

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:23-cv-03059-TSC**

CENTER FOR IMMIGRATION STUDIES v. U.S. CUSTOMS AND BORDER PROTECTION
Assigned to: Judge Tanya S. Chutkan
Cause: 05:552 Freedom of Information Act

Date Filed: 10/13/2023
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**CENTER FOR IMMIGRATION
STUDIES**

represented by **Julie B. Axelrod**
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STUDIES
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Colin M. Farnsworth
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ATTORNEY TO BE NOTICED

V.

Defendant

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

represented by **Brian J. Levy**
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LEAD ATTORNEY
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Date Filed	#	Docket Text
10/13/2023	<u>1</u>	COMPLAINT against U.S. CUSTOMS AND BORDER PROTECTION (Filing fee \$ 402 receipt number ADCDC-10418994) filed by CENTER FOR IMMIGRATION STUDIES. (Attachments: # <u>1</u> Exhibit Exhibits 1-3, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons)(Farnsworth, Colin) (Entered: 10/13/2023)
10/16/2023		Case Assigned to Judge Tanya S. Chutkan. (zdp) (Entered: 10/16/2023)
10/16/2023	<u>2</u>	SUMMONS (3) Issued Electronically as to U.S. CUSTOMS AND BORDER PROTECTION, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zdp) (Entered: 10/16/2023)
10/16/2023	<u>3</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CENTER FOR IMMIGRATION STUDIES (Farnsworth, Colin) (Entered: 10/16/2023)

11/03/2023	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/23/23. (Farnsworth, Colin) (Entered: 11/03/2023)
11/03/2023	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. CUSTOMS AND BORDER PROTECTION served on 10/23/2023 (Farnsworth, Colin) (Entered: 11/03/2023)
11/03/2023	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/23/2023. Answer due for ALL FEDERAL DEFENDANTS by 11/22/2023. (Farnsworth, Colin) (Entered: 11/03/2023)
11/20/2023	<u>7</u>	NOTICE of Appearance by Brian J. Levy on behalf of U.S. CUSTOMS AND BORDER PROTECTION (Levy, Brian) (Entered: 11/20/2023)
11/20/2023	<u>8</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 11/20/2023)
11/20/2023		MINUTE ORDER: Granting Defendant's <u>8</u> Consent Motion for Extension. The Defendant's Response to Plaintiff's Complaint is due by December 13, 2023. Signed by Judge Tanya S. Chutkan on 11/20/2023. (lcd) (Entered: 11/20/2023)
11/27/2023	<u>9</u>	NOTICE of Appearance by Julie B. Axelrod on behalf of CENTER FOR IMMIGRATION STUDIES (Axelrod, Julie) (Entered: 11/27/2023)
12/13/2023	<u>10</u>	ANSWER to Complaint by U.S. CUSTOMS AND BORDER PROTECTION.(Levy, Brian) (Entered: 12/13/2023)
12/14/2023		MINUTE ORDER: Before the Court in this FOIA case are a Complaint and an Answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues no later than February 7, 2024. The joint status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 12/14/2023. (lcd) (Entered: 12/14/2023)
02/07/2024	<u>11</u>	ENTERED IN ERROR.....Consent MOTION for Extension of Time to File <i>Joint Status Report</i> by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) Modified on 2/8/2024 (zjm). (Entered: 02/07/2024)
02/07/2024	<u>12</u>	Consent MOTION for Extension of Time to File <i>Joint Status Report</i> by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 02/07/2024)
02/08/2024		NOTICE OF ERROR regarding <u>11</u> Consent MOTION for Extension of Time to File <i>Joint Status Report</i> . The following error(s) need correction: Incorrect court case number. Please refile in correct case. (zjm) (Entered: 02/08/2024)
02/08/2024		MINUTE ORDER: GRANTING Defendant's <u>12</u> Consent Motion for Extension. The Joint Status Report is due by February 8, 2024. Signed by Judge Tanya S. Chutkan on 02/08/2024. (lcd) (Entered: 02/08/2024)
02/08/2024	<u>13</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Exhibit Plaintiff's Exhibit 1, # <u>2</u> Text of Proposed Order Plaintiff's Proposed Order, # <u>3</u> Text of Proposed Order Defendant's Proposed Order)(Levy, Brian) (Entered: 02/08/2024)
02/16/2024		MINUTE ORDER: Upon consideration of the parties' <u>13</u> Joint Status Report, it is hereby ORDERED that the parties shall file a subsequent JSR by March 16, 2024. To the extent the dispute in the parties' <u>13</u> JSR remains unresolved, they shall indicate such and jointly propose dates for a telephonic conference with the court. Signed by

		Judge Tanya S. Chutkan on 02/16/2024. (lcd) (Entered: 02/16/2024)
02/16/2024		Set/Reset Deadlines: Joint Status Report due by 3/16/2024. (zcll) (Entered: 02/16/2024)
03/13/2024	<u>14</u>	Consent MOTION for Extension of Time to File <i>Joint Status Report</i> by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 03/13/2024)
03/13/2024		MINUTE ORDER: Granting Defendant's <u>14</u> Consent Motion for Extension. The parties shall submit their JSR by March 22, 2024. Signed by Judge Tanya S. Chutkan on 03/13/2024. (lcd) (Entered: 03/13/2024)
03/19/2024		Set/Reset Deadlines: Joint Status Report due by 3/22/2024 (lsj) (Entered: 03/19/2024)
03/22/2024	<u>15</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 03/22/2024)
03/25/2024		MINUTE ORDER: Upon consideration of the parties' <u>15</u> Joint Status Report, the parties shall file another Joint Status Report by April 23, 2024 apprising the court of ongoing discussions and any additional issues. The report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 03/25/2024. (lcd) (Entered: 03/25/2024)
03/25/2024		Set/Reset Deadlines: Parties Joint Status Report due by 4/23/2024 (mac) (Entered: 03/25/2024)
04/23/2024	<u>16</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 04/23/2024)
04/23/2024		MINUTE ORDER: Upon consideration of the parties' <u>16</u> Joint Status Report, it is hereby ORDERED that the parties shall file a subsequent Joint Status Report by May 21, 2024, apprising the court of ongoing discussions and any additional issues. The JSR shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 04/23/2024. (lcd) (Entered: 04/23/2024)
05/21/2024	<u>17</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 05/21/2024)
05/21/2024		MINUTE ORDER: Upon consideration of the parties' <u>17</u> Joint Status Report, it is hereby ORDERED that the parties shall file a subsequent Joint Status Report by June 21, 2024, apprising the court of ongoing discussions and any additional issues. The JSR shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 05/21/2024. (lcd) (Entered: 05/21/2024)
05/21/2024		Set/Reset Deadlines: Joint Status Report due by 6/21/2024. (hmc) (Entered: 05/21/2024)
06/21/2024	<u>18</u>	ENTERED IN ERROR.....Consent MOTION for Extension of Time to File <i>Joint Status Report</i> by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) Modified on 6/25/2024 (zjm). (Entered: 06/21/2024)
06/25/2024		NOTICE OF ERROR regarding <u>18</u> Consent MOTION for Extension of Time to File <i>Joint Status Report</i> . The following error(s) need correction: Incorrect court case caption/case number. Please refile. (zjm) (Entered: 06/25/2024)
06/25/2024	<u>19</u>	Consent MOTION for Extension of Time to File <i>Joint Status Report (Corrected)</i> by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 06/25/2024)
06/28/2024	<u>20</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 06/28/2024)
07/01/2024		MINUTE ORDER: Granting Defendant's Corrected <u>19</u> Consent Motion for Extension of Time. Furthermore, upon consideration of the parties' <u>20</u> Joint Status Report, it is hereby ORDERED that the parties shall file a subsequent Joint Status Report by 7/30/2024, apprising the court of ongoing discussions and any additional issues. The JSR shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on

		07/01/2024. (lcd) (Entered: 07/01/2024)
07/30/2024	<u>21</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 07/30/2024)
07/30/2024		MINUTE ORDER: Upon consideration of the parties' <u>21</u> Joint Status Report, it is hereby ORDERED that the parties shall file a subsequent Joint Status Report by September 4, 2024, apprising the court of ongoing discussions and any additional issues. The JSR shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 07/30/2024. (lcd) (Entered: 07/30/2024)
09/04/2024	<u>22</u>	Consent MOTION for Extension of Time to File <i>Joint Status Report</i> by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 09/04/2024)
09/06/2024		MINUTE ORDER: Upon consideration of Defendant's <u>22</u> Consent Motion for Extension, it is hereby ORDERED that the parties shall file a subsequent Joint Status Report by September 12, 2024, apprising the court of ongoing discussions and any additional issues. The JSR shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 09/06/2024. (lcd) (Entered: 09/06/2024)
09/12/2024	<u>23</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order Defendant's Proposed Order, # <u>2</u> Text of Proposed Order Plaintiff's Proposed Order)(Levy, Brian) (Entered: 09/12/2024)
09/17/2024		MINUTE ORDER SETTING BRIEFING SCHEDULE: Upon consideration of <u>23</u> Joint Status Report, the court sets the following deadlines: Defendant's Motion for Summary Judgment due 12/6/2024. Plaintiff's Opposition & Cross-Motion due 1/10/2025. Defendant's Reply & Opposition due 2/7/2025. Plaintiff's Reply due 2/28/2025. Signed by Judge Tanya S. Chutkan on 9/17/2024. (zcll) (Entered: 09/17/2024)