

**U.S. District Court  
Northern District of Texas (Fort Worth)  
CIVIL DOCKET FOR CASE #: 4:23-cv-01039-P**

America First Policy Institute v. Department of Homeland Security  
Assigned to: Judge Mark Pittman  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/12/2023  
Jury Demand: None  
Nature of Suit: 895 Other Statutes:  
Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**America First Policy Institute**

represented by **Jessica Elizabeth Hart Steinmann**  
America First Policy Institute  
1001 Pennsylvania Avenue NW  
Suite 530  
Washington DC, DC 20004  
832-535-7332  
Email: [jessica.elizabeth.hart@gmail.com](mailto:jessica.elizabeth.hart@gmail.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**H Dustin Fillmore , III**  
The Fillmore Law Firm  
201 Main Street  
Suite 700  
Fort Worth, TX 76102  
817-332-2351  
Fax: 817-870-1859  
Email: [dusty@fillmorefirm.com](mailto:dusty@fillmorefirm.com)  
**ATTORNEY TO BE NOTICED**

**Jase Panebianco**  
Brown Rudnick  
601 13th St NW,  
Suite 600  
Washington, DC 20005  
631-710-8306  
Email: [jpanebianco@americafirstpolicy.com](mailto:jpanebianco@americafirstpolicy.com)  
**TERMINATED: 09/13/2024**  
**PRO HAC VICE**

V.

**Defendant**

**Department of Homeland Security**

represented by **Andrea Cohen Haim-DOJ**  
DOJ-USAO  
Northern District of Texas  
1100 Commerce Street  
Suite 3rd Floor  
Dallas, TX 75242  
214-659-8809  
Email: [andrea.haim@usdoj.gov](mailto:andrea.haim@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Mediator**

**ADR Provider**

represented by **David Lattimore Evans**  
David L. Evans  
P.O. Box 100422  
Fort Worth, TX 76185-0422  
817-307-9970  
Email: [evansdavidl@msn.com](mailto:evansdavidl@msn.com)

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
10/12/2023	<u>1</u>	COMPLAINT against All Defendants filed by America First Policy Institute. (Filing fee \$402; Receipt number ATXNDC-14097798) Clerk to issue summons(es). In each Notice of Electronic Filing, the judge assignment is indicated, and a link to the <u>Judges Copy Requirements</u> and <u>Judge Specific Requirements</u> is provided. The court reminds the filer that any required copy of this and future documents must be delivered to the judge, in the manner prescribed, within three business days of filing. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at <a href="http://www.txnd.uscourts.gov">www.txnd.uscourts.gov</a> , or by clicking here: <u>Attorney Information – Bar Membership</u> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # <u>1</u> Cover Sheet) (Steinmann, Jessica) (Entered: 10/12/2023)
10/12/2023	<u>2</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by America First Policy Institute. (Clerk QC note: No affiliate entered in ECF). (Steinmann, Jessica) (Entered: 10/12/2023)
10/12/2023	<u>3</u>	New Case Notes: A filing fee has been paid. File to: Judge Pittman. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge. Clerk to provide copy to plaintiff if not received electronically. Attorneys are further reminded that, if necessary, they must comply with Local Rule 83.10(a) within 14 days or risk the possible dismissal of this case without prejudice or without further notice. (sre) (Entered: 10/12/2023)
10/12/2023	<u>4</u>	Summons issued as to Department of Homeland Security, U.S. Attorney, and U.S. Attorney General. (sre) (Entered: 10/12/2023)
10/24/2023	<u>5</u>	NOTICE of Attorney Appearance by Jessica Elizabeth Hart Steinmann for H. Dustin Fillmore III on behalf of America First Policy Institute. (Steinmann, Jessica) (Entered: 10/24/2023)
11/08/2023	<u>6</u>	Application for Admission Pro Hac Vice with Certificate of Good Standing (Filing fee \$100; Receipt number BTXNDC-14162286) filed by America First Policy Institute (Attachments: # <u>1</u> Certificate of Good Standing, # <u>2</u> Proposed Order Proposed Order) Attorney Jase Panebianco added to party America First Policy Institute(pty:pla) (Panebianco, Jase) (Entered: 11/08/2023)
11/09/2023	7	ELECTRONIC ORDER granting <u>6</u> Application for Admission Pro Hac Vice of Jase Panebianco. Important Reminder: Unless excused for cause, an attorney who is not an ECF user must register within 14 days of the date the attorney appears in a case pursuant to LR 5.1(f) and LCrR 49.2(g). (Ordered by Judge Mark Pittman on 11/9/2023) (JAF) (Entered: 11/09/2023)
11/30/2023	<u>8</u>	NOTICE of Attorney Appearance by Andrea Cohen Haim-DOJ on behalf of Department of Homeland Security. (Filer confirms contact info in ECF is current.) (Haim-DOJ, Andrea) (Entered: 11/30/2023)
12/18/2023	<u>9</u>	ANSWER to <u>1</u> Complaint,,,,, filed by Department of Homeland Security. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms and Instructions found at <a href="http://www.txnd.uscourts.gov">www.txnd.uscourts.gov</a> , or by clicking here: <u>Attorney Information – Bar Membership</u> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. Attorneys are further reminded that, if necessary, they must comply with Local Rule 83.10(a) within 14 days or risk the possible dismissal of this case without prejudice or without further notice. (Haim-DOJ, Andrea) (Entered: 12/18/2023)
12/18/2023	<u>10</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Department of Homeland Security. (Clerk QC note: No affiliate entered in ECF). (Haim-DOJ, Andrea) (Entered: 12/18/2023)

12/19/2023	<u>11</u>	ORDER: Lead counsel for each party or designee attorney with appropriate authority and any unrepresented party must confer in an in-person, face-to-face conference as soon as practicable. As a result of the Scheduling Conference, counsel must prepare and submit a Report Regarding Contents of Scheduling Order by January 9, 2024. (Ordered by Judge Mark Pittman on 12/19/2023) (bdb) (Entered: 12/19/2023)
01/03/2024	<u>12</u>	MOTION Relief from this Court's Order requiring counsels' conference be in-person and face-to-face re <u>11</u> Order for Scheduling Order Proposal, filed by America First Policy Institute (Panebianco, Jase) (Entered: 01/03/2024)
01/04/2024	<u>13</u>	ORDER: Upon review of the <u>12</u> motion and the docket, the Motion is hereby DENIED. In the alternative, the Court EXTENDS the deadlines listed in Sections B and C of the Court's December 19, 2023 order by three weeks. The written Report Regarding Contents of the Scheduling Order must be filed by January 30, 2024. (Ordered by Judge Mark Pittman on 1/4/2024) (bdb) (Entered: 01/04/2024)
01/30/2024	<u>14</u>	Joint STATUS REPORT <i>Regarding Contents of Scheduling Order</i> filed by Department of Homeland Security. (Haim-DOJ, Andrea) (Entered: 01/30/2024)
01/31/2024	<u>15</u>	SCHEDULING ORDER: Bench Trial set for 4/21/2025 in US Courthouse, Courtroom 4th Floor, 501 W. 10th St. Fort Worth, TX 76102-3673 before Judge Mark Pittman., Joinder of Parties due by 4/1/2024., Amended Pleadings due by 4/1/2024., Deadline for mediation is on or before 10/23/2024., Discovery due by 11/22/2024., Motions due by 12/23/2024., Pretrial Order due by 3/27/2025., ADR Provider, Mediator David Evans, added. (Ordered by Judge Mark Pittman on 1/31/2024) (sre) (Entered: 01/31/2024)
08/12/2024	<u>16</u>	Joint MOTION to Amend/Correct <u>15</u> Scheduling Order., Add and Terminate Parties, filed by Department of Homeland Security (Haim-DOJ, Andrea) (Entered: 08/12/2024)
08/13/2024	<u>17</u>	AMENDED SCHEDULING ORDER: Bench Trial reset for 6/23/2025 in US Courthouse, Courtroom 4th Floor, 501 W. 10th St. Fort Worth, TX 76102-3673 before Judge Mark Pittman., Deadline for mediation is on or before 12/22/2024., Discovery due by 1/21/2025., Motions due by 2/21/2025., Pretrial Order due by 5/26/2025. (Ordered by Judge Mark Pittman on 8/13/2024) (sre) (Entered: 08/13/2024)
09/12/2024	<u>18</u>	Unopposed MOTION to Withdraw as Attorney filed by America First Policy Institute (Attachments: # <u>1</u> Affirmation of Service, # <u>2</u> Proposed Order Proposed Order) (Panebianco, Jase) (Entered: 09/12/2024)
09/13/2024	19	ELECTRONIC ORDER granting <u>18</u> Plaintiffs' Counsel Jase Panebianco's Motion to Withdraw as Attorney. It is hereby ordered that the Motion is granted. It is further ordered that Jase Panebianco is fully relieved of his duties to Plaintiff, the Court, and the opposing attorneys in this matter. (Ordered by Judge Mark Pittman on September 13, 2024) (WRA) (Entered: 09/13/2024)