

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:23-cv-03804-TNM**

UNITED DEVELOPMENT FUNDING III, L.P et al v. U.S.  
SECURITIES AND EXCHANGE COMMISSION  
Assigned to: Judge Trevor N. McFadden  
Cause: 05:552 Freedom of Information Act

Date Filed: 12/21/2023  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**UNITED DEVELOPMENT FUNDING  
III, L.P**

represented by **Grace Caputo**  
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**Plaintiff**

**UNITED DEVELOPMENT FUNDING  
IV**

represented by **Grace Caputo**  
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*PRO HAC VICE*  
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**Ryan Meyer**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Johnjerica Hodge**  
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V.

**Defendant**

**U.S. SECURITIES AND EXCHANGE  
COMMISSION**

represented by **Esther Y. Cheng**  
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**LEAD ATTORNEY**  
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Date Filed	#	Docket Text
12/21/2023	<u>1</u>	COMPLAINT against SECURITIES AND EXCHANGE COMMISSION ( Filing fee \$ 405 receipt number ADCDC-10577684) filed by UNITED DEVELOPMENT FUNDING III, L.P, UNITED DEVELOPMENT FUNDING IV. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons as to Civil Process Clerk, # <u>3</u> Summons as to SEC, # <u>4</u> Summons as to Attorney General)(Hodge, Johnjerica) (Entered: 12/21/2023)
12/22/2023		Case Assigned to Judge Trevor N. McFadden. (zsl) (Entered: 12/22/2023)
12/22/2023	<u>2</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 12/22/2023. (lctnm2) (Entered: 12/22/2023)
12/26/2023	<u>3</u>	SUMMONS (3) Issued Electronically as to All Defendants, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zljn) (Entered: 12/26/2023)
12/27/2023	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Ryan J. Meyer, Filing fee \$ 100, receipt number ADCDC-10584114. Fee Status: Fee Paid. by UNITED DEVELOPMENT FUNDING III, L.P, UNITED DEVELOPMENT FUNDING IV. (Attachments: # <u>1</u> Exhibit 1 PHV Declaration and Certification of Attorney, # <u>2</u> Proposed Order)(Hodge, Johnjerica) (Entered: 12/27/2023)
12/28/2023		NOTICE OF ERROR regarding <u>4</u> MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Ryan J. Meyer, Filing fee \$ 100, receipt number ADCDC-10584114. Fee Status: Fee Paid.. The following error(s) need correction: Pro Hac Vice motion must be accompanied by a Certificate of Good Standing issued within the last 30 days (LCvR 83.2(c)(2)). Please file certificate as an Errata (mg) (Entered: 12/28/2023)
12/28/2023	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Grace Caputo, Filing fee \$ 100, receipt number ADCDC-10584870. Fee Status: Fee Paid. by UNITED DEVELOPMENT FUNDING III, L.P, UNITED DEVELOPMENT FUNDING IV. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order)(Hodge, Johnjerica) (Entered: 12/28/2023)
12/28/2023		NOTICE OF ERROR regarding <u>5</u> MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Grace Caputo, Filing fee \$ 100, receipt number ADCDC-10584870. Fee Status: Fee Paid.. The following error(s) need correction: Pro Hac Vice motion must be accompanied by a Certificate of Good Standing issued within the last 30 days (LCvR 83.2(c)(2)). Please file certificate as an Errata (mg) (Entered: 12/28/2023)
01/16/2024	<u>6</u>	CERTIFICATE OF SERVICE by UNITED DEVELOPMENT FUNDING III, L.P, UNITED DEVELOPMENT FUNDING IV re <u>1</u> Complaint, . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Hodge, Johnjerica) (Entered: 01/16/2024)
01/16/2024	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/28/2023. ( Answer due for ALL FEDERAL DEFENDANTS by 1/27/2024.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/29/2023., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. SECURITIES AND EXCHANGE COMMISSION served on 12/27/2023. (See docket entry <u>6</u> to view document). (mg) (Entered: 01/16/2024)

01/26/2024	<u>8</u>	ANSWER to Complaint by U.S. SECURITIES AND EXCHANGE COMMISSION.(Cheng, Esther) (Entered: 01/26/2024)
01/29/2024		MINUTE ORDER. Before the Court are a Complaint and an Answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, 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, and a briefing schedule for dispositive motions, if required. The parties shall file the schedule on or before March 15, 2024. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/29/2024. (lctnm2) (Entered: 01/29/2024)
02/02/2024	<u>9</u>	ERRATA by UNITED DEVELOPMENT FUNDING III, L.P, UNITED DEVELOPMENT FUNDING IV re <u>4</u> Motion for Leave to Appear Pro Hac Vice., (Attachments: # <u>1</u> Exhibit COGS – Texas)(Meyer, Ryan) (Entered: 02/02/2024)
02/02/2024	<u>10</u>	ERRATA by UNITED DEVELOPMENT FUNDING III, L.P, UNITED DEVELOPMENT FUNDING IV re <u>5</u> Motion for Leave to Appear Pro Hac Vice., (Attachments: # <u>1</u> Exhibit COGS TX)(Caputo, Grace) (Entered: 02/02/2024)
02/02/2024		MINUTE ORDER granting <u>4</u> Motion for Leave to Appear Pro Hac Vice. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions.</b> (lctnm2) (Entered: 02/02/2024)
02/02/2024		MINUTE ORDER granting <u>5</u> Motion for Leave to Appear Pro Hac Vice. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions.</b> (lctnm2) (Entered: 02/02/2024)
02/02/2024	<u>11</u>	NOTICE of Appearance by Ryan Meyer on behalf of All Plaintiffs (Meyer, Ryan) (Entered: 02/02/2024)
02/02/2024	<u>12</u>	NOTICE of Appearance by Grace Caputo on behalf of All Plaintiffs (Caputo, Grace) (Entered: 02/02/2024)
03/15/2024	<u>13</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Cheng, Esther) (Entered: 03/15/2024)
03/15/2024		MINUTE ORDER: After considering the <u>13</u> Joint Status Report, the Court ORDERS the parties to file another JSR by April 15, 2024, updating the Court on the progress of their resolution efforts. The Court FURTHER ORDERS that after all productions are complete and before parties propose a briefing schedule for summary judgment motions they shall meet in-person to discuss the sufficiency of Defendant's productions. Any request for a briefing schedule must certify this meeting has occurred and that despite good-faith negotiations, no resolution between the parties is possible. Signed by Judge Trevor N. McFadden on 3/15/2024. (lctnm2) (Entered: 03/15/2024)
04/15/2024	<u>14</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Cheng, Esther) (Entered: 04/15/2024)
04/15/2024		MINUTE ORDER: After considering the <u>14</u> Joint Status Report, the Court ORDERS the parties to file another JSR by May 15, 2024, updating the Court on the progress of their resolution efforts and proposing a briefing schedule for dispositive motions, if required. SO ORDERED. Signed by Judge Trevor N. McFadden on 4/15/2024. (lctnm2) (Entered: 04/15/2024)
04/16/2024		Set/Reset Deadlines: Joint Status Report due by 5/15/2024. (hmc) (Entered: 04/16/2024)
05/15/2024	<u>15</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Cheng, Esther) (Entered: 05/15/2024)
05/17/2024		MINUTE ORDER: After considering the <u>15</u> Joint Status Report, the Court ORDERS the parties to file another JSR by June 14, 2024, updating the Court on the progress of their resolution efforts and proposing a briefing schedule for dispositive motions, if required. SO ORDERED. Signed by Judge Trevor N. McFadden on 5/17/2024. (lctnm2) (Entered: 05/17/2024)

06/14/2024	<u>16</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Cheng, Esther) (Entered: 06/14/2024)
06/14/2024		MINUTE ORDER: After considering the <u>16</u> Joint Status Report, the Court ORDERS the parties to file another JSR by July 15, 2024, updating the Court on the progress of their resolution efforts and proposing a briefing schedule for dispositive motions, if required. SO ORDERED. Signed by Judge Trevor N. McFadden on 6/14/2024. (lctnm2) (Entered: 06/14/2024)
07/15/2024	<u>17</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Cheng, Esther) (Entered: 07/15/2024)
07/15/2024		MINUTE ORDER: After considering the <u>17</u> Joint Status Report, the Court ORDERS the parties to file another JSR by August 15, 2024, updating the Court on the progress of their resolution efforts and proposing a briefing schedule for dispositive motions, if required. SO ORDERED. Signed by Judge Trevor N. McFadden on 7/15/2024. (lctnm2) (Entered: 07/15/2024)
08/15/2024	<u>18</u>	Joint STATUS REPORT by UNITED DEVELOPMENT FUNDING III, L.P, UNITED DEVELOPMENT FUNDING IV. (Meyer, Ryan) (Entered: 08/15/2024)
08/15/2024		MINUTE ORDER: After considering the <u>18</u> Joint Status Report, the Court ORDERS the parties to file another JSR by September 16, 2024, updating the Court on the progress of their resolution efforts and proposing a briefing schedule for dispositive motions, if required. SO ORDERED. Signed by Judge Trevor N. McFadden on 8/15/2024. (lctnm2) (Entered: 08/15/2024)
09/16/2024	<u>19</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Cheng, Esther) (Entered: 09/16/2024)
09/17/2024		MINUTE ORDER: After considering the <u>19</u> Joint Status Report, the Court ORDERS the parties to file another JSR by October 16, 2024, updating the Court on the progress of their resolution efforts and proposing a briefing schedule for dispositive motions, if required. SO ORDERED. Signed by Judge Trevor N. McFadden on 9/17/2024. (lctnm2) (Entered: 09/17/2024)