

General Docket
United States Court of Appeals for District of Columbia Circuit

Court of Appeals Docket #: 15-5051
Nature of Suit: 2895 Freedom of Information Act of 1974
National Association of Crimi v. US Department of Justice, et al
Appeal From: United States District Court for the District of Columbia
Fee Status: Fee Paid

Docketed: 02/23/2015
Termed: 07/19/2016

Case Type Information:

- 1) Civil US
- 2) United States
- 3)

Originating Court Information:

District: 0090-1 : [1:14-cv-00269-CKK](#)
Trial Judge: Colleen Kollar-Kotelly, U.S. District Judge
Date Filed: 02/21/2014
Date Order/Judgment: 12/18/2014

Lead: [1:14-cv-00269-CKK](#)

Date NOA Filed: 02/12/2015

Prior Cases:

None

Current Cases:

None

Panel Assignment:

Panel: SS HTE DBS

Date of Hearing: 01/14/2016 **Date of Decision:** 07/19/2016 **Date Completed:** 07/19/2016

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United States Department of Justice Executive Office for United States Attorneys; United States Department of Justice,


Defendants - Appellees


American Civil Liberties Union; American Civil Liberties Union of the Nation's Capital; Electronic Frontier Foundation; The Constitution Project; The Innocence Project; Anthony V. Alfieri; Barbara Babcock; Debra Lyn Bassett; Robert Batey; Lara Bazelon; Alberto Bernabe; Adele Bernhard; Darryl K. Brown; Tucker Carrington; Linda Carter; Kim D. Chanbonpin; Nina Chernoff; Sanjay K. Chhablani; Gabriel Chin; Roger S. Clark; Angela J. Davis; Tigran W. Eldred; Keith A. Findley; Brandon L. Garrett; Bennett L. Gershman; Lissa Griffin; Mark Harrison; Todd Haugh; Virginia E. Hensch; Janet C. Hoeffel; Babe Howell; J. Gordon Hylton; Peter Joy; Michael T. Kirkpatrick, Attorney; Richard Klein; Susan R. Klein; Alex Kreit; Carol M. Langford; Richard A. Leo, Ph.D.; Lisa G. Lerman; Narine L. Marcia; Daniel Medwed; Carrie Menkel-Meadow; Vanessa Merton; Pamela R. Metzger; Binny Miller; Jane Campbell Moriarty; Steven R. Morrison; Robert C. Owen; Ellen S. Podgor; Teresa J. Reid; Jeffrey T. Renz, Director; L. Song Richardson; Cookie Ridolfi; Ira Robbins; Anna Roberts; Susan D. Rozelle; David Rudovsky; Laurent Sacharoff; Natsu Taylor Saito; David M. Siegel; Abbe Smith; Stephen F. Smith; Adam Stevenson; Kelly Strader; Manning Gilbert Warren, III; Ellen Yaroshefsky; Steven Zeidman,


Amici Curiae for Appellant


02/23/2015		US CIVIL CASE docketed. [15-5051]
02/23/2015	 21 pg, 185.04 KB	NOTICE OF APPEAL filed [1539023] by National Association of Criminal Defense Lawyers seeking review of a decision by the U.S. District Court in 1:14-cv-00269-CKK. Assigned USCA Case Number [15-5051]
02/23/2015	 1 pg, 45.56 KB	LETTER SENT [1539030] regarding attorney membership to Kerri L. Ruttenberg for National Association of Criminal Defense Lawyers. Application for Admission due 03/25/2015. [15-5051]
02/23/2015	 2 pg, 46.34 KB	CLERK'S ORDER filed [1539034] directing party to file initial submissions: APPELLANT docketing statement due 03/25/2015. APPELLANT certificate as to parties, etc. due 03/25/2015. APPELLANT statement of issues due 03/25/2015. APPELLANT underlying decision due 03/25/2015. APPELLANT deferred appendix statement due 03/25/2015. APPELLANT notice of appearance due 03/25/2015. APPELLANT transcript status report due 03/25/2015. APPELLANT procedural motions due 03/25/2015. APPELLANT dispositive motions due 04/09/2015; directing party to file initial submissions: APPELLEE certificate as to parties, etc. due 03/25/2015. APPELLEE entry of appearance due 03/25/2015. APPELLEE procedural motions due 03/25/2015. APPELLEE dispositive motions due 04/09/2015 [15-5051]
02/24/2015	 1 pg, 389.87 KB	ENTRY OF APPEARANCE [1539278] filed by Lewis S. Yelin and co-counsel Leonard Schaitman on behalf of Appellees DOJ and United States Department of Justice Executive Office for United States Attorneys. [15-5051] (Yelin, Lewis)
02/24/2015	 1 pg, 30.81 KB	CERTIFICATE OF SERVICE [1539282] to notice [1539278-2] filed by DOJ and United States Department of Justice Executive Office for United States Attorneys. [15-5051] (Yelin, Lewis)
03/20/2015	 2 pg, 47.85 KB	CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES [1543448] filed by DOJ and United States Department of Justice Executive Office for United States Attorneys [Service Date: 03/20/2015] [15-5051] (Yelin, Lewis)
03/24/2015	 2 pg, 149.62 KB	ENTRY OF APPEARANCE [1543952] filed by Kerri L. Ruttenberg and co-counsel Julia Fong Sheketoff on behalf of Appellant National Association of Criminal Defense Lawyers. [15-5051] (Sheketoff, Julia)
03/24/2015	 4 pg, 107.3 KB	CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES [1543954] filed by National Association of Criminal Defense Lawyers [Service Date: 03/24/2015] [15-5051] (Sheketoff, Julia)
03/24/2015	 2 pg, 173.56 KB	DOCKETING STATEMENT [1543956] filed by National Association of Criminal Defense Lawyers [Service Date: 03/24/2015] [15-5051] (Sheketoff, Julia)
03/24/2015	 2 pg, 102.52 KB	STATEMENT OF INTENT REGARDING APPENDIX DEFERRAL [1543958] filed by National Association of Criminal Defense Lawyers [Service Date: 03/24/2015] Intent: AppxNotDeferred [15-5051] (Sheketoff, Julia)
03/24/2015	 3 pg, 104.19 KB	STATEMENT OF ISSUES [1543959] filed by National Association of Criminal Defense Lawyers [Service Date: 03/24/2015] [15-5051] (Sheketoff, Julia)
03/24/2015	 2 pg, 143.22 KB	TRANSCRIPT STATUS REPORT [1543961] filed by National Association of Criminal Defense Lawyers [Service Date: 03/24/2015]. Status of Transcripts: Final - No transcripts are needed for the appeal. [15-5051] (Sheketoff, Julia)
03/24/2015	 16 pg, 139.54 KB	UNDERLYING DECISION IN CASE submitted [1543962] by National Association of Criminal Defense Lawyers [15-5051] (Sheketoff, Julia)
04/20/2015	 2 pg, 84.39 KB	CLERK'S ORDER filed [1548215] setting briefing schedule: APPELLANT Brief due 06/01/2015. APPENDIX due 06/01/2015. APPELLEE Brief due on 07/01/2015. APPELLANT Reply Brief due 07/15/2015 [15-5051]
04/23/2015	 4 pg, 104.44 KB	CONSENT UNOPPOSED MOTION filed [1548964] by National Association of Criminal Defense Lawyers to extend time Pages: 1-10. [15-5051]--[Edited 04/24/2015 by AY] (Ruttenberg, Kerri)
04/27/2015	 1 pg, 39.04 KB	CLERK'S ORDER filed [1549173] granting motion to extend time to file opening brief [1548964-2] , setting revised briefing schedule: APPELLANT Brief due 07/15/2015. APPENDIX due 07/15/2015. APPELLEE Brief due on 08/28/2015. APPELLANT Reply Brief due 09/11/2015 [15-5051]
07/15/2015	 65 pg, 292.34 KB	APPELLANT BRIEF [1562613] filed by National Association of Criminal Defense Lawyers [Service Date: 07/15/2015] Length of Brief: 11,833 words. [15-5051] (Sheketoff, Julia)
07/15/2015	 126 pg, 12.93 MB	JOINT APPENDIX [1562614] filed by National Association of Criminal Defense Lawyers. [Volumes: 1] [Service Date: 07/15/2015] [15-5051] (Sheketoff, Julia)


07/22/2015  10 pg, 182.82 KB MOTION filed [1563761] by Steven Zeidman, Manning Gilbert Warren, III, Kelly Strader, Adam Stevenson, Stephen F. Smith, Abbe Smith, David M. Siegel, Natsu Taylor Saito, Laurent Sacharoff, Mr. David Rudovsky, Susan D. Rozelle, Anna Roberts, Ira Robbins, Cookie Ridolfi, L. Song Richardson, Prof. Jeffrey T. Renz, Teresa J. Reid, Robert C. Owen, Narine L. Marcia, Steven R. Morrison, Jane Campbell Moriarty, Binny Miller, Pamela R. Metzger, Vanessa Merton, Carrie Menkel-Meadow, Daniel Medwed, Lisa G. Lerman, Richard A. Leo, Ph.D., Carol M. Langford, Alex Kreit, Richard Klein, Susan R. Klein, Mr. Michael T. Kirkpatrick, Peter Joy, J. Gordon Hylton, Babe Howell, Janet C. Hoeffel, Virginia E. Hench, Todd Haugh, Mark Harrison, Lissa Griffin, Bennett L. Gershman, Brandon L. Garrett, Keith A. Findley, Tigran W. Eldred, Roger S. Clark, Gabriel Chin, Sanjay K. Chhablani, Nina Chernoff, Kim D. Chanbonpin, Linda Carter, Tucker Carrington, Darryl K. Brown, Adele Bernhard, Alberto Bernabe, Lara Bazelon, Robert Batey, Debra Lyn Bassett, Ellen Yaroshefsky, Barbara Babcock, Anthony V. Alfieri and Ellen S. Podgor to participate as amicus curiae. [Disclosure Listing: Not Applicable to this Party] [Service Date: 07/22/2015] [15-5051]--[Edited 07/22/2015 by JJA] (Mills, Alysson)


07/22/2015  40 pg, 410.97 KB MODIFIED PARTY FILER--AMICUS FOR APPELLANT BRIEF [1563762] filed by Anthony V. Alfieri, Barbara Babcock, Debra Lyn Bassett, Robert Batey, Lara Bazelon, Alberto Bernabe, Adele Bernhard, Darryl K. Brown, Tucker Carrington, Linda Carter, Kim D. Chanbonpin, Nina Chernoff, Sanjay K. Chhablani, Gabriel Chin, Roger S. Clark, Tigran W. Eldred, Keith A. Findley, Brandon L. Garrett, Bennett L. Gershman, Lissa Griffin, Mark Harrison, Todd Haugh, Virginia E. Hench, Janet C. Hoeffel, Babe Howell, J. Gordon Hylton, Peter Joy, Mr. Michael T. Kirkpatrick, Richard Klein, Susan R. Klein, Alex Kreit, Carol M. Langford, Richard A. Leo, Ph.D., Lisa G. Lerman, Narine L. Marcia, Daniel Medwed, Carrie Menkel-Meadow, Vanessa Merton, Pamela R. Metzger, Binny Miller, Jane Campbell Moriarty, Steven R. Morrison, Robert C. Owen, Ellen S. Podgor, Teresa J. Reid, Prof. Jeffrey T. Renz, L. Song Richardson, Cookie Ridolfi, Ira Robbins, Anna Roberts, Susan D. Rozelle, Mr. David Rudovsky, Laurent Sacharoff, Natsu Taylor Saito, David M. Siegel, Abbe Smith, Stephen F. Smith, Adam Stevenson, Kelly Strader, Manning Gilbert Warren, III, Ellen Yaroshefsky and Steven Zeidman [Service Date: 07/22/2015] [15-5051]--[Edited 07/23/2015 by JJA] (Mills, Alysson)

07/22/2015  37 pg, 164.38 KB MODIFIED PARTY FILER--AMICUS FOR APPELLANT BRIEF [1563834] filed by The Constitution Project and The Innocence Project [Service Date: 07/22/2015] Length of Brief: 5,964. [15-5051]--[Edited 07/23/2015 by JJA] (O'Toole, Timothy)


07/22/2015  35 pg, 1.26 MB MODIFIED PARTY FILER--AMICUS FOR APPELLANT BRIEF [1563854] filed by American Civil Liberties Union, American Civil Liberties Union of the Nation's Capital and Electronic Frontier Foundation. Length of Brief: 5,520 words. [Service Date: 07/22/2015] [15-5051]--[Edited 07/23/2015 by JJA] (Cline, John)


08/28/2015  81 pg, 1.11 MB APPELLEE BRIEF [1570300] filed by DOJ and United States Department of Justice Executive Office for United States Attorneys [Service Date: 08/28/2015] Length of Brief: 11,108. [15-5051] (Yelin, Lewis)


09/10/2015  30 pg, 239.09 KB APPELLANT REPLY BRIEF [1572465] filed by National Association of Criminal Defense Lawyers [Service Date: 09/10/2015] Length of Brief: 5,567 words. [15-5051] (Sheketoff, Julia)

09/28/2015  1 pg, 40.25 KB CLERK'S ORDER [1575256] ORDERED the motion to participate as amicus curiae be granted. [15-5051]


09/28/2015 PER ABOVE ORDER lodged Amicus brief [\[1563762-2\]](#) is filed [15-5051]

10/05/2015  1 pg, 41.12 KB CLERK'S ORDER [1576533] filed scheduling oral argument on Thursday, 01/14/2016. [15-5051]


12/22/2015  2 pg, 50.52 KB NOTICE [1590114] filed by DOJ and United States Department of Justice Executive Office for United States Attorneys Notice of ex parte Filing. [Service Date: 12/22/2015] [15-5051] (Yelin, Lewis)


12/31/2015  1 pg, 368.75 KB ENTRY OF APPEARANCE [1591469] filed by Kerri L. Ruttenberg and co-counsel Yaakov (Jacob) M. Roth on behalf of Appellant National Association of Criminal Defense Lawyers. [15-5051] (Roth, Jacob)


12/31/2015 FORM 72 submitted by arguing attorney, Yaakov (Jacob) M. Roth, on behalf of Appellant National Association of Criminal Defense Lawyers (*For Internal Use Only: Form is restricted to protect counsel's personal contact information*). [15-5051] (Roth, Jacob)

01/04/2016  1 pg, 42.02 KB PER CURIAM ORDER [1591613] filed allocating oral argument time as follows: Appellant - 15 Minutes, Appellees - 15 Minutes. One counsel per side to argue; directing party to file Form 72 notice of arguing attorney by 01/07/2016 [15-5051]

01/04/2016 FORM 72 submitted by arguing attorney, Lewis S. Yelin, on behalf of Appellees DOJ and United States Department of Justice Executive Office for United States Attorneys (*For Internal Use Only: Form is restricted to protect counsel's personal contact information*). [15-5051] (Yelin, Lewis)

01/14/2016  1 pg, 40.29 KB ORAL ARGUMENT HELD before Judges Srinivasan, Edwards and Sentelle. [15-5051]

07/19/2016  1 pg, 54.74 KB PER CURIAM JUDGMENT [1625444] filed that the judgment of the District Court appealed from in this cause is hereby affirmed, for the reasons in the accompanying opinion . Before Judges: Srinivasan, Edwards and Sentelle. [15-5051]

07/19/2016  23 pg, 186.57 KB OPINION [1625448] filed (Pages: 18) for the Court by Judge Srinivasan, CONCURRING OPINION (Pages: 4) by Judge Sentelle, with whom Judge Edwards joins. [15-5051]

