

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:19-cv-01468-CJN**

ELECTRONIC PRIVACY INFORMATION CENTER v. U.S.  
DEPARTMENT OF STATE  
Assigned to: Judge Carl J. Nichols  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/20/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**ELECTRONIC PRIVACY  
INFORMATION CENTER**

represented by **Alan Jay Butler**  
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*TERMINATED: 04/29/2020*

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V.

**Defendant**

**U.S. DEPARTMENT OF STATE**

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Date Filed	#	Docket Text
05/20/2019	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF STATE ( Filing fee \$ 400 receipt number 0090-6135252) filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Attorney General of the United States, # <u>3</u> Summons Department of State, # <u>4</u> Summons US Attorney)(Scott, Jeramie) (Entered: 05/20/2019)
05/22/2019		Case Assigned to Judge Timothy J. Kelly. (zeg) (Entered: 05/22/2019)
05/22/2019	<u>2</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zeg) (Entered: 05/22/2019)
06/19/2019	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/29/2019. Answer due for ALL FEDERAL DEFENDANTS by 6/28/2019. (Scott, Jeramie) (Entered: 06/19/2019)
06/19/2019	<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 05/29/2019. (Scott, Jeramie) (Entered: 06/19/2019)
06/19/2019	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF STATE served on 6/17/2019 (Scott, Jeramie) (Entered: 06/19/2019)

06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Timothy J. Kelly is no longer assigned to the case. (rj) (Entered: 06/24/2019)
06/28/2019	<u>6</u>	ANSWER to Complaint by U.S. DEPARTMENT OF STATE.(Pfaffenroth, Peter) (Entered: 06/28/2019)
08/13/2019		MINUTE ORDER. Before the Court in this Freedom of Information Act case are a Complaint and an Answer. The requirements of Local Civil Rule 16.3 and Federal Rule of Civil Procedure 26(f) appear to be inapplicable. It is hereby ORDERED that the Parties shall confer and file a Joint Status Report on or before September 12, 2019. The Joint Status Report shall address: (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for stay is likely under <i>Open America v. Watergate Special Prosecution Force</i> , 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the Parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Carl J. Nichols on August 13, 2019. (lccjn1) (Entered: 08/13/2019)
08/14/2019		Set/Reset Deadlines: Joint Status Report due by 9/12/2019. (mac) (Entered: 08/14/2019)
09/05/2019	<u>7</u>	NOTICE of Appearance by Alan Jay Butler on behalf of ELECTRONIC PRIVACY INFORMATION CENTER (Butler, Alan) (Main Document 7 replaced on 9/9/2019) (zjf). (Entered: 09/05/2019)
09/05/2019	<u>8</u>	NOTICE of Appearance by Marc Rotenberg on behalf of ELECTRONIC PRIVACY INFORMATION CENTER (Rotenberg, Marc) (Main Document 8 replaced on 9/9/2019) (zjf). (Entered: 09/05/2019)
09/05/2019	<u>9</u>	NOTICE of Change of Address by Jeramie D. Scott (Scott, Jeramie) (Entered: 09/05/2019)
09/12/2019	<u>10</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Pfaffenroth, Peter) (Entered: 09/12/2019)
09/19/2019	<u>11</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Alan R. Burch on behalf of U.S. DEPARTMENT OF STATE Substituting for attorney Peter C. Pfaffenroth (Burch, Alan) (Entered: 09/19/2019)
09/26/2019		MINUTE ORDER. In light of the Parties' <u>10</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before November 5, 2019. Signed by Judge Carl J. Nichols on September 26, 2019. (lccjn3) (Entered: 09/26/2019)
09/26/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 11/5/2019. (zcdw) (Entered: 09/29/2019)
11/05/2019	<u>12</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Burch, Alan) (Entered: 11/05/2019)
12/11/2019		MINUTE ORDER. In light of the Parties' <u>12</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before December 17, 2019. Signed by Judge Carl J. Nichols on December 11, 2019. (lccjn3) (Entered: 12/11/2019)
12/11/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 12/17/2019. (zcdw) (Entered: 12/11/2019)
12/17/2019	<u>13</u>	STATUS REPORT by U.S. DEPARTMENT OF STATE. (Burch, Alan) (Entered: 12/17/2019)
12/23/2019		MINUTE ORDER. In light of Defendant's <u>13</u> Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before January 28, 2020. Plaintiff is permitted, but not required, to file an interim Status Report responding to Defendant's Status Report. Signed by Judge Carl J. Nichols on December 23, 2019. (lccjn3) (Entered: 12/23/2019)
12/23/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 1/28/2020. (zcdw) (Entered: 12/24/2019)

01/28/2020	<u>14</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Burch, Alan) (Entered: 01/28/2020)
02/03/2020		MINUTE ORDER. In light of the Parties' <u>14</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before March 16, 2020. Signed by Judge Carl J. Nichols on February 3, 2020. (lccjn3) (Entered: 02/03/2020)
02/03/2020		Set/Reset Deadlines/Hearings: Joint Status Report due by 3/16/2020. (zcdw) (Entered: 02/04/2020)
03/16/2020	<u>15</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Burch, Alan) (Entered: 03/16/2020)
03/19/2020		MINUTE ORDER. In light of the Parties' <u>15</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before May 1, 2020. Signed by Judge Carl J. Nichols on March 19, 2020. (lccjn3) (Entered: 03/19/2020)
03/19/2020		Set/Reset Deadlines/Hearings: Joint Status Report due by 5/1/2020. (zcdw) (Entered: 03/22/2020)
04/29/2020	<u>16</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to ELECTRONIC PRIVACY INFORMATION CENTER. Attorney Marc Rotenberg terminated. (Scott, Jeramie) (Entered: 04/29/2020)
05/01/2020	<u>17</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Burch, Alan) (Entered: 05/01/2020)
05/05/2020		MINUTE ORDER. In light of the Parties' <u>17</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before June 15, 2020. Signed by Judge Carl J. Nichols on May 5, 2020. (lccjn3) (Entered: 05/05/2020)
05/05/2020		Set/Reset Deadlines/Hearings: Joint Status Report due by 6/15/2020. (zcdw) (Entered: 05/05/2020)
06/15/2020	<u>18</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Burch, Alan) (Entered: 06/15/2020)
06/22/2020		MINUTE ORDER. In light of the Parties' <u>18</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before July 15, 2020. Signed by Judge Carl J. Nichols on June 22, 2020. (lccjn3) (Entered: 06/22/2020)
06/22/2020		Set/Reset Deadlines: Joint Status Report due by 7/15/2020. (zcal) (Entered: 06/23/2020)
07/15/2020	<u>19</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Burch, Alan) (Entered: 07/15/2020)
07/20/2020		MINUTE ORDER. In light of the Parties' <u>19</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before August 27, 2020. Signed by Judge Carl J. Nichols on July 20, 2020. (lccjn3) (Entered: 07/20/2020)
07/20/2020		Set/Reset Deadlines: Joint Status Report due by 8/27/2020. (zcal) (Entered: 07/20/2020)
08/27/2020	<u>20</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Burch, Alan) (Entered: 08/27/2020)
09/21/2020	<u>21</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Kathleene A. Molen on behalf of U.S. DEPARTMENT OF STATE Substituting for attorney Alan Burch (Molen, Kathleene) (Entered: 09/21/2020)
09/23/2020		MINUTE ORDER. Upon review of the Parties' <u>20</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report by <b>October 27, 2020</b> . Signed by Judge Carl J. Nichols on September 23, 2020. (lccjn3) (Entered: 09/23/2020)

09/23/2020		Set/Reset Deadlines: Joint Status Report due by 10/27/2020. (zcal) (Entered: 09/23/2020)
10/27/2020	<u>22</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Molen, Kathleene) (Entered: 10/27/2020)
10/30/2020		MINUTE ORDER. Upon review of the Parties' <u>22</u> Joint Status Report, it is hereby ORDERED that the Parties shall file an additional Joint Status Report by December 8, 2020. Signed by Judge Carl J. Nichols on October 30, 2020. (lccjn3) (Entered: 10/30/2020)
10/30/2020		Set/Reset Deadlines: Joint Status Report due by 12/8/2020. (zcal) (Entered: 10/30/2020)
12/08/2020	<u>23</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Molen, Kathleene) (Entered: 12/08/2020)
12/15/2020		MINUTE ORDER. Upon review of the Parties' <u>23</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit another Joint Status Report by <b>January 22, 2021</b> . Signed by Judge Carl J. Nichols on December 15, 2020. (lccjn3) (Entered: 12/15/2020)
12/15/2020		Set/Reset Deadlines: Joint Status Report due by 1/22/2021. (zcal) (Entered: 12/15/2020)
01/22/2021	<u>24</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Molen, Kathleene) (Entered: 01/22/2021)
01/27/2021		MINUTE ORDER. Upon review of the Parties' <u>24</u> Joint Status Report, it is hereby ORDERED that the Parties shall file another Joint Status Report by <b>March 8, 2021</b> . Signed by Judge Carl J. Nichols on January 27, 2021. (lccjn3) (Entered: 01/27/2021)
01/27/2021		Set/Reset Deadlines: Joint Status Report due by 3/8/2021. (zcal) (Entered: 01/27/2021)
03/08/2021	<u>25</u>	ENTERED IN ERROR.....Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Molen, Kathleene) Modified on 3/25/2021 (znmw). (Entered: 03/08/2021)
03/11/2021		MINUTE ORDER. Upon review of the Parties' <u>25</u> Joint Status Report, it is hereby ORDERED that the Parties submit an additional Joint Status Report by <b>April 8, 2021</b> . Signed by Judge Carl J. Nichols on March 11, 2021. (lccjn3) (Entered: 03/11/2021)
03/11/2021		Set/Reset Deadlines: Joint Status Report due by 4/8/2021. (zcal) (Entered: 03/16/2021)
03/23/2021	<u>26</u>	NOTICE of Errata by U.S. DEPARTMENT OF STATE re <u>25</u> Status Report (Attachments: # <u>1</u> Joint Status Report – March 8, 2021)(Molen, Kathleene) (Entered: 03/23/2021)
04/07/2021	<u>27</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Molen, Kathleene) (Entered: 04/07/2021)
04/12/2021		MINUTE ORDER. Upon review of the Parties' <u>27</u> Joint Status Report, it is hereby ORDERED that the Parties submit another Joint Status Report by May 7, 2021. Signed by Judge Carl J. Nichols on April 12, 2021. (lccjn3) (Entered: 04/12/2021)
04/12/2021		Set/Reset Deadlines: Joint Status Report due by 5/7/2021. (zcal) (Entered: 04/12/2021)
05/07/2021	<u>28</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Molen, Kathleene) (Entered: 05/07/2021)
05/13/2021		MINUTE ORDER. Upon review of the Parties' <u>28</u> Joint Status Report, it is hereby ORDERED that the Parties file another Joint Status Report by <b>July 30, 2021</b> . Signed by Judge Carl J. Nichols on May 13, 2021. (lccjn3) (Entered: 05/13/2021)
05/13/2021		Set/Reset Deadlines: Joint Status Report due by 7/30/2021. (zcal) (Entered: 05/13/2021)
07/30/2021	<u>29</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Molen, Kathleene) (Entered: 07/30/2021)
08/05/2021		MINUTE ORDER. Upon review of the Parties' <u>29</u> Joint Status Report, it is hereby ORDERED that they file an additional Joint Status Report by <b>September 13, 2021</b> ,

		and every 30 days thereafter until this matter is resolved. Signed by Judge Carl J. Nichols on August 5, 2021. (lccjn3) (Entered: 08/05/2021)
08/05/2021		Set/Reset Deadlines: Joint Status Report due by 9/13/2021. (zcal) (Entered: 08/06/2021)
09/13/2021	<u>30</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Molen, Kathleene) (Entered: 09/13/2021)
11/10/2021	<u>31</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Anna Davis Walker on behalf of U.S. DEPARTMENT OF STATE Substituting for attorney Kathleen A. Molen (Walker, Anna) (Entered: 11/10/2021)
11/12/2021	<u>32</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 11/12/2021)
12/13/2021	<u>33</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 12/13/2021)
01/12/2022	<u>34</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 01/12/2022)
02/11/2022	<u>35</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 02/11/2022)
03/14/2022	<u>36</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 03/14/2022)
04/13/2022	<u>37</u>	NOTICE of Appearance by Thomas Anthony Quinn on behalf of U.S. DEPARTMENT OF STATE (Quinn, Thomas) (Entered: 04/13/2022)
04/13/2022	<u>38</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 04/13/2022)
05/13/2022	<u>39</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Quinn, Thomas) (Entered: 05/13/2022)
06/13/2022	<u>40</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Quinn, Thomas) (Entered: 06/13/2022)
06/21/2022		MINUTE ORDER. Upon consideration of the Parties' <u>40</u> Joint Status Report, it is hereby ORDERED that the next Joint Status Report in this matter shall be filed on or before September 2, 2022, unless issues arise earlier that necessitate the Court's intervention. Signed by Judge Carl J. Nichols on June 21, 2022. (lccjn3) (Entered: 06/21/2022)
06/21/2022		Set/Reset Deadlines: Joint Status Report due by 9/2/2022. (zkh) (Entered: 06/21/2022)
09/02/2022	<u>41</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 09/02/2022)
09/08/2022		MINUTE ORDER. Upon consideration of the Parties' <u>41</u> Joint Status Report, it is hereby ORDERED that the next Joint Status Report in this matter shall be filed on or before December 1, 2022, and future Joint Status Reports shall be filed every 60 days thereafter, unless issues arise earlier that necessitate the Court's intervention. Signed by Judge Carl J. Nichols on September 8, 2022. (lccjn3) (Entered: 09/08/2022)
09/08/2022		Set/Reset Deadlines: Joint Status Report due by 12/1/2022. (zcal) (Entered: 09/08/2022)
12/01/2022	<u>42</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 12/01/2022)
01/30/2023	<u>43</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 01/30/2023)
03/31/2023	<u>44</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 03/31/2023)

05/30/2023	<u>45</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 05/30/2023)
07/31/2023	<u>46</u>	Joint STATUS REPORT by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Text of Proposed Order)(Scott, Jeramie) (Entered: 07/31/2023)
08/10/2023		MINUTE ORDER. Upon consideration of <u>46</u> Joint Status Report, <b>VACATED PURSUANT TO MINUTE ORDER FILED 10/5/2023..... it is hereby ORDERED</b> <del>that Defendant shall file its motion for summary judgment on or before October 6, 2023; Plaintiff shall file its opposition and cross motion for summary judgment on or before November 3, 2023; Defendant shall file its reply and opposition to the cross motion on or before December 1, 2023; and Plaintiff shall file its reply on or before December 22, 2023.</del> Signed by Judge Carl J. Nichols on August 10, 2023. (lccjn3) Modified to vacate briefing schedule on 10/5/2023 (zkh). (Entered: 08/10/2023)
09/29/2023	<u>47</u>	Consent MOTION to Vacate Order,, Set Deadlines, <i>and to file a further joint status report</i> by U.S. DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Anna). Added MOTION for Leave to File on 10/2/2023 (znmw). (Entered: 09/30/2023)
10/05/2023		MINUTE ORDER. Upon consideration of Defendants <u>47</u> Consent Motion to Vacate Briefing Schedule and To File a Further Joint Status Report, the entire record herein, and for good cause shown, it is hereby ORDERED that the briefing schedule entered on August 10, 2023 is vacated; it is further ORDERED that the parties shall file a further joint status report on or before December 5, 2023. So Ordered by Judge Carl J. Nichols on 10/05/2023. (lccjn3) (Entered: 10/05/2023)
12/05/2023	<u>48</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 12/05/2023)
02/06/2024	<u>49</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 02/06/2024)
03/27/2024	<u>50</u>	Joint STATUS REPORT by ELECTRONIC PRIVACY INFORMATION CENTER. (Scott, Jeramie) (Entered: 03/27/2024)
05/22/2024	<u>51</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 05/22/2024)
07/26/2024	<u>52</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 07/26/2024)
09/24/2024	<u>53</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Walker, Anna) (Entered: 09/24/2024)