

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

The New York Times Company; Charlie Savage

DEFENDANTS

U.S. Department of Justice; U.S. Department of Education

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

The New York Times Company, Legal Department
620 Eighth Avenue, 18th Floor, New York, NY 10018
(212) 556-4031

ATTORNEYS (IF KNOWN)

U.S. Attorney
1 St. Andrew's Plaza, New York, NY 10007
(212) 637-2800

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Action under the Freedom of Information Act, 5 U.S.C. 552, to order the production of agency records

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/ PHARMACEUTICAL PERSONAL	[] 625 DRUG RELATED	[] 422 APPEAL	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	28 USC 158	[] 376 QUI TAM
[] 130 MILLER ACT	LIABILITY	[] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[] 690 OTHER	28 USC 157	REAPPORTIONMENT
INSTRUMENT	SLANDER	[] 368 ASBESTOS PERSONAL			[] 410 ANTI TRUST
[] 150 RECOVERY OF	[] 330 FEDERAL	INJURY PRODUCT			[] 430 BANKS & BANKING
OVERPAYMENT &	EMPLOYERS'	LIABILITY	PROPERTY RIGHTS		[] 450 COMMERCE
ENFORCEMENT	LIABILITY		[] 820 COPYRIGHTS		[] 460 DEPORTATION
OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY	[] 830 PATENT		[] 470 RACKETEER INFLU-
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT	[] 370 OTHER FRAUD	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		ENCED & CORRUPT
[] 152 RECOVERY OF	LIABILITY	[] 371 TRUTH IN LENDING	[] 840 TRADEMARK		ORGANIZATION ACT
DEFAULTED	[] 350 MOTOR VEHICLE			SOCIAL SECURITY	[] 480 CONSUMER CREDIT
STUDENT LOANS	[] 355 MOTOR VEHICLE				[] 490 CABLE/SATELLITE TV
(EXCL VETERANS)	PRODUCT LIABILITY				
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL	LABOR	[] 861 HIA (1395ff)	[] 850 SECURITIES/
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[] 710 FAIR LABOR	[] 862 BLACK LUNG (923)	COMMODITIES/
OF VETERAN'S	[] 362 PERSONAL INJURY -	[] 385 PROPERTY DAMAGE	STANDARDS ACT	[] 863 DIWC/DIWW (405(g))	EXCHANGE
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	[] 720 LABOR/MGMT	[] 864 SSID TITLE XVI	
[] 160 STOCKHOLDERS			RELATIONS	[] 865 RSI (405(g))	[] 890 OTHER STATUTORY
SUITS			[] 740 RAILWAY LABOR ACT		ACTIONS
[] 190 OTHER	ACTIONS UNDER STATUTES	PRISONER PETITIONS	[] 751 FAMILY MEDICAL	FEDERAL TAX SUITS	[] 891 AGRICULTURAL ACTS
CONTRACT	CIVIL RIGHTS	[] 463 ALIEN DETAINEE	LEAVE ACT (FMLA)	[] 870 TAXES (U.S. Plaintiff or	
CONTRACT	[] 440 OTHER CIVIL RIGHTS	[] 510 MOTIONS TO		Defendant)	[] 893 ENVIRONMENTAL
PRODUCT	(Non-Prisoner)	VACATE SENTENCE		[] 871 IRS-THIRD PARTY	MATTERS
LIABILITY	[] 441 VOTING	28 USC 2255		26 USC 7609	[] 895 FREEDOM OF
[] 196 FRANCHISE	[] 442 EMPLOYMENT	[] 530 HABEAS CORPUS	IMMIGRATION		INFORMATION ACT
	[] 443 HOUSING/	[] 535 DEATH PENALTY	[] 462 NATURALIZATION		[] 896 ARBITRATION
	ACCOMMODATIONS	[] 540 MANDAMUS & OTHER	APPLICATION		[] 899 ADMINISTRATIVE
REAL PROPERTY	[] 443 HOUSING/		[] 465 OTHER IMMIGRATION		PROCEDURE ACT/REVIEW OR
[] 210 LAND	ACCUMODATIONS	PRISONER CIVIL RIGHTS	ACTIONS		APPEAL OF AGENCY DECISION
CONDEMNATION	[] 445 AMERICANS WITH	[] 550 CIVIL RIGHTS			[] 950 CONSTITUTIONALITY OF
[] 220 FORECLOSURE	DISABILITIES -	[] 555 PRISON CONDITION			STATE STATUTES
[] 230 RENT LEASE &	EMPLOYMENT	[] 560 CIVIL DETAINEE			
EJECTMENT	[] 446 AMERICANS WITH	CONDITIONS OF CONFINEMENT			
[] 240 TORTS TO LAND	DISABILITIES -OTHER				
[] 245 TORT PRODUCT	[] 448 EDUCATION				
LIABILITY					
[] 290 ALL OTHER					
REAL PROPERTY					

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y. AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13? IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from (Specify District), 6 Multidistrict Litigation (Transferred), 7 Appeal to District Judge from Magistrate Judge, 8 Multidistrict Litigation (Direct File), a. all parties represented, b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- 1 U.S. PLAINTIFF, 2 U.S. DEFENDANT, 3 FEDERAL QUESTION, 4 DIVERSITY (U.S. NOT A PARTY)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship status: CITIZEN OF THIS STATE, CITIZEN OF ANOTHER STATE, CITIZEN OR SUBJECT OF A FOREIGN COUNTRY, INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE, INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE, FOREIGN NATION.

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

The New York Times Company
620 Eighth Avenue, 18th Floor
New York, NY 10018

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

U.S. Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, DC 20530
U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: [] WHITE PLAINS [x] MANHATTAN

DATE 9/28/2017 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT # /s/ David E. McCraw

ADMITTED TO PRACTICE IN THIS DISTRICT [] NO [x] YES (DATE ADMITTED Mo. 12 Yr. 1994) Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

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