

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-01301-CJN**

AMERICAN OVERSIGHT v. U.S. DEPARTMENT OF
COMMERCE et al
Assigned to: Judge Carl J. Nichols
Cause: 05:552 Freedom of Information Act

Date Filed: 05/06/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

AMERICAN OVERSIGHT

represented by **Cerissa Cafasso**
AMERICAN OVERSIGHT
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TERMINATED: 10/23/2019

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PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF
COMMERCE**
TERMINATED: 05/05/2020

represented by **Jason Todd Cohen**
U.S. DEPARTMENT OF JUSTICE
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TERMINATED: 11/24/2019
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

U.S. DEPARTMENT OF STATE

represented by **Jason Todd Cohen**
(See above for address)
TERMINATED: 11/24/2019

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Sean Michael Tepe
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

**U.S. DEPARTMENT OF THE
TREASURY**
TERMINATED: 07/13/2020

represented by **Jason Todd Cohen**
(See above for address)
*TERMINATED: 11/24/2019
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Sean Michael Tepe
(See above for address)
*LEAD ATTORNEY
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Date Filed	#	Docket Text
05/06/2019	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF COMMERCE, U.S. DEPARTMENT OF STATE, U.S. DEPARTMENT OF THE TREASURY (Filing fee \$ 400 receipt number 0090-6104638) filed by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons to U.S. Attorney, # <u>3</u> Summons to U.S. Attorney General, # <u>4</u> Summons to U.S. Department of Commerce, # <u>5</u> Summons to U.S. Department of State, # <u>6</u> Summons to U.S. Department of the Treasury)(Cafasso, Cerissa) (Entered: 05/06/2019)
05/06/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN OVERSIGHT (Cafasso, Cerissa) (Entered: 05/06/2019)
05/07/2019		Case Assigned to Judge Trevor N. McFadden. (zef,) (Entered: 05/07/2019)
05/07/2019	<u>3</u>	SUMMONS (5) Issued Electronically as to U.S. DEPARTMENT OF COMMERCE, U.S. DEPARTMENT OF STATE, U.S. DEPARTMENT OF THE TREASURY, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 05/07/2019)
05/07/2019	<u>4</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 5/7/2019. (lctnm1) (Entered: 05/07/2019)
05/14/2019	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Katherine M. Anthony, :Firm- American Oversight, :Address- 1030 15th St. NW, B255, Washington, DC 20005. Phone No. - (202) 897-3918. Fax No. - (202) 871-6523 Filing fee \$ 100, receipt number 0090-6123178. Fee Status: Fee Paid. by AMERICAN OVERSIGHT (Attachments: # <u>1</u> Declaration of Katherine M. Anthony, # <u>2</u> Text of Proposed Order)(Cafasso, Cerissa) (Entered: 05/14/2019)
05/14/2019		MINUTE ORDER granting the <u>5</u> Motion for Leave to Appear Pro Hac Vice. Counsel Katherine M. Anthony shall promptly register for this Court's CM/ECF system. SO ORDERED. Signed by Judge Trevor N. McFadden on 5/14/19. (lctnm1) (Entered: 05/14/2019)
05/29/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/8/2019. (Answer due for ALL FEDERAL DEFENDANTS by 6/7/2019.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/13/2019., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF COMMERCE served on 5/13/2019; U.S. DEPARTMENT OF STATE served on 5/13/2019; U.S. DEPARTMENT OF THE TREASURY served on

		5/13/2019 (Attachments: # <u>1</u> Declaration of Clay M. Goode)(Anthony, Katherine) (Entered: 05/29/2019)
06/05/2019	<u>7</u>	NOTICE of Appearance by Jason Todd Cohen on behalf of All Defendants (Cohen, Jason) (Entered: 06/05/2019)
06/07/2019	<u>8</u>	ANSWER to Complaint by U.S. DEPARTMENT OF COMMERCE, U.S. DEPARTMENT OF STATE, U.S. DEPARTMENT OF THE TREASURY.(Cohen, Jason) (Entered: 06/07/2019)
06/07/2019		MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the schedule on or before June 28, 2019. Signed by Judge Trevor N. McFadden on 6/7/19. (lctnm1) (Entered: 06/07/2019)
06/10/2019		Set/Reset Deadlines: Joint Status Report due by 6/28/2019. (hmc) (Entered: 06/10/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Trevor N. McFadden is no longer assigned to the case. (rj) (Entered: 06/24/2019)
06/28/2019	<u>9</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Anthony, Katherine) (Entered: 06/28/2019)
07/31/2019	<u>10</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order)(Anthony, Katherine) (Entered: 07/31/2019)
08/02/2019		MINUTE ORDER. In light of the Parties' <u>10</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report by August 28, 2019. Signed by Judge Carl J. Nichols on August 2, 2019. (lccjn1) (Entered: 08/02/2019)
08/02/2019		Set/Reset Deadlines: Parties Additional Joint Status Report due by 8/28/2019. (mac) (Entered: 08/02/2019)
08/28/2019	<u>11</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order)(Anthony, Katherine) (Entered: 08/28/2019)
08/28/2019		MINUTE ORDER. In light of the Parties' <u>11</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report by September 26, 2019. Signed by Judge Carl J. Nichols on August 28, 2019. (lccjn1) (Entered: 08/28/2019)
08/28/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 9/26/2019. (zcdw) (Entered: 09/02/2019)
09/21/2019	<u>12</u>	Unopposed MOTION for Extension of Time to File <i>Joint Status Report</i> by U.S. DEPARTMENT OF COMMERCE, U.S. DEPARTMENT OF STATE, U.S. DEPARTMENT OF THE TREASURY (Cohen, Jason) (Entered: 09/21/2019)
09/23/2019		MINUTE ORDER. Upon consideration of Defendants' <u>12</u> Unopposed Motion for Extension of Time, it is hereby ORDERED that the Motion is GRANTED and that the Parties shall file an additional Joint Status Report on or before October 3, 2019. Signed by Judge Carl J. Nichols on September 23, 2019. (lccjn1) (Entered: 09/23/2019)
09/23/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 10/3/2019. (zcdw) (Entered: 09/24/2019)
10/03/2019	<u>13</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Anthony, Katherine) (Entered: 10/03/2019)
10/04/2019		MINUTE ORDER. In light of the Parties' <u>13</u> Joint Status Report, it is hereby ORDERED that the Parties shall file an additional Joint Status Report on or before

		October 31, 2019. Signed by Judge Carl J. Nichols on October 4, 2019. (lccjn1) (Entered: 10/04/2019)
10/04/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 10/31/2019. (zcdw) (Entered: 10/04/2019)
10/23/2019	<u>14</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to AMERICAN OVERSIGHT. Attorney Cerissa Cafasso terminated. (Attachments: # <u>1</u> Exhibit A)(Cafasso, Cerissa) (Entered: 10/23/2019)
10/31/2019	<u>15</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF COMMERCE, U.S. DEPARTMENT OF STATE, U.S. DEPARTMENT OF THE TREASURY. (Cohen, Jason) (Entered: 10/31/2019)
11/01/2019		MINUTE ORDER. In light of the Parties' <u>15</u> Joint Status Report, it is hereby ORDERED that the Parties shall file an additional Joint Status Report on or before January 9, 2020. Signed by Judge Carl J. Nichols on November 1, 2019. (lccjn1) (Entered: 11/01/2019)
11/01/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 1/9/2020. (zcdw) (Entered: 11/04/2019)
11/24/2019	<u>16</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Sean Michael Tepe on behalf of All Defendants Substituting for attorney Jason Cohen (Tepe, Sean) (Entered: 11/24/2019)
01/09/2020	<u>17</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Anthony, Katherine) (Entered: 01/09/2020)
01/09/2020		MINUTE ORDER. In light of the Parties' <u>17</u> Joint Status Report, it is hereby ORDERED that the Parties shall file an additional Joint Status Report on or before March 9, 2020. Signed by Judge Carl J. Nichols on January 9, 2020. (lccjn1) (Entered: 01/09/2020)
01/09/2020		Set/Reset Deadlines/Hearings: Joint Status Report due by 3/9/2020. (zcdw) (Entered: 01/10/2020)
03/09/2020	<u>18</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Anthony, Katherine) (Entered: 03/09/2020)
03/09/2020		MINUTE ORDER. Upon review of the Parties' <u>18</u> Joint Status Report, it is hereby ORDERED that the Parties shall file a Joint Status Report by May 7, 2020. Signed by Judge Carl J. Nichols on March 9, 2020. (lccjn2) (Entered: 03/09/2020)
03/09/2020		Set/Reset Deadlines/Hearings: Joint Status Report due by 5/7/2020. (zcdw) (Entered: 03/12/2020)
05/05/2020	<u>19</u>	STIPULATION of Dismissal of <i>Defendant U.S. Department of Commerce</i> by AMERICAN OVERSIGHT. (Anthony, Katherine) (Entered: 05/05/2020)
05/07/2020	<u>20</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Anthony, Katherine) (Entered: 05/07/2020)
05/11/2020		MINUTE ORDER. In light of the Parties' <u>20</u> Joint Status Report, it is hereby ORDERED that the Parties shall file an additional Joint Status Report on or before July 14, 2020. Signed by Judge Carl J. Nichols on May 11, 2020. (lccjn1) (Entered: 05/11/2020)
05/11/2020		Set/Reset Deadlines/Hearings: Joint Status Report due by 7/14/2020. (zcdw) (Entered: 05/13/2020)
07/13/2020	<u>21</u>	STIPULATION of Dismissal <i>as to Defendant U.S. Department of the Treasury</i> by AMERICAN OVERSIGHT. (Anthony, Katherine) (Entered: 07/13/2020)
07/14/2020	<u>22</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Anthony, Katherine) (Entered: 07/14/2020)
07/15/2020		MINUTE ORDER. In light of the Parties' <u>22</u> Joint Status Report, it is hereby ORDERED that the Parties shall file an additional Joint Status Report on or before September 14, 2020. Signed by Judge Carl J. Nichols on July 15, 2020. (lccjn1) (Entered: 07/15/2020)

07/15/2020		Set/Reset Deadlines: Joint Status Report due by 9/14/2020. (zcal) (Entered: 07/15/2020)
09/10/2020	<u>23</u>	STIPULATION of Dismissal by AMERICAN OVERSIGHT. (Anthony, Katherine) (Entered: 09/10/2020)