

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:24-cv-01153-JMC**

AYUDA, INC. v. UNITED STATES DEPARTMENT OF
HOMELAND SECURITY et al
Assigned to: Judge Jia M. Cobb
Cause: 05:552 Freedom of Information Act

Date Filed: 04/22/2024
Date Terminated: 12/27/2024
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

AYUDA, INC.

represented by **Jeffrey Stuart Gutman**
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ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT
OF HOMELAND SECURITY**

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Defendant

**UNITED STATES CITIZENSHIP
AND IMMIGRATION SERVICES**

represented by **Brenda A. Gonzalez Horowitz**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Patricia K. McBride
(See above for address)
TERMINATED: 09/18/2024
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**UNITED STATES IMMIGRATION
AND CUSTOMS ENFORCEMENT**

represented by **Brenda A. Gonzalez Horowitz**
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Patricia K. McBride
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TERMINATED: 09/18/2024
LEAD ATTORNEY
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Defendant

**UNITED STATES DEPARTMENT
OF JUSTICE**

represented by **Brenda A. Gonzalez Horowitz**
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Patricia K. McBride
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Defendant

**EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW**

represented by **Brenda A. Gonzalez Horowitz**
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Patricia K. McBride
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TERMINATED: 09/18/2024
LEAD ATTORNEY
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Date Filed	#	Docket Text
04/22/2024	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 405 receipt number ADCDC-10841244) filed by AYUDA, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Summons, # <u>9</u> Summons, # <u>10</u> Summons, # <u>11</u> Summons, # <u>12</u> Summons, # <u>13</u> Summons, # <u>14</u> Summons, # <u>15</u> Summons, # <u>16</u> Summons)(Gutman, Jeffrey) (Attachment 1 replaced on 4/23/2024) (zcb). (Entered: 04/22/2024)
04/23/2024		Case Assigned to Judge Jia M. Cobb. (zcb) (Entered: 04/23/2024)
04/23/2024	<u>2</u>	SUMMONS (7) Issued Electronically as to EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zcb) (Entered: 04/23/2024)
05/08/2024	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF HOMELAND SECURITY served on 4/29/2024 (Gutman, Jeffrey) (Entered: 05/08/2024)
05/08/2024	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF JUSTICE served on 4/29/2024 (Gutman, Jeffrey) (Entered: 05/08/2024)

05/08/2024	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. EXECUTIVE OFFICE FOR IMMIGRATION REVIEW served on 4/26/2024 (Gutman, Jeffrey) (Entered: 05/08/2024)
05/08/2024	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT served on 5/1/2024 (Gutman, Jeffrey) (Entered: 05/08/2024)
05/08/2024	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES served on 5/1/2024 (Gutman, Jeffrey) (Entered: 05/08/2024)
05/08/2024	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 04/29/2024. (Gutman, Jeffrey) (Entered: 05/08/2024)
05/08/2024	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/1/2024. Answer due for ALL FEDERAL DEFENDANTS by 5/31/2024. (Gutman, Jeffrey) (Entered: 05/08/2024)
05/13/2024	<u>10</u>	NOTICE of Appearance by Patricia K. McBride on behalf of All Defendants (McBride, Patricia) (Entered: 05/13/2024)
05/22/2024	<u>11</u>	Consent MOTION for Extension of Time to File Answer by EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (McBride, Patricia) (Entered: 05/22/2024)
05/23/2024		MINUTE ORDER granting <u>11</u> Consent Motion for Extension of Time to Answer: Upon consideration of the motion, it is hereby ORDERED that the motion is GRANTED. Defendants shall have through and until June 24, 2024, to respond to the complaint. Signed by Judge Jia M. Cobb on May 23, 2024. (lcjmc1) (Entered: 05/23/2024)
06/24/2024	<u>12</u>	Consent MOTION for Extension of Time to File Answer by EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (McBride, Patricia) (Entered: 06/24/2024)
06/26/2024		MINUTE ORDER granting <u>12</u> Consent Motion for Extension of Time to Answer: It is hereby ORDERED that the motion is GRANTED, and that Defendants shall have until July 10, 2024, to respond to the complaint. Signed by Judge Jia M. Cobb on June 26, 2024. (lcjmc1) (Entered: 06/26/2024)
07/10/2024	<u>13</u>	MOTION for Extension of Time to File Answer by EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (McBride, Patricia) (Entered: 07/10/2024)
07/11/2024	<u>14</u>	Memorandum in opposition to re <u>13</u> Motion for Extension of Time to File Answer, filed by AYUDA, INC.. (Gutman, Jeffrey) (Entered: 07/11/2024)
07/16/2024		MINUTE ORDER granting <u>13</u> Defendants' Opposed Motion for Extension of Time to Answer: Upon consideration of the motion, it is hereby ORDERED that the motion is GRANTED. Defendants shall have until August 1, 2024, to respond to the complaint. The Court also reviewed Plaintiff's opposition, ECF 13, and understands Plaintiff's frustration, but finds no prejudice stemming from the short extension requested. However, absent significant extenuating circumstances, the Court will not afford Defendants any additional extensions to respond. Signed by Judge Jia M. Cobb on July 16, 2024. (lcjmc1) (Entered: 07/16/2024)

08/01/2024	<u>15</u>	ANSWER to Complaint by EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT.(McBride, Patricia) (Entered: 08/01/2024)
08/05/2024	16	MINUTE ORDER: The Court ORDERS that the Parties confer and submit a joint proposed schedule for further proceedings, which shall include a proposed schedule for the processing and release of responsive records or for briefing dispositive motions, by August 19, 2024. Signed by Judge Jia M. Cobb on August 5, 2024. (lcjmc1) (Entered: 08/05/2024)
08/19/2024	<u>17</u>	Joint STATUS REPORT by EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (McBride, Patricia) (Entered: 08/19/2024)
08/21/2024		MINUTE ORDER: Pursuant to the Parties' joint proposal in <u>17</u> Joint Status Report, it is hereby ORDERED that the Parties shall adhere to the following deadlines: Defendants' motion for summary judgment shall be due by September 20, 2024; Plaintiff's opposition and cross-motion for summary judgment shall be due by October 11, 2024; Defendants' reply and opposition to Plaintiff's cross-motion shall be due by October 31, 2024; and Plaintiff's reply to Defendant's opposition to Plaintiff's cross-motion shall be due by November 21, 2024. Signed by Judge Jia M. Cobb on August 21, 2024. (lcjmc1) (Entered: 08/21/2024)
09/17/2024	<u>18</u>	MOTION for Extension of Time to <i>file Motion for Summary Judgment</i> by EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (McBride, Patricia) (Entered: 09/17/2024)
09/18/2024	<u>19</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Brenda A. Gonzalez Horowitz on behalf of All Defendants Substituting for attorney Patricia K. McBride (Gonzalez Horowitz, Brenda) (Entered: 09/18/2024)
09/23/2024		MINUTE ORDER granting <u>18</u> Motion for Extension: Having considered the motion, and for good cause shown, the Court GRANTS the motion. Although the Court has not received Plaintiff's position on this motion, the Court finds that the circumstances warrant an extension and that Plaintiff will not be prejudiced by a short extension. It is further ORDERED that Defendants shall file a motion for summary judgment by October 21, 2024. Signed by Judge Jia M. Cobb on September 23, 2024. (lcjmc1) (Entered: 09/23/2024)
10/21/2024	<u>20</u>	MOTION for Summary Judgment by EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of Matthew Broussard (EOIR), # <u>3</u> Declaration of Fernando Pineiro (ICE), # <u>4</u> ICE Vaughn Index, # <u>5</u> ICE EARM Case Summary, # <u>6</u> Declaration of James Baxley (USCIS), # <u>7</u> USCIS Vaughn Index)(Gonzalez Horowitz, Brenda) (Entered: 10/21/2024)
10/22/2024	<u>21</u>	MOTION for Briefing Schedule by AYUDA, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Gutman, Jeffrey) (Entered: 10/22/2024)
10/28/2024		MINUTE ORDER granting <u>21</u> Motion for Briefing Schedule: Having considered the motion, and for good cause shown, the Court GRANTS the motion. It is further ORDERED that Plaintiff's opposition to Defendant's motion and cross-motion for summary judgment is due by November 12, 2024; Defendant's reply in support of motion for summary judgment and opposition to Plaintiff's cross-motion is due by December 2, 2024; and Plaintiff's reply in support of cross-motion is due by December 22, 2024. Signed by Judge Jia M. Cobb on October 28, 2024. (lcjmc1) (Entered: 10/28/2024)

11/12/2024	<u>22</u>	Memorandum in opposition to re <u>20</u> Motion for Summary Judgment,, filed by AYUDA, INC.. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Declaration, # <u>3</u> Statement of Facts)(Gutman, Jeffrey) (Entered: 11/12/2024)
11/12/2024	<u>23</u>	MOTION for Summary Judgment by AYUDA, INC.. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order, # <u>3</u> Declaration, # <u>4</u> Statement of Facts)(Gutman, Jeffrey) (Entered: 11/12/2024)
12/02/2024	<u>24</u>	REPLY to opposition to motion re <u>20</u> Motion for Summary Judgment,, filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF JUSTICE, EXECUTIVE OFFICE FOR IMMIGRATION REVIEW. (Attachments: # <u>1</u> Supplemental Declaration of Matthew Broussard, # <u>2</u> Supplemental Declaration of Fernando Pineiro)(Gonzalez Horowitz, Brenda) (Entered: 12/02/2024)
12/02/2024	<u>25</u>	Memorandum in opposition to re <u>23</u> Motion for Summary Judgment filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES DEPARTMENT OF JUSTICE, EXECUTIVE OFFICE FOR IMMIGRATION REVIEW. (Attachments: # <u>1</u> Response to Plaintiff's Statements of Fact)(Gonzalez Horowitz, Brenda) (Entered: 12/02/2024)
12/16/2024	<u>26</u>	STIPULATION of Dismissal <i>with Prejudice</i> by AYUDA, INC.. (Gutman, Jeffrey) (Entered: 12/16/2024)