

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:23-cv-00440-CRC**

REASON FOUNDATION v. FEDERAL BUREAU OF
PRISONS et al
Assigned to: Judge Christopher R. Cooper
Cause: 05:552 Freedom of Information Act

Date Filed: 02/16/2023
Date Terminated: 09/18/2024
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**REASON FOUNDATION**

represented by **Deborah Maxine Golden**
THE LAW OFFICE OF DEBORAH M.
GOLDEN
700 Pennsylvania Avenue, SE
2nd Floor
Washington, DC 20003
(202) 630-0332
Email: dgolden@debgoldenlaw.com
ATTORNEY TO BE NOTICED

V.

Defendant**FEDERAL BUREAU OF PRISONS**

represented by **Sam Escher**
DOJ-USAO
Civil Division
601 D Street NW
7.1527
Washington, DC 20530
(202) 252-2531
Email: sam.escher@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**DEPARTMENT OF JUSTICE,
OFFICE OF INFORMATION
POLICY**

represented by **Sam Escher**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/16/2023	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 402 receipt number ADCDC-9867529) filed by REASON FOUNDATION. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons BOP, # <u>3</u> Summons MAIN JUSTICE, # <u>4</u> Summons USAO, # <u>5</u> Summons OIP)(Golden, Deborah) (Entered: 02/16/2023)
02/17/2023		NOTICE OF ERROR re <u>1</u> Complaint; emailed to dgolden@debgoldenlaw.com, cc'd 1 associated attorneys -- The PDF file you docketed contained errors: 1. Blank or missing coversheet. Please use the cover sheet at https://www.dcd.uscourts.gov/new-case-forms & file using the event Civil Cover Sheet., 2. Form filed as fillable PDF. Please file form in a non-fillable PDF format., 3. COMPLIANCE DEADLINE is by close of business today. This case will not proceed any further until all errors are satisfied. (zsl,) (Entered: 02/17/2023)
02/17/2023	<u>2</u>	CIVIL COVER SHEET by REASON FOUNDATION re <u>1</u> Complaint, filed by REASON FOUNDATION. Related document: <u>1</u> Complaint, filed by REASON FOUNDATION.(Golden, Deborah) (Entered: 02/17/2023)

02/17/2023		Case Assigned to Judge Christopher R. Cooper. (zsl) (Entered: 02/17/2023)
02/17/2023	<u>3</u>	SUMMONS (4) Issued Electronically as to DEPARTMENT OF JUSTICE, OFFICE OF INFORMATION POLICY, FEDERAL BUREAU OF PRISONS, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsl) (Entered: 02/17/2023)
03/20/2023	<u>4</u>	ANSWER to Complaint by DEPARTMENT OF JUSTICE, OFFICE OF INFORMATION POLICY, FEDERAL BUREAU OF PRISONS.(Escher, Sam) (Entered: 03/20/2023)
03/21/2023		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties promptly confer and file a joint proposed schedule for briefing or disclosure by April 4, 2023. Signed by Judge Christopher R. Cooper on 03/21/2023. (lccrc3) (Entered: 03/21/2023)
04/04/2023	<u>5</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE, OFFICE OF INFORMATION POLICY, FEDERAL BUREAU OF PRISONS. (Escher, Sam) (Entered: 04/04/2023)
04/05/2023		MINUTE ORDER: In light of the parties' <u>5</u> Joint Status Report, the parties shall file a further joint status report by May 24, 2023. Signed by Judge Christopher R. Cooper on 04/05/2023. (lccrc3) (Entered: 04/05/2023)
05/24/2023	<u>6</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE, OFFICE OF INFORMATION POLICY, FEDERAL BUREAU OF PRISONS. (Escher, Sam) (Entered: 05/24/2023)
05/24/2023		MINUTE ORDER: In light of the parties' <u>6</u> Joint Status Report, the parties shall file a further joint status report by July 26, 2023. Signed by Judge Christopher R. Cooper on 05/24/2023. (lccrc3) (Entered: 05/24/2023)
07/26/2023	<u>7</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE, OFFICE OF INFORMATION POLICY, FEDERAL BUREAU OF PRISONS. (Escher, Sam) (Entered: 07/26/2023)
07/26/2023		MINUTE ORDER: In light of the parties' <u>7</u> Joint Status Report, the Court sets the following schedule for summary judgment briefing. Defendants' Motion for Summary Judgment is due by September 29, 2023; Plaintiff's Combined Cross Motion for Summary Judgment and Opposition to Defendants' Motion is due by November 13, 2023; Defendants' Combined Reply and Opposition to Plaintiff's Cross Motion is due by December 8, 2023; and Plaintiff's Reply is due by January 12, 2023. Signed by Judge Christopher R. Cooper on 07/26/2023. (lccrc3) (Entered: 07/26/2023)
09/26/2023	<u>8</u>	Consent MOTION to Stay <i>Summary Judgment Briefing</i> by DEPARTMENT OF JUSTICE, OFFICE OF INFORMATION POLICY, FEDERAL BUREAU OF PRISONS. (Attachments: # <u>1</u> Text of Proposed Order)(Escher, Sam) (Entered: 09/26/2023)
09/27/2023		MINUTE ORDER granting the <u>8</u> Defendants' Consent Motion to Stay Summary Judgment Briefing. The Court hereby stays all summary judgment briefing deadlines in this case. The parties are directed to submit a joint status report on or by November 27, 2023. Signed by Judge Christopher R. Cooper on 9/27/2023. (lccrc3) (Entered: 09/27/2023)
11/27/2023	<u>9</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE, OFFICE OF INFORMATION POLICY, FEDERAL BUREAU OF PRISONS. (Escher, Sam) (Entered: 11/27/2023)
11/28/2023		MINUTE ORDER: In light of the <u>9</u> parties' Joint Status Report, the Court sets the following schedule for summary judgment briefing. Defendants' Motion for Summary Judgment is due by January 25, 2024; Plaintiff's Combined Cross Motion for Summary Judgment and Opposition to Defendants' Motion is due by February 22, 2024; Defendants' Combined Reply and Opposition to Plaintiff's Cross Motion is due by March 21, 2024; and Plaintiff's Reply is due by April 4, 2024. Signed by Judge Christopher R. Cooper on 11/28/2023. (lccrc3) (Entered: 11/28/2023)

01/24/2024	<u>10</u>	MOTION for Summary Judgment by DEPARTMENT OF JUSTICE, OFFICE OF INFORMATION POLICY, FEDERAL BUREAU OF PRISONS. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of Christenson, # <u>3</u> Exhibits, # <u>4</u> Mortality Review – Ofume, # <u>5</u> Mortality Review – Nelson, # <u>6</u> Mortality Review – Circle–Bear, # <u>7</u> Mortality Review – Salas, # <u>8</u> Mortality Review – Blank Sample, # <u>9</u> Text of Proposed Order)(Escher, Sam) (Entered: 01/24/2024)
02/22/2024	<u>11</u>	RESPONSE re <u>10</u> MOTION for Summary Judgment filed by REASON FOUNDATION. (Attachments: # <u>1</u> Text of Proposed Order)(Golden, Deborah) (Entered: 02/22/2024)
02/22/2024	<u>12</u>	Cross MOTION for Summary Judgment by REASON FOUNDATION. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Text of Proposed Order)(Golden, Deborah) Modified on 2/23/2024 to correct docket text (zjm). (Entered: 02/22/2024)
03/21/2024	<u>13</u>	REPLY to opposition to motion re <u>10</u> MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE, OFFICE OF INFORMATION POLICY, FEDERAL BUREAU OF PRISONS. (Attachments: # <u>1</u> Supplemental Christenson Declaration, # <u>2</u> Ex. A – Program Statement – Health Services Quality Improvement, # <u>3</u> Ex. B – Program Statement – Patient Care – 2014, # <u>4</u> Ex. C – Program Statement – Patient Care – 2024, # <u>5</u> Ex. D – OIG Report, # <u>6</u> Ex. E – Annals of Emergency Medicine Articles)(Escher, Sam) (Entered: 03/21/2024)
03/21/2024	<u>14</u>	RESPONSE re <u>12</u> MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE, OFFICE OF INFORMATION POLICY, FEDERAL BUREAU OF PRISONS. (Attachments: # <u>1</u> Supplemental Christenson Declaration, # <u>2</u> Ex. A – Program Statement – Health Services Quality Improvement, # <u>3</u> Ex. B – Program Statement – Patient Care – 2014, # <u>4</u> Ex. C – Program Statement – Patient Care – 2024, # <u>5</u> Ex. D – OIG Report, # <u>6</u> Ex. E – Annals of Emergency Medicine Articles)(Escher, Sam) (Entered: 03/21/2024)
04/04/2024	<u>15</u>	REPLY to opposition to motion re <u>12</u> MOTION for Summary Judgment filed by REASON FOUNDATION. (Attachments: # <u>1</u> Exhibit Ex 1 – ICE Death Review)(Golden, Deborah) (Entered: 04/04/2024)
08/01/2024	<u>16</u>	MEMORANDUM OPINION AND ORDER granting in part and denying in part <u>10</u> Defendants' Motion for Summary Judgment and granting in part and denying in part <u>12</u> Plaintiff's Motion for Summary Judgment. The parties are also directed to meet and confer and file a joint status report by September 2, 2024 informing the Court whether they have resolved the issue concerning the mortality reviews' CPR field. If not, Defendants shall have until October 2, 2024 to file a renewed motion for summary judgment accompanied by supplemental declaration on that issue. See full Memorandum Opinion and Order for details. Signed by Judge Christopher R. Cooper on 8/1/2024. (lccrc3) (Entered: 08/01/2024)
09/03/2024	<u>17</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE, OFFICE OF INFORMATION POLICY, FEDERAL BUREAU OF PRISONS. (Escher, Sam) (Entered: 09/03/2024)
09/04/2024	<u>18</u>	ORDER granting and denying in part <u>10</u> Defendants' Motion for Summary Judgment, granting in part and denying in part <u>12</u> Plaintiff's Motion for Summary Judgment, and directing the Clerk of the Court to close this case. See full Order and <u>16</u> the Court's Memorandum Opinion and Order of August 1, 2024, for details. Signed by Judge Christopher R. Cooper on 9/4/24. (lccrc3) (Entered: 09/04/2024)