

**U.S. District Court
 District of Columbia (Washington, DC)
 CIVIL DOCKET FOR CASE #: 1:24-cv-00378-TSC**

CATO INSTITUTE v. U.S. DEPARTMENT OF JUSTICE
 Assigned to: Judge Tanya S. Chutkan
 Cause: 05:552 Freedom of Information Act

Date Filed: 02/08/2024
 Jury Demand: None
 Nature of Suit: 895 Freedom of Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff

CATO INSTITUTE

represented by **Merrick Jason Wayne**
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V.

Defendant

U.S. DEPARTMENT OF JUSTICE

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Date Filed	#	Docket Text
02/08/2024	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 405 receipt number ADCDC-10676849) filed by CATO INSTITUTE. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Civil Cover Sheet, # <u>4</u> Summons)(Topic, Matthew) (Entered: 02/08/2024)

02/08/2024	<u>2</u>	NOTICE of Appearance by Matthew Topic on behalf of CATO INSTITUTE (Topic, Matthew) (Entered: 02/08/2024)
02/08/2024	<u>3</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of CATO INSTITUTE (Wayne, Merrick) (Entered: 02/08/2024)
02/12/2024		Case Assigned to Judge Tanya S. Chutkan. (zsl) (Entered: 02/12/2024)
02/12/2024	<u>4</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsl) (Entered: 02/12/2024)
02/22/2024	<u>5</u>	WITHDRAWN PURSUANT TO NOTICE FILED 04/22/2024.....MOTION for Preliminary Injunction by CATO INSTITUTE. (Attachments: # <u>1</u> Declaration Eddington Decl, # <u>2</u> Text of Proposed Order)(Topic, Matthew) Modified on 4/23/2024 (zjm). (Entered: 02/22/2024)
02/22/2024	<u>6</u>	NOTICE of Appearance by Brian J. Levy on behalf of U.S. DEPARTMENT OF JUSTICE (Levy, Brian) (Entered: 02/22/2024)
02/29/2024		MINUTE ORDER: Upon consideration of Plaintiff's <u>5</u> Motion for Preliminary Injunction, it is hereby ORDERED that by March 4, 2024, the parties shall meet and confer and file a Joint Status Report with a proposed briefing schedule regarding this motion, as well as a statement of what efforts have been made to settle the dispute and whether the parties believe mediation could be helpful in resolving it. The report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 02/29/2024. (lcd) (Entered: 02/29/2024)
02/29/2024		Set/Reset Deadlines: Parties Joint Status Report due by 3/4/2024 (mac) (Entered: 02/29/2024)
03/04/2024	<u>7</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Levy, Brian) (Entered: 03/04/2024)
03/05/2024		MINUTE ORDER: Upon consideration of the parties' <u>7</u> Joint Status Report, it is ORDERED that Defendant shall submit an opposition to Plaintiff's motion for a preliminary injunction by March 7, 2024 and Plaintiff shall submit a reply in further support of their motion for a preliminary injunction by March 12, 2024. It is further ORDERED that the parties shall appear for a hearing via Zoom Videoconference on March 15, 2024 at 2 PM. Signed by Judge Tanya S. Chutkan on 03/05/2024. (lcd) (Entered: 03/05/2024)
03/05/2024		Set/Reset Deadlines/Hearings: Responses due by 3/7/2024 and Replies due by 3/12/2024. Motion Hearing set for 3/15/2024 at 2:00 PM by VTC before Judge Tanya S. Chutkan. (lsj) (Entered: 03/05/2024)
03/07/2024	<u>8</u>	Memorandum in opposition to re <u>5</u> Motion for Preliminary Injunction filed by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Declaration Tiernan Decl and Exhibits, # <u>2</u> Declaration Seidel Decl, # <u>3</u> Text of Proposed Order)(Levy, Brian) (Entered: 03/07/2024)
03/11/2024	<u>9</u>	NOTICE of Appearance by Stephen Stich Match on behalf of CATO INSTITUTE (Match, Stephen) (Entered: 03/11/2024)
03/11/2024	<u>10</u>	MOTION for Leave to File <i>Supplemental Declaration</i> by CATO INSTITUTE. (Attachments: # <u>1</u> Text of Proposed Order)(Match, Stephen) (Entered: 03/11/2024)
03/12/2024		MINUTE ORDER: Granting Plaintiff's <u>10</u> Motion for Leave to File. Plaintiff is permitted to file a supplemental declaration with its Reply brief due, today, March 12, 2024. Signed by Judge Tanya S. Chutkan on 03/12/2024. (lcd) (Entered: 03/12/2024)
03/12/2024	<u>11</u>	REPLY to opposition to motion re <u>5</u> MOTION for Preliminary Injunction filed by CATO INSTITUTE. (Attachments: # <u>1</u> Declaration Second Eddington Decl)(Match, Stephen) (Entered: 03/12/2024)
03/15/2024		Minute Entry for proceedings held before Judge Tanya S. Chutkan: Motion Hearing held on 3/15/2024 re <u>5</u> MOTION for Preliminary Injunction filed by CATO INSTITUTE. Oral argument heard, and the court takes the motion under advisement. Any party seeking to file supplemental briefing must do so before the close of business

		on Tuesday, March 19, 2024. (Court Reporter: Bryan Wayne.) (tj) (Entered: 03/15/2024)
03/18/2024	<u>12</u>	ANSWER to Complaint by U.S. DEPARTMENT OF JUSTICE.(Levy, Brian) (Entered: 03/18/2024)
03/19/2024	<u>13</u>	SUPPLEMENTAL MEMORANDUM re <u>5</u> MOTION for Preliminary Injunction <i>Plaintiff's Supplemental Brief in Support of its Motion for Preliminary Injunction</i> filed by CATO INSTITUTE. (Match, Stephen) Modified on 3/19/2024 to correct event (zjm). (Entered: 03/19/2024)
03/19/2024	<u>14</u>	SUPPLEMENTAL MEMORANDUM to re <u>5</u> MOTION for Preliminary Injunction , Motion Hearing,, Set Deadlines, filed by U.S. DEPARTMENT OF JUSTICE. (Levy, Brian) (Entered: 03/19/2024)
04/05/2024	<u>15</u>	<p>TRANSCRIPT OF MOTION HEARING before Judge Tanya S. Chutkan held on March 15, 2024; Page Numbers: 1–20. Date of Issuance: 4/5/2024. Court Reporter: Bryan A. Wayne. Transcripts may be ordered by submitting the Transcript Order Form</p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 4/26/2024. Redacted Transcript Deadline set for 5/6/2024. Release of Transcript Restriction set for 7/4/2024.(Wayne, Bryan) (Entered: 04/05/2024)</p>
04/22/2024	<u>16</u>	NOTICE OF WITHDRAWAL OF MOTION by CATO INSTITUTE re <u>5</u> MOTION for Preliminary Injunction (Match, Stephen) (Entered: 04/22/2024)
04/22/2024		MINUTE ORDER: Upon consideration of Plaintiff's <u>16</u> Notice of Withdrawal, it is hereby ORDERED that the parties shall file a Joint Status Report by May 22, 2024, apprising the court on the progress of Defendant's production as to Plaintiff's FOIA request. Signed by Judge Tanya S. Chutkan on 04/22/2024. (lcd) (Entered: 04/22/2024)
05/22/2024	<u>17</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 05/22/2024)
05/22/2024		MINUTE ORDER: Upon consideration of the <u>17</u> Joint Status Report, it is hereby ORDERED that the parties shall file a subsequent Joint Status Report by July 17, 2024, apprising the court on Defendant's progress processing documents. The status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 05/22/2024. (lcd) (Entered: 05/22/2024)
05/22/2024		Set/Reset Deadlines: Joint Status Report due by 7/17/2024. (hmc) (Entered: 05/22/2024)
07/17/2024	<u>18</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 07/17/2024)
07/17/2024		MINUTE ORDER: Upon consideration of the <u>18</u> Joint Status Report, it is hereby ORDERED that the parties shall file a subsequent Joint Status Report by September 17, 2024, apprising the court on Defendant's progress processing documents. The status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 07/17/2024. (lcd) (Entered: 07/17/2024)
09/17/2024	<u>19</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Levy, Brian) (Entered: 09/17/2024)

09/18/2024		MINUTE ORDER: Upon consideration of the <u>19</u> Joint Status Report, the parties are hereby ORDERED to file a joint status report on or before December 17, 2024, and every 60 days thereafter, updating the court on the status of Plaintiff's FOIA request. To the extent the parties propose a change in the status quo, the joint status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 9/18/2024. (lcc) (Entered: 09/18/2024)
09/25/2024		Set/Reset Deadlines: Joint Status Report due by 12/17/2024. (zcll) (Entered: 09/25/2024)