

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

**Court of Appeals Docket #:** 16-5366  
**Nature of Suit:** 2895 Freedom of Information Act of 1974  
Judicial Watch, Inc. v. NARA  
**Appeal From:** United States District Court for the District of Columbia  
**Fee Status:** Fee Paid

**Docketed:** 12/08/2016  
**Termed:** 12/01/2017

**Case Type Information:**

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

**Originating Court Information:**

**District:** 0090-1 : [1:15-cv-01740-RBW](#)  
**Trial Judge:** Reggie B. Walton, U.S. Senior District Judge  
**Date Filed:** 10/20/2015  
**Date Order/Judgment:** 10/04/2016

**Lead:** [1:15-cv-01740-RBW](#)

**Date NOA Filed:** 12/03/2016

**Prior Cases:**

None

**Current Cases:**

None

**Panel Assignment:**

**Panel:** JWR DST LHS

**Date of Hearing:** 09/22/2017

**Date of Decision:** 12/01/2017

**Date Completed:** 12/01/2017

Judicial Watch, Inc.

Plaintiff - Appellant

Lauren M. Burke  
Direct: 202-646-5194  
Email: [lburke@judicialwatch.org](mailto:lburke@judicialwatch.org)  
Fax: 202-646-5199  
[COR LD NTC Retained]  
Judicial Watch, Inc.  
Firm: 202-646-5172  
425 Third Street, SW  
Suite 800  
Washington, DC 20024

Paul J. Orfanedes, Esquire  
Direct: 202-646-5172  
Email: [porfanedes@judicialwatch.org](mailto:porfanedes@judicialwatch.org)  
Fax: 202-646-5199  
[COR NTC Retained]  
Judicial Watch, Inc.  
Firm: 202-646-5172  
425 Third Street, SW  
Suite 800  
Washington, DC 20024

v.

National Archives and Records Administration  
Defendant - Appellee

Douglas N. Letter, Esquire, Attorney  
Email: [douglas.letter@usdoj.gov](mailto:douglas.letter@usdoj.gov)  
[COR LD NTC Gvt US DOJ]  
U.S. Department of Justice  
(DOJ) Civil Division, Appellate Staff  
Firm: 202-514-2000  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Nicolas Riley  
Email: [nicolas.y.riley@usdoj.gov](mailto:nicolas.y.riley@usdoj.gov)  
[COR LD NTC Gvt US DOJ]  
U.S. Department of Justice  
(DOJ) Civil Division, Appellate Staff  
Firm: 202-514-2000  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Channing Phillips, Esquire  
[NTC Gvt US Attorney]  
U.S. Attorney's Office  
(USA) Civil Division  
Firm: 202-252-2500  
555 4th Street, NW  
Washington, DC 20530






















Judicial Watch, Inc.,








Plaintiff - Appellant

v.

National Archives and Records Administration,

Defendant - Appellee

12/08/2016		US CIVIL CASE docketed. [16-5366] [Entered: 12/08/2016 03:03 PM]
12/08/2016	 37 pg, 219.48 KB	NOTICE OF APPEAL [1650043] seeking review of a decision by the U.S. District Court in 1:15-cv-01740-RBW filed by Judicial Watch, Inc.. Appeal assigned USCA Case Number: 16-5366. [16-5366] [Entered: 12/08/2016 03:05 PM]
12/08/2016	 2 pg, 46.3 KB	CLERK'S ORDER [1650045] filed directing party to file initial submissions: APPELLANT docketing statement due 01/09/2017. APPELLANT certificate as to parties due 01/09/2017. APPELLANT statement of issues due 01/09/2017. APPELLANT underlying decision due 01/09/2017. APPELLANT deferred appendix statement due 01/09/2017. APPELLANT notice of appearance due 01/09/2017. APPELLANT transcript status report due 01/09/2017. APPELLANT procedural motions due 01/09/2017. APPELLANT dispositive motions due 01/23/2017; directing party to file initial submissions: APPELLEE certificate as to parties due 01/09/2017. APPELLEE entry of appearance due 01/09/2017. APPELLEE procedural motions due 01/09/2017. APPELLEE dispositive motions due 01/23/2017 [16-5366] [Entered: 12/08/2016 03:08 PM]
12/20/2016	 2 pg, 86.45 KB	ENTRY OF APPEARANCE [1651727] filed by Nicolas Y. Riley and co-counsel Douglas N. Letter on behalf of Appellee NARA. [16-5366] (Riley, Nicolas) [Entered: 12/20/2016 07:51 AM]
12/21/2016	 3 pg, 110.37 KB	CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES [1652164] filed by NARA [Service Date: 12/21/2016 ] [16-5366] (Riley, Nicolas) [Entered: 12/21/2016 11:12 AM]
12/22/2016	 2 pg, 471.8 KB	ENTRY OF APPEARANCE [1652672] filed by Paul J. Orfanedes on behalf of Appellant Judicial Watch, Inc.. [16-5366] (Orfanedes, Paul) [Entered: 12/22/2016 04:33 PM]
12/22/2016	 2 pg, 13.91 KB	STATEMENT [1652673] filed with Disclosure Listing filed by Judicial Watch, Inc. [Service Date: 12/22/2016 ] [16-5366] (Orfanedes, Paul) [Entered: 12/22/2016 04:35 PM]
12/22/2016	 3 pg, 97.71 KB	CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES [1652674] filed by Judicial Watch, Inc. [Service Date: 12/22/2016 ] [16-5366] (Orfanedes, Paul) [Entered: 12/22/2016 04:36 PM]
12/22/2016	 2 pg, 190.8 KB	STATEMENT OF ISSUES [1652675] filed by Judicial Watch, Inc. [Service Date: 12/22/2016 ] [16-5366] (Orfanedes, Paul) [Entered: 12/22/2016 04:37 PM]
12/22/2016	 2 pg, 89.2 KB	STATEMENT OF INTENT REGARDING APPENDIX DEFERRAL [1652676] filed by Judicial Watch, Inc. [Service Date: 12/22/2016 ] Intent: AppxNotDeferred [16-5366] (Orfanedes, Paul) [Entered: 12/22/2016 04:37 PM]
12/22/2016	 2 pg, 426.98 KB	TRANSCRIPT STATUS REPORT [1652677] filed by Judicial Watch, Inc. [Service Date: 12/22/2016 ]. Status of Transcripts: Final - No transcripts are needed for the appeal. [16-5366] (Orfanedes, Paul) [Entered: 12/22/2016 04:38 PM]
12/22/2016	 2 pg, 668.98 KB	DOCKETING STATEMENT [1652679] filed by Judicial Watch, Inc. [Service Date: 12/22/2016 ] [16-5366] (Orfanedes, Paul) [Entered: 12/22/2016 04:39 PM]
12/22/2016	 32 pg, 204.39 KB	UNDERLYING DECISION IN CASE [1652680] submitted by Judicial Watch, Inc. [Service Date: 12/22/2016 ] [16-5366] (Orfanedes, Paul) [Entered: 12/22/2016 04:40 PM]
02/17/2017	 2 pg, 86.38 KB	CLERK'S ORDER [1661928] filed setting briefing schedule: APPELLANT Brief due 03/29/2017. APPENDIX due 03/29/2017. APPELLEE Brief due on 04/28/2017. APPELLANT Reply Brief due 05/12/2017 [16-5366] [Entered: 02/17/2017 11:26 AM]
03/23/2017	 1 pg, 389.39 KB	ENTRY OF APPEARANCE [1667453] filed by Paul J. Orfanedes and co-counsel Lauren M. Burke on behalf of Appellant Judicial Watch, Inc.. [16-5366] (Burke, Lauren) [Entered: 03/23/2017 12:25 PM]
03/28/2017	 421 pg, 36.26 MB	JOINT APPENDIX [1668146] filed by Judicial Watch, Inc.. [Volumes: 1] [Service Date: 03/28/2017 ] [16-5366] (Burke, Lauren) [Entered: 03/28/2017 12:24 PM]
03/29/2017	 48 pg, 467.65 KB	APPELLANT BRIEF [1668457] filed by Judicial Watch, Inc. [Service Date: 03/29/2017 ] Length of Brief: 9387 words. [16-5366] (Burke, Lauren) [Entered: 03/29/2017 06:27 PM]
04/28/2017	 48 pg, 210.17 KB	APPELLEE BRIEF [1673310] filed by NARA [Service Date: 04/28/2017 ] Length of Brief: 7118 words.. [16-5366] (Riley, Nicolas) [Entered: 04/28/2017 06:37 PM]
05/08/2017	 4 pg, 383.28 KB	UNOPPOSED MOTION [1674346] to extend time to file reply to 05/22/2017. filed by Judicial Watch, Inc. [Service Date: 05/08/2017 ] Length Certification: 470 words. [16-5366] (Burke, Lauren) [Entered: 05/08/2017 06:09 PM]
05/10/2017	 1 pg, 38.06 KB	CLERK'S ORDER [1674574] filed granting appellant's unopposed motion to extend time to file reply brief [1674346-2], APPELLANT'S Reply Brief is now due 05/22/2017. [16-5366] [Entered: 05/10/2017 08:00 AM]
05/22/2017	 0 pg, 0 KB	DOCKET ENTRY-DISREGARD--APPELLANT REPLY BRIEF [1676237] filed by Judicial Watch, Inc. [Service Date: 05/22/2017] Length of Brief: 2466. [16-5366]--[Edited 05/24/2017 by KRM] (Burke, Lauren) [Entered: 05/22/2017 05:39 PM]
05/24/2017	 16 pg, 261.96 KB	CORRECTED APPELLANT REPLY BRIEF [1676568] filed by Judicial Watch, Inc. [Service Date: 05/24/2017 ] Length of Brief: 2700. [16-5366] (Burke, Lauren) [Entered: 05/24/2017 01:18 PM]

06/12/2017	 1 pg, 41.22 KB	CLERK'S ORDER [1679261] filed scheduling oral argument on Monday, 09/18/2017. [16-5366] [Entered: 06/12/2017 03:51 PM]
07/31/2017	 1 pg, 40.08 KB	CLERK'S ORDER [1686599] filed rescheduling oral argument. Case now scheduled on Friday, 09/22/2017. [16-5366] [Entered: 07/31/2017 02:42 PM]
09/08/2017	 1 pg, 41.9 KB	PER CURIAM ORDER [1692023] filed allocating oral argument time as follows: Appellant - 10 Minutes, Appellee - 10 Minutes. One counsel per side to argue; directing party to file Form 72 notice of arguing attorney by 09/15/2017 [16-5366] [Entered: 09/08/2017 10:37 AM]
09/08/2017		FORM 72 submitted by on behalf of Appellant Judicial Watch, Inc. ( <i>For Internal Use Only: Form is restricted to protect counsel's personal contact information</i> ). [16-5366] (Orfanedes, Paul) [Entered: 09/08/2017 12:40 PM]
09/08/2017		FORM 72 submitted by arguing attorney, Nicolas Y. Riley, on behalf of Appellee NARA ( <i>For Internal Use Only: Form is restricted to protect counsel's personal contact information</i> ). [16-5366] (Riley, Nicolas) [Entered: 09/08/2017 02:38 PM]
09/22/2017	 1 pg, 39.79 KB	ORAL ARGUMENT HELD before Judges Rogers, Tatel and Silberman. [16-5366] [Entered: 09/22/2017 09:40 AM]
12/01/2017	 1 pg, 55.12 KB	PER CURIAM JUDGMENT [1706944] 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: Rogers, Tatel, and Silberman. [16-5366] [Entered: 12/01/2017 09:54 AM]
12/01/2017	 9 pg, 119.22 KB	OPINION [1706947] filed (Pages: 9) for the Court by Judge Rogers. [16-5366] [Entered: 12/01/2017 09:58 AM]
12/01/2017	 1 pg, 38.67 KB	CLERK'S ORDER [1706949] filed withholding issuance of the mandate. [16-5366] [Entered: 12/01/2017 10:00 AM]

