

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:23-cv-02294-LLA**

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

Date Filed: 08/08/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: Federal Question

Plaintiff

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

represented by **Ryan Meyer**
KATTEN MUCHIN ROSENMAN LLP
2121 N. Pearl Street
Suite 1100
Dallas, TX 75214
214-765-3627
Fax: 214-765-3602
Email: ryan.meyer@katten.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Grace Caputo
KATTEN MUCHIN ROSENMAN LLP
2121 N. Pearl St.
Suite 1100
Dallas, TX 75201
469-627-7021
Fax: 214-765-3602
Email: grace.caputo@katten.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Johnjerica Hodge
KATTEN MUCHIN ROSENMAN
1919 Pennsylvania Ave NW
Suite 800
Washington, DC 20006-3404
202-625-3710
Email: johnjerica.hodge@kattenlaw.com
ATTORNEY TO BE NOTICED

Plaintiff

**UNITED DEVELOPMENT FUNDING
IV**

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

Grace Caputo
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Johnjerica Hodge
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**U.S. SECURITIES AND EXCHANGE
COMMISSION**represented by **Mark Robert Tallarico**
U.S. SECURITIES & EXCHANGE
COMMISSION
100 F Street, NE
Washington, DC 20549
(202) 551-5132
Email: tallaricom@sec.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/08/2023	<u>1</u>	COMPLAINT against UNITED DEVELOPMENT FUNDING III, L.P, UNITED DEVELOPMENT FUNDING IV (Filing fee \$ 402 receipt number ADCDC-10262241) filed by UNITED DEVELOPMENT FUNDING III, L.P, UNITED DEVELOPMENT FUNDING IV. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U, # <u>22</u> Exhibit V, # <u>23</u> Errata W, # <u>24</u> Civil Cover Sheet CIVIL COVER SHEET, # <u>25</u> Summons SUMMONS – USAO DC, # <u>26</u> Summons SUMMONS – SEC, # <u>27</u> Summons SUMMONS – AG)(Hodge, Johnjerica) (Entered: 08/08/2023)
08/09/2023		Case Assigned to Judge Trevor N. McFadden. (zrtw) (Entered: 08/09/2023)
08/10/2023	<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 8/10/2023. (lctnm2) (Entered: 08/10/2023)
08/10/2023	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. SECURITIES AND EXCHANGE COMMISSION, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zrtw) (Entered: 08/10/2023)
08/15/2023	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. SECURITIES AND EXCHANGE COMMISSION served on 8/11/2023, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 08/14/2023., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/14/2023. (Answer due for ALL FEDERAL DEFENDANTS by 9/13/2023.) (Hodge, Johnjerica) (Entered: 08/15/2023)
08/15/2023	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Ryan J. Meyer, Filing fee \$ 100, receipt number ADCDC-10279348. Fee Status: Fee Paid. by UNITED DEVELOPMENT FUNDING III, L.P, UNITED DEVELOPMENT FUNDING IV. (Attachments: # <u>1</u> Exhibit Declaration, # <u>2</u> Exhibit Certificate of Good Standing, # <u>3</u> Text of Proposed Order Proposed Order)(Hodge, Johnjerica) (Entered: 08/15/2023)
08/15/2023	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Grace A. Caputo, Filing fee \$ 100, receipt number ADCDC-10279411. Fee Status: Fee Paid. by UNITED DEVELOPMENT FUNDING III, L.P, UNITED DEVELOPMENT FUNDING IV. (Attachments: # <u>1</u> Exhibit Declaration, # <u>2</u> Exhibit Certificate of Good Standing, # <u>3</u> Text of Proposed Order Proposed Order)(Hodge, Johnjerica) (Entered: 08/15/2023)
08/16/2023		MINUTE ORDER granting <u>5</u> Motion for Leave to Appear Pro Hac Vice. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. SO ORDERED. Signed by Judge Trevor N. McFadden on 8/16/2023. (lctnm2) (Entered: 08/16/2023)
08/16/2023		MINUTE ORDER granting <u>6</u> Motion for Leave to Appear Pro Hac Vice. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. SO ORDERED. Signed by Judge Trevor N.

		McFadden on 8/16/2023. (lctnm2) (Entered: 08/16/2023)
08/22/2023	<u>7</u>	NOTICE of Appearance by Ryan Meyer on behalf of All Plaintiffs (Meyer, Ryan) (Entered: 08/22/2023)
08/22/2023	<u>8</u>	NOTICE of Appearance by Grace Caputo on behalf of All Plaintiffs (Caputo, Grace) (Entered: 08/22/2023)
08/31/2023	<u>9</u>	NOTICE of Appearance by Mark Robert Tallarico on behalf of All Defendants (Tallarico, Mark) (Entered: 08/31/2023)
09/01/2023	<u>10</u>	Consent MOTION for Extension of Time to File Answer by U.S. SECURITIES AND EXCHANGE COMMISSION. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order for Consent Motion for Enlargement of Time to Answer)(Tallarico, Mark) (Entered: 09/01/2023)
09/01/2023		MINUTE ORDER granting <u>10</u> Consent Motion for Extension of Time. Defendant's responsive pleading shall now be due by October 4, 2023. SO ORDERED. Signed by Judge Trevor N. McFadden on 9/1/2023. (lctnm2) (Entered: 09/01/2023)
09/29/2023	<u>11</u>	ANSWER to Complaint by U.S. SECURITIES AND EXCHANGE COMMISSION.(Tallarico, Mark) (Entered: 09/29/2023)
09/29/2023		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 Plaintiffs' FOIA request, the anticipated number of documents responsive to Plaintiffs' 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 October 23, 2023. SO ORDERED. Signed by Judge Trevor N. McFadden on 9/29/2023. (lctnm2) (Entered: 09/29/2023)
10/23/2023	<u>12</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Tallarico, Mark) (Entered: 10/23/2023)
10/23/2023		MINUTE ORDER: After considering the <u>12</u> Joint Status Report, the Court ORDERS the parties to file another JSR by November 22, 2023, 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 10/23/2023. (lctnm2) (Entered: 10/23/2023)
11/21/2023	<u>13</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Tallarico, Mark) (Entered: 11/21/2023)
11/21/2023		MINUTE ORDER: After considering the <u>13</u> Joint Status Report, the Court ORDERS the parties to file another JSR by December 21, 2023, 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 11/21/2023. (lctnm2) (Entered: 11/21/2023)
12/14/2023		Case directly reassigned to Judge Loren L. AliKhan. Judge Trevor N. McFadden is no longer assigned to the case. (tj) (Entered: 12/14/2023)
12/21/2023	<u>14</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Tallarico, Mark) (Entered: 12/21/2023)
12/21/2023		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>14</u> , the Court ORDERS that the parties shall file a status report on or before January 22, 2024. Signed by Judge Loren L. AliKhan on 12/21/2023. (lclla2) (Entered: 12/21/2023)
12/22/2023		Set/Reset Deadlines/Hearings: Joint Status Report due by 1/22/2024. (zcdw) (Entered: 12/22/2023)
12/22/2023		ENTERED IN ERROR.....Set/Reset Deadlines/Hearings: Status Report due by 2/15/2024. (zcdw) Modified on 1/5/2024 (zcdw). (Entered: 12/22/2023)

01/22/2024	<u>15</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Tallarico, Mark) (Entered: 01/22/2024)
01/23/2024		MINUTE ORDER: Upon consideration of the parties' joint status report <u>15</u> , it is hereby ORDERED that the parties shall file another joint status report on or before February 21, 2024. Signed by Judge Loren L. AliKhan on 01/23/2024. (lc1la2) (Entered: 01/23/2024)
01/23/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 2/21/2024. (zcdw) (Entered: 01/23/2024)
02/21/2024	<u>16</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Tallarico, Mark) (Entered: 02/21/2024)
02/21/2024		MINUTE ORDER: Upon consideration of the parties' joint status report <u>16</u> , it is hereby ORDERED that the parties shall file another joint status report on or before March 22, 2024. Signed by Judge Loren L. AliKhan on 02/21/2024. (lc1la2) Modified on 2/21/2024 to add order type (zcdw). (Entered: 02/21/2024)
02/21/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 3/22/2024. (zcdw) (Entered: 02/21/2024)
03/22/2024	<u>17</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Tallarico, Mark) (Entered: 03/22/2024)
03/22/2024		MINUTE ORDER: Upon consideration of the parties' joint status report <u>17</u> , it is hereby ORDERED that the parties shall file another joint status report on or before April 22, 2024. Signed by Judge Loren L. AliKhan on 03/22/2024. (lc1la2) (Entered: 03/22/2024)
03/24/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 4/22/2024. (zcdw) (Entered: 03/24/2024)
04/22/2024	<u>18</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Tallarico, Mark) (Entered: 04/22/2024)
04/22/2024		MINUTE ORDER: Upon consideration of the parties' joint status report <u>18</u> , it is hereby ORDERED that the parties shall file another joint status report on or before May 22, 2024. Signed by Judge Loren L. AliKhan on 04/22/24. (lc1la2) (Entered: 04/22/2024)
04/22/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 5/22/2024. (zcdw) (Entered: 04/22/2024)
05/22/2024	<u>19</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Tallarico, Mark) (Entered: 05/22/2024)
05/23/2024		MINUTE ORDER: Upon consideration of the parties' joint status report <u>19</u> , it is hereby ORDERED that the parties shall file another joint status report on or before June 21, 2024. Signed by Judge Loren L. AliKhan on 05/23/2024. (lc1la2) (Entered: 05/23/2024)
05/27/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 6/21/2024. (zcdw) (Entered: 05/27/2024)
06/21/2024	<u>20</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Tallarico, Mark) (Entered: 06/21/2024)
06/21/2024		MINUTE ORDER: Upon consideration of the parties' joint status report <u>20</u> , it is hereby ORDERED that the parties shall file another joint status report on or before July 22, 2024. Signed by Judge Loren L. AliKhan on 06/21/2024. (lc1la2) (Entered: 06/21/2024)
06/24/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 7/22/2024. (zcdw) (Entered: 06/24/2024)
07/22/2024	<u>21</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Tallarico, Mark) (Entered: 07/22/2024)

07/23/2024		MINUTE ORDER: Upon consideration of the parties' joint status report <u>21</u> , it is hereby ORDERED that the parties shall file another joint status report on or before August 21, 2024. Signed by Judge Loren L. AliKhan on 07/23/2024. (lc1la2) (Entered: 07/23/2024)
07/23/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 8/21/2024. (zcdw) (Entered: 07/23/2024)
08/21/2024	<u>22</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Tallarico, Mark) (Entered: 08/21/2024)
08/21/2024		MINUTE ORDER: Upon consideration of the parties' joint status report <u>22</u> , it is hereby ORDERED that the parties shall file another joint status report on or before September 20, 2024. Signed by Judge Loren L. AliKhan on 08/21/2024. (lc1la2) (Entered: 08/21/2024)
08/21/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 9/20/2024. (zcdw) (Entered: 08/21/2024)
09/20/2024	<u>23</u>	Joint STATUS REPORT by U.S. SECURITIES AND EXCHANGE COMMISSION. (Tallarico, Mark) (Entered: 09/20/2024)
09/20/2024		MINUTE ORDER: Upon consideration of the parties' joint status report <u>23</u> , it is hereby ORDERED that the parties shall file another joint status report on or before October 21, 2024. Signed by Judge Loren L. AliKhan on 09/20/2024. (lc1la2) (Entered: 09/20/2024)