

**U.S. District Court**  
**California Northern District (Oakland)**  
**CIVIL DOCKET FOR CASE #: 4:17-cv-05273-KAW**

Sierra Club v. U.S. Department of Homeland Security et al  
Assigned to: Magistrate Judge Kandis A. Westmore  
Referred to: Magistrate Judge Maria-Elena James (Settlement)  
Cause: 05:552 Freedom of Information Act

Date Filed: 09/12/2017  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Sierra Club**

represented by **Andrea S Issod**  
Sierra Club Environmental Law Program  
2101 Webster Street  
Suite 1300  
Oakland, CA 94612  
415-977-5544  
Email: [andrea.issod@sierraclub.org](mailto:andrea.issod@sierraclub.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Marta R. Darby**  
Sierra Club  
2101 Webster St.  
Ste. 1300  
Oakland, CA 94612  
415-977-5779  
Email: [marta.darby@sierraclub.org](mailto:marta.darby@sierraclub.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****U.S. Department of Homeland Security**

represented by **David Alejandro Pereda**  
United States Attorney's Office  
Civil Division  
1301 Clay Street  
Oakland, CA 94612  
(510) 637-3701  
Fax: (510) 637-3724  
Email: [david.pereda@usdoj.gov](mailto:david.pereda@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****U.S. Customs and Border Protection**

represented by **David Alejandro Pereda**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
09/12/2017	<u>1</u>	COMPLAINT against U.S. Customs and Border Protection, U.S. Department of Homeland Security ( Filing fee \$ 400, receipt number 0971-11708843.). Filed by Sierra Club. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>2</u> Civil Cover Sheet)(Darby, Marta) (Filed on 9/12/2017) (Entered: 09/12/2017)
09/12/2017	<u>2</u>	Proposed Summons. (Darby, Marta) (Filed on 9/12/2017) (Entered: 09/12/2017)

09/12/2017	<u>3</u>	Case assigned to Magistrate Judge Kandis A. Westmore.  Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at <a href="http://cand.uscourts.gov/ecf/caseopening">http://cand.uscourts.gov/ecf/caseopening</a> .  Standing orders can be downloaded from the court's web page at <a href="http://www.cand.uscourts.gov/judges">www.cand.uscourts.gov/judges</a> . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 9/26/2017. (cv, COURT STAFF) (Filed on 9/12/2017) (Entered: 09/12/2017)
09/13/2017	<u>4</u>	<b>Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 12/5/2017. Initial Case Management Conference set for 12/12/2017 01:30 PM in Courtroom 4, 3rd Floor, Oakland. (jmlS, COURT STAFF) (Filed on 9/13/2017) (Entered: 09/13/2017)</b>
09/13/2017		Electronic filing error. Only one Summons will be issued in each case. Please list all defendants on one summons, using additional pages if necessary, and re-file in its entirety. Re: <u>2</u> Proposed Summons filed by Sierra Club (jmlS, COURT STAFF) (Filed on 9/13/2017) (Entered: 09/13/2017)
09/13/2017	<u>5</u>	Proposed Summons. (Darby, Marta) (Filed on 9/13/2017) (Entered: 09/13/2017)
09/13/2017	<u>6</u>	Summons Issued as to U.S. Customs and Border Protection, U.S. Department of Homeland Security, U.S. Attorney and U.S. Attorney General (jmlS, COURT STAFF) (Filed on 9/13/2017) (Entered: 09/13/2017)
09/15/2017	<u>7</u>	CERTIFICATE OF SERVICE by Sierra Club (Darby, Marta) (Filed on 9/15/2017) (Entered: 09/15/2017)
09/20/2017	<u>8</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Sierra Club.. (Darby, Marta) (Filed on 9/20/2017) (Entered: 09/20/2017)
10/18/2017	<u>9</u>	ANSWER to Complaint by U.S. Department of Homeland Security. (Pereda, David) (Filed on 10/18/2017) (Entered: 10/18/2017)
10/19/2017	<u>10</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by U.S. Department of Homeland Security.. (Pereda, David) (Filed on 10/19/2017) (Entered: 10/19/2017)
11/01/2017	<u>11</u>	<i>Amended</i> ANSWER to Complaint by U.S. Department of Homeland Security. (Pereda, David) (Filed on 11/1/2017) (Entered: 11/01/2017)
11/01/2017	<u>12</u>	NOTICE of Appearance by Andrea S Issod (Issod, Andrea) (Filed on 11/1/2017) (Entered: 11/01/2017)
11/09/2017	<u>13</u>	SUMMONS Returned Executed (FOIA) by Sierra Club. All Defendants. (Darby, Marta) (Filed on 11/9/2017) (Entered: 11/09/2017)
11/20/2017	<u>14</u>	NOTICE of need for ADR Phone Conference (ADR L.R. 3-5 d) (Pereda, David) (Filed on 11/20/2017) (Entered: 11/20/2017)
11/20/2017	<u>15</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Darby, Marta) (Filed on 11/20/2017) (Entered: 11/20/2017)
11/21/2017	<u>16</u>	ADR Clerk's Notice Setting ADR Phone Conference on Thursday, December 7, 2017, at 2:00 PM Pacific time. Please note that you must be logged into an ECF account of counsel of record in order to view this document. (af, COURT STAFF) (Filed on 11/21/2017) (Entered: 11/21/2017)
12/04/2017	<u>17</u>	STIPULATION WITH PROPOSED ORDER filed by Sierra Club. (Attachments: # <u>1</u> Attachment A)(Darby, Marta) (Filed on 12/4/2017) (Entered: 12/04/2017)
12/05/2017	<u>18</u>	<b>STIPULATION AND ORDER FOR LEAVE TO FILE FIRST AMENDED COMPLAINT re <u>17</u> . STIPULATION WITH PROPOSED ORDER filed by Sierra Club. Signed by Magistrate Judge Kandis A. Westmore on 12/5/17. (sisS,</b>

		<b>COURT STAFF) (Filed on 12/5/2017) (Entered: 12/05/2017)</b>
12/05/2017	<u>19</u>	JOINT CASE MANAGEMENT STATEMENT filed by U.S. Department of Homeland Security, U.S. Customs and Border Patrol and Sierra Club. (Pereda, David) (Filed on 12/5/2017) Modified on 12/6/2017 (jmlS, COURT STAFF). (Entered: 12/05/2017)
12/07/2017	20	ADR Remark: ADR Phone Conference held on 12/7/2017 by Tamara Lange. (af, COURT STAFF) (Filed on 12/7/2017) <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (Entered: 12/07/2017)
12/08/2017	21	CLERK'S NOTICE – Case Management Conference will be held in Courtroom 5 on the 2nd floor.  <b>(This is a text only docket entry, there is no document associated with this notice.)</b>  (sisS, COURT STAFF) (Filed on 12/8/2017) (Entered: 12/08/2017)
12/12/2017	<u>22</u>	AMENDED COMPLAINT <i>FOR DECLARTORY AND INJUNCTIVE RELIEF</i> against All Defendants. Filed bySierra Club. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F, # <u>7</u> Exhibit Exhibit G, # <u>8</u> Exhibit Exhibit H)(Darby, Marta) (Filed on 12/12/2017) (Entered: 12/12/2017)
12/12/2017	<u>23</u>	<b>Minute Entry for proceedings held before Magistrate Judge Kandis A. Westmore: Initial Case Management Conference held on 12/12/2017. Matter referred to magistrate judge for settlement. Case Management Statement due by 4/17/2018. Further Case Management Conference set for 4/24/2018 01:30 PM in Courtroom 4, 3rd Floor, Oakland.FTR Time: 1:49–1:58. (sisS, COURT STAFF) (Date Filed: 12/12/2017) (Entered: 12/13/2017)</b>
12/13/2017		CASE REFERRED to Magistrate Judge Maria–Elena James for Settlement (ahm, COURT STAFF) (Filed on 12/13/2017) (Entered: 12/13/2017)
12/15/2017	<u>24</u>	<b>Order Setting Settlement Conference before Magistrate Judge: Settlement Conference set for 4/3/2018 at 10:00 a.m. Signed by Magistrate Judge Maria–Elena James on 12/15/2017. (rmm2S, COURT STAFF) (Filed on 12/15/2017) (Entered: 12/15/2017)</b>