

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:24-cv-00137-APM**

CENTER FOR IMMIGRATION STUDIES v. U.S.
DEPARTMENT OF HEALTH AND HUMAN SERVICES
Assigned to: Judge Amit P. Mehta
Cause: 05:552 Freedom of Information Act

Date Filed: 01/16/2024
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**CENTER FOR IMMIGRATION
STUDIES**

represented by **Colin M. Farnsworth**
CENTER FOR IMMIGRATION
STUDIES
1629 K Street
Suite 600
Washington, DC 20006
202-466-8185
Email: cmf@cis.org
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES**

represented by **Jeremy S. Simon**
DOJ-USAO
Patrick Henry Building
601 D. Street, N.W.
Washington, DC 20530
(202) 252-2528
Email: jeremy.simon@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/16/2024	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Filing fee \$ 405 receipt number ADCDC-10620108) filed by CENTER FOR IMMIGRATION STUDIES. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Civil Cover Sheet, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Summons)(Farnsworth, Colin) (Entered: 01/16/2024)
01/16/2024	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CENTER FOR IMMIGRATION STUDIES (Farnsworth, Colin) (Entered: 01/16/2024)
01/17/2024		Case Assigned to Judge Amit P. Mehta. (zsl) (Entered: 01/17/2024)
01/19/2024	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsl) (Entered: 01/19/2024)
01/30/2024	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 1/29/2024. Answer due for ALL FEDERAL DEFENDANTS by 2/28/2024. (Farnsworth, Colin) (Entered: 01/30/2024)
01/30/2024	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 1/29/24. (Farnsworth, Colin) (Entered: 01/30/2024)

01/30/2024	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 1/29/2024 (Farnsworth, Colin) (Entered: 01/30/2024)
02/28/2024	<u>7</u>	ANSWER to Complaint by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Simon, Jeremy) (Entered: 02/28/2024)
02/28/2024	<u>8</u>	ORDER. Plaintiff filed this Freedom of Information Act (FOIA) action on January 16, 2024. See Compl., ECF No. 1. Defendant filed an answer on February 28, 2024. See Def.'s Answer, ECF No. 7. Cases filed under FOIA are exempt from the requirements of Federal Rule of Civil Procedure 26(f) and Local Civil Rule 16.3. See LCvR 16.3(b)(10). Accordingly, it is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before March 13, 2024. The Joint Status Report should address, among other things, (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 a 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. See attached Order for additional details. Signed by Judge Amit P. Mehta on 02/28/2024. (lcapm1) (Entered: 02/28/2024)
02/28/2024		Set/Reset Deadlines: Joint Status Report due by 3/13/2024. (hmc) (Entered: 02/28/2024)
03/13/2024	<u>9</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Simon, Jeremy) (Entered: 03/13/2024)
03/14/2024		MINUTE ORDER. The parties shall file an additional Joint Status Report on or before April 16, 2024, which updates the court on the processing and production of responsive records. Signed by Judge Amit P. Mehta on 03/14/2024. (lcapm1) (Entered: 03/14/2024)
03/14/2024		Set/Reset Deadlines: Joint Status Report due by 4/16/2024. (smc) (Entered: 03/14/2024)
04/16/2024	<u>10</u>	Consent MOTION for Extension of Time to <i>File Joint Status Report</i> by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 04/16/2024)
04/18/2024		MINUTE ORDER granting <u>10</u> Consent Motion for Extension of Time to File Joint Status Report. The parties shall file their Joint Status Report on or before April 19, 2024. Signed by Judge Amit P. Mehta on 04/18/2024. (lcapm1) (Entered: 04/18/2024)
04/18/2024	<u>11</u>	MOTION for Leave to File by CENTER FOR IMMIGRATION STUDIES. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Farnsworth, Colin) (Entered: 04/18/2024)
04/18/2024		Set/Reset Deadlines: Joint Status Report due by 4/19/2024 (zglw) (Entered: 04/18/2024)
04/19/2024	<u>12</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Simon, Jeremy) (Entered: 04/19/2024)
04/19/2024		MINUTE ORDER granting Plaintiff's <u>11</u> Motion for Leave to File a Supplemental and Amended Complaint. The operative pleading in this matter shall now be the Supplemental and Amended Complaint filed at ECF No. 11-1. Signed by Judge Amit P. Mehta on 04/19/2024. (lcapm1) (Entered: 04/19/2024)
04/22/2024		MINUTE ORDER. The parties shall file an additional Joint Status Report on or before May 30, 2024, which updates the court on the processing and production of responsive records. Signed by Judge Amit P. Mehta on 04/22/2024. (lcapm1) (Entered: 04/22/2024)
05/03/2024	<u>13</u>	ANSWER to Complaint (<i>Answer to Supplemental and Amended Complaint</i>) by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Simon, Jeremy) (Entered: 05/03/2024)
05/06/2024	<u>14</u>	ORDER. Plaintiff filed this Freedom of Information Act ("FOIA") action on January 16, 2024, and filed an Amended Complaint on April 18, 2024. See ECF Nos. 1, 11.

		Defendant filed an answer to the Amended Complaint on May 3, 2024. See Def.'s Answer to Supplemental and Amended Complaint, ECF No. 13. Cases filed under FOIA are exempt from the requirements of Federal Rule of Civil Procedure 26(f) and Local Civil Rule 16.3. See LCvR 16.3(b)(10). Accordingly, it is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before May 20, 2024. The Joint Status Report should address, among other things, (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 a 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. See attached Order for additional details. Signed by Judge Amit P. Mehta on 05/06/2024. (lcapm1) (Entered: 05/06/2024)
05/06/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 5/20/2024. (zcdw) (Entered: 05/06/2024)
05/20/2024	<u>15</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Simon, Jeremy) (Entered: 05/20/2024)
05/21/2024		MINUTE ORDER. The parties shall file an additional Joint Status Report by June 24, 2024, which updates the court on the processing and production of responsive records. Signed by Judge Amit P. Mehta on 05/21/2024. (lcapm1) (Entered: 05/21/2024)
05/21/2024		Set/Reset Deadlines: Joint Status Report due by 6/24/2024. (smc) (Entered: 05/21/2024)
06/24/2024	<u>16</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Simon, Jeremy) (Entered: 06/24/2024)
06/25/2024		MINUTE ORDER. The parties shall file an additional Joint Status Report by July 31, 2024, which updates the court on the processing and production of responsive records. Signed by Judge Amit P. Mehta on 06/25/2024. (lcapm1) (Entered: 06/25/2024)
06/26/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 7/31/2024 (zakb) (Entered: 06/26/2024)
07/31/2024	<u>17</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Simon, Jeremy) (Entered: 07/31/2024)
08/02/2024		MINUTE ORDER. The parties shall file an additional Joint Status Report by September 10, 2024, which updates the court on the processing and production of responsive records. Signed by Judge Amit P. Mehta on 08/02/2024. (lcapm1) (Entered: 08/02/2024)
08/06/2024		Set/Reset Deadlines: Status Report due by 9/10/2024 (zakb) (Entered: 08/06/2024)
09/09/2024	<u>18</u>	Consent MOTION for Extension of Time to <i>File Joint Status Report</i> by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 09/09/2024)
09/10/2024		MINUTE ORDER granting Defendant's <u>18</u> Consent Motion for Extension of Time. The parties shall file their Joint Status Report on or before September 18, 2024. Signed by Judge Amit P. Mehta on 09/10/2024. (lcapm1) (Entered: 09/10/2024)
09/13/2024		Set/Reset Deadlines: Joint Status Report from the parties due by 9/18/2024. (zakb) (Entered: 09/13/2024)
09/18/2024	<u>19</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Simon, Jeremy) (Entered: 09/18/2024)
09/19/2024		MINUTE ORDER. The parties shall file an additional Joint Status Report by October 21, 2024, which updates the court on the processing and production of responsive records. Signed by Judge Amit P. Mehta on 09/19/2024. (lcapm1) (Entered: 09/19/2024)
09/25/2024		Set/Reset Deadlines: Joint Status Report due by 10/21/2024. (zakb) (Entered: 09/25/2024)