25/2023)
10/24/2023	<u>17</u>	STRICKEN PURSUANT TO ORDER FILED 9/12/2024..... AMENDED COMPLAINT against CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, IMMIGRATION AND CUSTOMS ENFORCEMENT filed by FRAZ KHAN. (Attachments: # <u>1</u> Exhibit Exhibits A–D, # <u>2</u> Exhibit Exhibits E–G)(Malik, Adam) Modified to strike on 9/12/2024 (zkh). (Entered: 10/24/2023)
10/24/2023	<u>18</u>	SEALED DOCUMENT filed by FRAZ KHAN re <u>17</u> Amended Complaint, (This document is SEALED and only available to authorized persons.)(Malik, Adam) (Entered: 10/24/2023)
11/06/2023	<u>19</u>	MOTION for Extension of Time to <i>Answer or Otherwise Respond to Amended Complaint</i> by CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 11/06/2023)
11/08/2023		MINUTE ORDER treating as opposed and granting Defendants' <u>19</u> Motion for Extension of Time to Answer or Otherwise Respond. Upon consideration of Defendants' <u>19</u> Motion, it is hereby ORDERED, <i>nunc pro tunc</i> to November 7, 2023, and for good cause shown, that the motion is granted. It is further ORDERED that Defendants shall answer or otherwise respond to the amended complaint by November 28, 2023. Signed by Judge Timothy J. Kelly on 11/8/2023. (lctjk2) (Entered: 11/08/2023)

11/28/2023	<u>20</u>	MOTION to Dismiss <i>or Alternatively</i> , MOTION to Strike <u>17</u> Amended Complaint, <i>and Supporting Memorandum</i> by CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 11/28/2023)
12/12/2023	<u>21</u>	Memorandum in opposition to re <u>20</u> Motion to Dismiss,, Motion to Strike, filed by FRAZ KHAN. (Attachments: # <u>1</u> Proposed Order)(Malik, Adam) (Entered: 12/12/2023)
12/19/2023	<u>22</u>	REPLY to opposition to motion re <u>20</u> MOTION to Dismiss <i>or Alternatively</i> MOTION to Strike <u>17</u> Amended Complaint, <i>and Supporting Memorandum</i> filed by CITIZENSHIP AND IMMIGRATION SERVICES, CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HOMELAND SECURITY, FEDERAL BUREAU OF INVESTIGATION, IMMIGRATION AND CUSTOMS ENFORCEMENT. (Simon, Jeremy) (Entered: 12/19/2023)
09/12/2024	<u>23</u>	MEMORANDUM OPINION AND ORDER granting Defendants' <u>20</u> Motion to Dismiss or to Strike, striking Plaintiffs' Amended Complaint, and ordering Plaintiffs to file a second amended complaint by October 11, 2024. See Memorandum Opinion and Order for details. Signed by Judge Timothy J. Kelly on 9/12/2024. (lctjk2) (Entered: 09/12/2024)
09/12/2024		Set/Reset Deadlines: Second Amended Complaint due by 10/11/2024. (zkh) (Entered: 09/12/2024)