

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:20-cv-06427-AB**

Hoffmann v. U.S. CUSTOMS AND BORDER PROTECTION
Assigned to: DISTRICT JUDGE ANITA B. BRODY
Cause: 05:552 Freedom of Information Act

Date Filed: 12/22/2020
Jury Demand: None
Nature of Suit: 895 Other Statutes:
Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Karen L. Hoffmann

represented by **ADAM SNYDER**
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V.

Defendant

**U.S. CUSTOMS AND BORDER
PROTECTION**

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Date Filed	#	Docket Text
12/22/2020	<u>1</u>	COMPLAINT against U.S. CUSTOMS AND BORDER PROTECTION (Filing fee \$ 402 receipt number 0313-14799880.), filed by Karen L. Hoffmann. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Designation Form)(HOFFMANN, KAREN) Modified on 12/22/2020 (fb). (Entered: 12/22/2020)

12/23/2020		Summons Issued as to U.S. CUSTOMS AND BORDER PROTECTION, U.S. Attorney and U.S. Attorney General E-MAILED To: COUNSEL on 12/23/2020. SUMMONS ISSUED TO AUSA ON 12/23/2020. (bw,) (Entered: 12/23/2020)
12/28/2020	<u>2</u>	Acceptance of Service by U.S. Attorney Re: accepted summons and complaint on behalf of the United States Attorney (only). (rf,) (Entered: 12/28/2020)
01/26/2021	<u>3</u>	STIPULATION re <u>1</u> Complaint (Attorney), <i>and Proposed Order for the Extension of Time</i> by U.S. CUSTOMS AND BORDER PROTECTION. (FILED IN ERROR BY ATTORNEY; COPY FORWARDED TO JUDGE FOR APPROVAL). (GILL, ERIC) Modified on 1/27/2021 (fb). (Entered: 01/26/2021)
01/27/2021	<u>4</u>	STIPULATION AND ORDER FOR THE EXTENSION OF TIME. SIGNED BY HONORABLE ANITA B. BRODY ON 1/27/21. 1/27/21 ENTERED AND COPIES E-MAILED.(jwl,) (Entered: 01/27/2021)
02/22/2021	<u>5</u>	STIPULATION AND PROPOSED ORDER FOR THE EXTENSION OF TIME. SIGNED BY HONORABLE ANITA B. BRODY ON 2/22/21. 2/22/21 ENTERED AND COPIES E-MAILED.(jwl,) (Entered: 02/22/2021)
03/03/2021	<u>6</u>	STIPULATION AND ORDER FOR THE EXTENSION OF TIME. SIGNED BY HONORABLE ANITA B. BRODY ON 3/2/21. 3/3/21 ENTERED AND COPIES E-MAILED.(jwl,) (Entered: 03/03/2021)
03/15/2021	<u>7</u>	STIPULATION AND ORDER FOR THE EXTENSION OF TIME. SIGNED BY HONORABLE ANITA B. BRODY ON 3/15/21. 3/15/21 ENTERED AND COPIES MAILED AND E-MAILED.(jwl,) (Main Document 7 replaced on 3/15/2021) (jwl,). (Entered: 03/15/2021)
04/13/2021	<u>8</u>	STIPULATION AND ORDER FOR THE EXTENSION OF TIME. SIGNED BY HONORABLE ANITA B. BRODY ON 4/12/21. 4/13/21 ENTERED AND COPIES E-MAILED.(jwl,) (Entered: 04/13/2021)
05/26/2021	<u>9</u>	STIPULATION AND ORDER FOR THE EXTENSION OF TIME. SIGNED BY HONORABLE ANITA B. BRODY ON 5/26/21. 5/26/21 ENTERED AND COPIES E-MAILED.(jwl,) (Entered: 05/26/2021)
06/28/2021	<u>10</u>	STIPULATION AND ORDER THAT U.S. CUSTOMS AND BORDER PROTECTION TIME TO ANSWER THE COMPLAINT IS EXTENDED TO 7/14/21; ETC.. SIGNED BY HONORABLE ANITA B. BRODY ON 6/28/21. 6/28/21 ENTERED AND E-MAILED.(JL) (Entered: 06/28/2021)
07/15/2021	<u>11</u>	STIPULATION AND ORDER FOR THE EXTENSION OF TIME. SIGNED BY HONORABLE ANITA B. BRODY ON 7/15/21. 7/15/21 ENTERED AND COPIES E-MAILED.(jwl,) (Entered: 07/15/2021)
08/04/2021	<u>12</u>	DEFENDANT'S ANSWER to Complaint by U.S. CUSTOMS AND BORDER PROTECTION.(GILL, ERIC) (Entered: 08/04/2021)
08/04/2021	<u>13</u>	NOTICE of Hearing: RULE 16 TELEPHONE CONFERENCE SET FOR 9/23/2021 AT 02:00 PM BEFORE HONORABLE ANITA B. BRODY.(jwl,) (Entered: 08/04/2021)
09/16/2021	<u>14</u>	Discovery Plan by Karen L. Hoffmann.(HOFFMANN, KAREN) (Entered: 09/16/2021)
09/23/2021	<u>15</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY Pretrial/RULE 16 Conference held on 9/23/21. (JL) (Entered: 09/23/2021)
09/24/2021	<u>16</u>	ORDER SETTING AFFIDAVIT DEADLINE. SIGNED BY HONORABLE ANITA B. BRODY ON 9/24/21. 9/24/21 ENTERED AND COPIES E-MAILED.(jwl,) (Entered: 09/24/2021)
10/15/2021	<u>17</u>	STIPULATION AND ORDER THAT DEFENDANT NEEDS AN ADDITIONAL 14 DAYS TO PROVIDE THE REQUIRED DECLARATION. ACCORDINGLY, DEFENDANT REQUESTS THAT IT HAVE BEEN AN EXTENSION--UP TO AND INLCUDING 10/29/21--TO COMPLY WITH THE COURT'S SEPTEMBER 24 ORDER. PLAINTIFF CONSENTS TO THIS REQUEST; ETC.. SIGNED BY HONORABLE ANITA B. BRODY ON 10/15/21. 10/15/21 ENTERED AND

		E-MAILED.(JL) (Entered: 10/15/2021)
10/15/2021	<u>18</u>	ORDER THAT ON OR BEFORE 10/29/21, DEFENDANT U.S. CUSTOMS AND BORDER PROTECTION WILL PRODUCE TO PLAINTIFF A DECLARATION DESCRIBING DEFENDANT'S EFFORTS TO SEARCH FOR AND TO PRODUCE AGENCY RECORDS RESPONSIVE TO PLAINTIFF'S FOIA REQUEST. DEFENDANT WILL ALSO CHAMBERS A COPY OF THE DECLARATION FOR THE COURT'S IN CAMERA REVIEW. THE COURT WILL THEN SCHEDULE A TELECONFERENCE TO HEAR THE PARTIES POSITIONS REGARDING THE BEST COURSE FOR ADDITIONAL PRETRIAL PROCEEDINGS, IF ANY, IN THIS CASE; ETC.. SIGNED BY HONORABLE ANITA B. BRODY ON 10/15/21. 10/15/21 ENTERED AND E-MAILED.(JL) (Entered: 10/15/2021)
10/29/2021	<u>19</u>	STIPULATION AND ORDER FOR THE EXTENSION OF TIME TO FILE DECLARATION. SIGNED BY HONORABLE ANITA B. BRODY ON 10/29/21. 10/29/21 ENTERED AND COPIES E-MAILED.(jwl,) (Entered: 10/29/2021)
11/15/2021	<u>20</u>	STIPULATION AND ORDER FOR THE EXTENSION OF TIME TO PRODUCE DOCUMENTS. SIGNED BY HONORABLE ANITA B. BRODY ON 11/15/21. 11/15/21 ENTERED AND COPIES E-MAILED.(jwl,) (Entered: 11/15/2021)
11/15/2021	<u>21</u>	NOTICE of Hearing: TELEPHONE STATUS CONFERENCE SET FOR 12/14/2021 AT 10:30 AM BEFORE HONORABLE ANITA B. BRODY.(jwl,) (Entered: 11/15/2021)
12/14/2021	<u>22</u>	NOTICE of Hearing: STATUS CONFERENCE SET FOR 3/9/2022 10:30 AM IN Courtroom 7B BEFORE HONORABLE ANITA B. BRODY.(jwl,) (Entered: 12/14/2021)
12/14/2021	<u>23</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY TELEPHONE Status Conference held on 12/14/21. Court Reporter: ESR. (JL) (Entered: 12/14/2021)
01/19/2022	<u>24</u>	MOTION for Pro Hac Vice <i>Admission for Adam Snyder</i> filed by Karen L. Hoffmann.Certificate of Service. (Attachments: # <u>1</u> Text of Proposed Order)(HOFFMANN, KAREN) (RECEIPT #15675581 \$40.00) (Entered: 01/19/2022)
01/27/2022	<u>25</u>	ORDER THAT THE APPLICATION OF ADAM SNYDER TO APPEAR PRO HAC VICE IS GRANTED; ETC.. SIGNED BY HONORABLE ANITA B. BRODY ON 1/27/22. 1/27/22 ENTERED AND E-MAILED.(JL) (Entered: 01/27/2022)
01/31/2022	<u>26</u>	Request for Entry of Appearance of Adam Snyder as Counsel by Karen L. Hoffmann. (Attachments: # <u>1</u> Certificate of Service Certificate of Service re Appearance of AKS)(SNYDER, ADAM) (Entered: 01/31/2022)
02/25/2022	<u>27</u>	NOTICE of Hearing: STATUS VIDEO CONFERENCE SET FOR 3/9/2022 AT 10:30 AM BEFORE HONORABLE ANITA B. BRODY.(jwl) (Entered: 02/25/2022)
03/09/2022	<u>28</u>	NOTICE of Hearing: STATUS CONFERENCE SET FOR 4/19/2022 AT 10:30 AM IN Judge's Chambers BEFORE HONORABLE ANITA B. BRODY.(jwl) (Entered: 03/09/2022)
03/09/2022	<u>29</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY VIDEO Status Conference held on 3/9/22. (JL) (Entered: 03/09/2022)
04/11/2022	<u>30</u>	NOTICE of Hearing: CONFERENCE RESCHEDULED FOR 5/31/2022 AT 1:00 PM IN Courtroom 7B BEFORE HONORABLE ANITA B. BRODY.(jwl) (Entered: 04/11/2022)
05/26/2022	<u>31</u>	SCHEDULING ORDER: Any summary judgment motions are due on or before July 15, 2022. Responses in opposition are due on or before August 5, 2022. Any replies are due on or before August 15, 2022. Any surreplies are due on or before August 25, 2022. SIGNED BY HONORABLE ANITA B. BRODY ON 5/26/22. 5/26/22 ENTERED AND COPIES E-MAILED.(jwl) (Entered: 05/26/2022)

05/26/2022	<u>32</u>	NOTICE re: Cancellation of Hearing(jwl) (Entered: 05/26/2022)
07/15/2022	<u>33</u>	MOTION for Extension of Time to File <i>Summary Judgment</i> filed by U.S. CUSTOMS AND BORDER PROTECTION.Memorandum, Certificate of Service.(GILL, ERIC) (Entered: 07/15/2022)
07/17/2022	<u>34</u>	ORDER granting <u>33</u> MOTION FOR EXTENSION OF TIME TO FILE. SIGNED BY HONORABLE ANITA B. BRODY ON 7/15/22.7/17/22 ENTERED AND COPIES E-MAILED.(jwl) (Entered: 07/17/2022)
07/29/2022	<u>35</u>	MOTION for Summary Judgment filed by U.S. CUSTOMS AND BORDER PROTECTION.Memorandum, Certificate of Service. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6)(GILL, ERIC) (Entered: 07/29/2022)
08/26/2022	<u>36</u>	RESPONSE in Opposition re <u>35</u> MOTION for Summary Judgment filed by Karen L. Hoffmann. (Attachments: # <u>1</u> Exhibit Exhibit 1 to Response in Opposition, # <u>2</u> Exhibit Exhibit 2 to Response in Opposition)(SNYDER, ADAM) (Entered: 08/26/2022)
08/27/2022	<u>37</u>	Cross MOTION for Summary Judgment filed by Karen L. Hoffmann.Memorandum of Law, Certificate of Service. (Attachments: # <u>1</u> Exhibit Exhibit 1 to Plaintiff's Motion for Summary Judgment, # <u>2</u> Exhibit Exhibit 2 to Plaintiff's Motion for Summary Judgment, # <u>3</u> Exhibit Exhibit 3 to Plaintiff's Motion for Summary Judgment, # <u>4</u> Exhibit Exhibit 4 to Plaintiff's Motion for Summary Judgment, # <u>5</u> Declaration Declaration of Plaintiff Karen Hoffmann)(SNYDER, ADAM) (Entered: 08/27/2022)
09/23/2022	<u>38</u>	RESPONSE in Support re <u>35</u> MOTION for Summary Judgment <i>and Opposition to Plaintiff's Summary Judgment Motion</i> filed by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Exhibit 1)(GILL, ERIC) (Entered: 09/23/2022)
10/11/2022	<u>39</u>	REPLY to Response to Motion re <u>37</u> Cross MOTION for Summary Judgment , <u>35</u> MOTION for Summary Judgment <i>Sur-Reply</i> filed by Karen L. Hoffmann. (Attachments: # <u>1</u> Exhibit Exhibit 1 to Plaintiff's Reply in Support of her Motion for Summary Judgment, # <u>2</u> Exhibit Exhibit 2 to Plaintiff's Reply in Support of her Motion for Summary Judgment)(SNYDER, ADAM) (Entered: 10/11/2022)
10/12/2022	<u>40</u>	EXHIBIT 3 to ECF No. 39 by Karen L. Hoffmann.. (SNYDER, ADAM) (Entered: 10/12/2022)
11/02/2022	<u>41</u>	Letter dated 11-02-2022 by Karen L. Hoffmann. (SNYDER, ADAM) (Entered: 11/02/2022)
04/06/2023	<u>42</u>	NOTICE of Hearing on Motion <u>35</u> MOTION for Summary Judgment , <u>37</u> Cross MOTION for Summary Judgment : ORAL ARGUMENT SET FOR 4/18/2023 AT 10:30 AM IN Judge's Chambers BEFORE HONORABLE ANITA B. BRODY.(jwl) (Entered: 04/06/2023)
04/12/2023	<u>43</u>	NOTICE of Hearing on Motion <u>35</u> MOTION for Summary Judgment , <u>37</u> Cross MOTION for Summary Judgment : MOTION HEARING SET FOR 4/18/2023 at 10:30 AM IN Courtroom 16A BEFORE HONORABLE ANITA B. BRODY.(jwl) (Entered: 04/12/2023)
04/18/2023	<u>44</u>	NOTICE of Hearing on Motion <u>35</u> MOTION for Summary Judgment , <u>37</u> Cross MOTION for Summary Judgment : MOTION HEARING SET FOR 4/18/2023 10:30 AM IN Courtroom 17B BEFORE HONORABLE ANITA B. BRODY.(jwl) (Entered: 04/18/2023)
04/18/2023	<u>45</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY in Courtroom 17B. Re: An In-Person Conference was held on 4/18/23. Court Reporter: ESR. (fdc) (Entered: 04/18/2023)
04/18/2023	<u>46</u>	Minute Entry for proceedings held before HONORABLE ANITA B. BRODY Motion Hearing held on 4/18/23 re <u>37</u> Cross MOTION for Summary Judgment filed by Karen L. Hoffmann, <u>35</u> MOTION for Summary Judgment filed by U.S. CUSTOMS AND BORDER PROTECTION Court Reporter: ESR. (JL) Modified on 4/18/2023 (jl). (DUPLICATE FILING) (Entered: 04/18/2023)
04/20/2023	<u>47</u>	ORDER THAT ON OR BEFORE WEDNESDAY, MAY 10, 2023 PLAINTIFF MUST FILE A CLEAR AND CONCISE STATEMENT OF HER POSITION AS TO

		THE ISSUES BELOW. THE GOVERNMENT MUST RESPOND ON OR BEFORE WEDNESDAY, MAY 24, 2023 TO PLAINTIFFS STATEMENT. SIGNED BY HONORABLE ANITA B. BRODY ON 4/20/23. 4/20/23 ENTERED AND COPIES E-MAILED.(jwl) (Entered: 04/20/2023)
05/10/2023	<u>48</u>	Letter dated 05-10-2023 by Karen L. Hoffmann. (Attachments: # <u>1</u> Exhibit NARA letter to CBP referenced)(SNYDER, ADAM) (Entered: 05/10/2023)
05/24/2023	<u>49</u>	Response to Plaintiff's Statement of Interest re <u>48</u> Letter by U.S. CUSTOMS AND BORDER PROTECTION. (GILL, ERIC) (Entered: 05/24/2023)
06/28/2023	<u>50</u>	MEMORANDUM re: Defendant's Motion for Summary Judgment is DENIED WITHOUT PREJUDICE. Plaintiffs Cross-Motion for Summary Judgment is GRANTED IN PART AND DENIED IN PART. SIGNED BY HONORABLE ANITA B. BRODY ON 6/28/23. 6/28/23 ENTERED AND COPIES E-MAILED.(jwl) (Entered: 06/28/2023)
06/28/2023	<u>51</u>	ORDER granting <u>35</u> Defendant's Motion for Summary Judgment and granting in part and denying in part <u>37</u> Plaintiff's Cross-Motion for Summary Judgment. SIGNED BY HONORABLE ANITA B. BRODY ON 6/28/23. 6/28/23 ENTERED AND COPIES E-MAILED.(jwl) (Entered: 06/28/2023)
09/29/2023	<u>52</u>	STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (GILL, ERIC) (Entered: 09/29/2023)
10/02/2023	<u>53</u>	STATUS REPORT ORDER Status Report due by 11/15/2023. SIGNED BY HONORABLE ANITA B. BRODY ON 10/2/23. 10/2/23 ENTERED AND COPIES E-MAILED.(jwl) (Entered: 10/02/2023)
11/15/2023	<u>54</u>	STATUS REPORT (<i>Joint</i>) and Req for Ext of Time to Comply with June 28, 2023 Order by U.S. CUSTOMS AND BORDER PROTECTION. (GILL, ERIC) (Entered: 11/15/2023)
11/20/2023	<u>55</u>	STATUS REPORT ORDER Status Report due by 1/16/2024. SIGNED BY HONORABLE ANITA B. BRODY ON 11/20/23. 11/20/23 ENTERED AND COPIES E-MAILED.(jwl) (Entered: 11/20/2023)
01/16/2024	<u>56</u>	STATUS REPORT (<i>Joint</i>) by U.S. CUSTOMS AND BORDER PROTECTION. (GILL, ERIC) (Entered: 01/16/2024)
01/18/2024	<u>57</u>	STATUS REPORT ORDER Status Report due by 3/1/2024. SIGNED BY HONORABLE ANITA B. BRODY ON 1/17/24. 1/18/24 ENTERED AND COPIES E-MAILED.(jwl) (Entered: 01/18/2024)
03/01/2024	<u>58</u>	STATUS REPORT <i>Joint (Fourth)</i> by U.S. CUSTOMS AND BORDER PROTECTION. (GILL, ERIC) (Entered: 03/01/2024)
04/02/2024	<u>59</u>	STATUS REPORT ORDER Status Report due by 4/10/2024. SIGNED BY DISTRICT JUDGE ANITA B. BRODY ON 4/2/24. 4/2/24 ENTERED AND COPIES E-MAILED.(jwl) (Entered: 04/02/2024)
04/08/2024	<u>60</u>	STATUS REPORT (<i>Fifth Joint Status Report</i>) by Karen L. Hoffmann. (SNYDER, ADAM) (Entered: 04/08/2024)
05/01/2024	<u>61</u>	STATUS REPORT <i>Sixth Joint Status Report</i> by Karen L. Hoffmann. (SNYDER, ADAM) (Entered: 05/01/2024)
05/03/2024	<u>62</u>	Briefing Schedule 5/3/24 Entered and copies E-mailed. (jwl) (Entered: 05/03/2024)
06/03/2024	<u>63</u>	Statement <i>Regarding Unresolved Issues</i> by Karen L. Hoffmann. (Attachments: # <u>1</u> Exhibit Exhibit 1 Bustos Declaration, # <u>2</u> Exhibit Exhibit 2 Guedea Declaration, # <u>3</u> Exhibit Exhibit 3 Labiosa Declaration, # <u>4</u> Exhibit Exhibit 4 Supplemental Bustos Declaration)(SNYDER, ADAM) (Entered: 06/03/2024)

07/01/2024	<u>64</u>	Statement <i>in Response to Plaintiff's Statement re Unresolved Issues</i> by U.S. CUSTOMS AND BORDER PROTECTION. (GILL, ERIC) (Entered: 07/01/2024)
07/16/2024	<u>65</u>	SCHEDULING ORDER: 1. September 13, 2024 -- Agency's summary judgment motion 2. October 11, 2024 Plaintiff's opposition to summary judgment 3. October 25, 2024 Agency's reply memorandum. SIGNED BY DISTRICT JUDGE ANITA B. BRODY ON 7/16/24. 7/16/24 ENTERED AND COPIES E-MAILED.(jwl) (Entered: 07/16/2024)
09/10/2024	<u>66</u>	MOTION for Extension of Time to File <i>Summary Judgment Motion</i> filed by U.S. CUSTOMS AND BORDER PROTECTION.Certificate of Service.(GILL, ERIC) (Entered: 09/10/2024)
09/12/2024	<u>67</u>	ORDER: 1. Defendant's deadline to file a summary judgment motion is extended through and including November 8, 2024. 2. Plaintiff Karen Hoffmann's deadline to file an opposition to Defendant's summary judgment motion is extended through and including December 6, 2024. 3. Defendant's deadline to file a reply is extended through and including December 20, 2024. SIGNED BY DISTRICT JUDGE ANITA B. BRODY ON 9/12/24. 9/12/24 ENTERED AND COPIES E-MAILED.(jwl) (Entered: 09/12/2024)
09/18/2024	<u>68</u>	NOTICE of Appearance by PETER CARR on behalf of U.S. CUSTOMS AND BORDER PROTECTION with Certificate of Service(CARR, PETER) (Entered: 09/18/2024)