

**U.S. District Court**  
**United States District Court for the District of Connecticut (New Haven)**  
**CIVIL DOCKET FOR CASE #: 3:07-cv-01224-MRK**

En Accion et al v. Department of Homeland Security  
Assigned to: Judge Mark R. Kravitz  
Cause: 05:552 Freedom of Information Act

Date Filed: 08/10/2007  
Date Terminated: 11/09/2009  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Unidad Latina En Accion**

represented by **Christopher Nelson Lasch**  
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**Plaintiff**

**Junta for Progressive Action, Inc**

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*TERMINATED: 07/01/2009*  
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**Department of Homeland Security**

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Date Filed	#	Docket Text
08/10/2007	<u>1</u>	COMPLAINT against Department of Homeland Security ( Filing fee \$ 350 receipt number N022076), filed by Unidad Latina En Accion, Junta for Progressive Action, Inc.(Rodko, B.) (Entered: 08/13/2007)
08/10/2007	<u>2</u>	Order on Pretrial Deadlines: Motions to Dismiss due on 11/10/07.Amended Pleadings due by 10/9/2007.,Discovery due by 2/9/2008.,Dispositive Motions due by 3/10/2008.. Signed by Clerk on 8/10/07. (Rodko, B.) (Entered: 08/13/2007)
08/10/2007	<u>3</u>	ELECTRONIC FILING ORDER. Signed by Judge Mark R. Kravitz on 8/10/07. (Rodko, B.) (Entered: 08/13/2007)
08/10/2007	<u>4</u>	Corporate Disclosure Statement by Junta for Progressive Action, Inc. (Rodko, B.) (Entered: 08/13/2007)
08/10/2007		Summons Issued as to Department of Homeland Security, U.S. Attorney and U.S. Attorney General (Rodko, B.) (Entered: 08/13/2007)

09/13/2007	<u>5</u>	NOTICE of Appearance by Victoria S Shin on behalf of Department of Homeland Security (Shin, Victoria) (Entered: 09/13/2007)
09/13/2007	<u>6</u>	ANSWER to Complaint by Department of Homeland Security. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E)(Shin, Victoria) (Entered: 09/13/2007)
10/18/2007	<u>7</u>	MOTION for telephonic status Conference by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Lasch, Christopher) (Entered: 10/18/2007)
10/18/2007	<u>8</u>	NOTICE by Unidad Latina En Accion, Junta for Progressive Action, Inc re <u>7</u> MOTION for telephonic status Conference ( <i>CERTIFICATE OF SERVICE</i> ) (Lasch, Christopher) (Entered: 10/18/2007)
10/18/2007	<u>9</u>	MOTION Leave to Appear <i>as Law Student</i> by Unidad Latina En Accion.Responses due by 11/8/2007 (Lasch, Christopher) (Entered: 10/18/2007)
10/18/2007	<u>10</u>	MOTION for Leave to Appear <i>as Law Student</i> by Unidad Latina En Accion.Responses due by 11/8/2007 (Lasch, Christopher) (Entered: 10/18/2007)
10/18/2007	<u>11</u>	MOTION for Leave to Appear <i>as Law Student</i> by Junta for Progressive Action, Inc.Responses due by 11/8/2007 (Lasch, Christopher) (Entered: 10/18/2007)
10/18/2007	<u>12</u>	MOTION for Leave to Appear <i>as Law Student</i> by Junta for Progressive Action, Inc.Responses due by 11/8/2007 (Lasch, Christopher) (Entered: 10/18/2007)
10/19/2007	13	ORDER granting <u>7</u> Motion for Conference. A telephonic status conference will be held on October 22, 2007, at 11:30 a.m. Plaintiffs' counsel will initiate the conference call. After all of the parties are on the conference call, they should then call chambers at (203) 773-2022 on the above date and time. Signed by Judge Mark R. Kravitz on 10/19/2007. (Carotenuto, R.) (Entered: 10/19/2007)
10/19/2007	14	ORDER granting <u>9</u> , <u>10</u> , <u>11</u> , <u>12</u> Motions to appear as Law Student Interns. Signed by Judge Mark R. Kravitz on 10/19/2007. (Carotenuto, R.) (Entered: 10/19/2007)
10/19/2007		Set Deadlines: Telephone Status Conference set for 10/22/2007 11:30 AM before Judge Mark R. Kravitz (Ghilardi, K.) (Entered: 10/22/2007)
10/22/2007	15	Minute Entry for proceedings held before Judge Mark R. Kravitz : Telephone Status Conference held on 10/22/2007. 15 minutes(Court Reporter Finkelstein.) (Ghilardi, K.) (Entered: 10/24/2007)
03/03/2008	<u>16</u>	First MOTION for Status Conference by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 03/03/2008)
03/04/2008		Minute Entry for proceedings held before Judge Mark R. Kravitz: Telephone Status Conference held on 3/4/2008. 8 minutes(Court Reporter Finkelstein.) (Ghilardi, K.) (Entered: 03/05/2008)
03/05/2008	17	ORDER granting <u>16</u> Motion for Conference. The Court having conferred telephonically with counsel on March 4, 2008, the following schedule will govern: All Defendant agencies must file dispositive motions by April 4, 2008. No further extensions of this deadline will be granted for any reason. Plaintiffs shall file their responses no later than April 25, 2008. Defendants shall file their reply briefs no later than May 9, 2008. There will be no further extensions granted. Signed by Judge Mark R. Kravitz on 3/5/2008. (Carotenuto, R.) (Entered: 03/05/2008)
03/05/2008		Set Deadlines: Dispositive Motions due by 4/4/2008 (Ghilardi, K.) (Entered: 03/06/2008)
04/04/2008	<u>18</u>	NOTICE of Appearance by Douglas P. Morabito on behalf of Department of Homeland Security (Morabito, Douglas) (Entered: 04/04/2008)
04/04/2008	<u>19</u>	MOTION for Summary Judgment by Department of Homeland Security.Responses due by 4/25/2008 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit, # <u>3</u> Exhibit to Declaration, # <u>4</u> Exhibit to declaration, # <u>5</u> Exhibit to declaration, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Statement of Material Facts)(Morabito, Douglas) (Entered: 04/04/2008)

04/25/2008	<u>20</u>	OBJECTION re <u>19</u> MOTION for Summary Judgment of <i>Defendant U.S. Dept. of Homeland Security</i> filed by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Attachments: # <u>1</u> Appendix of Unpublished Cases, # <u>2</u> Affidavit Declaration of Simon Moshenberg, # <u>3</u> Exhibit Exhibits A through E, # <u>4</u> Exhibit Exhibits F through S, # <u>5</u> Exhibit Exhibits T through U, # <u>6</u> Exhibit Exhibits T through EE, # <u>7</u> Statement of Material Facts 56a Statement)(Wishnie, Michael) (Entered: 04/25/2008)
05/09/2008	<u>21</u>	REPLY to Response to <u>19</u> MOTION for Summary Judgment filed by Department of Homeland Security. (Attachments: # <u>1</u> Supplement Declaration)(Morabito, Douglas) (Entered: 05/09/2008)
05/19/2008	22	ORDER Setting Hearing on Motion <u>19</u> MOTION for Summary Judgment: Oral argument set for 6/12/2008 at 03:00 PM in Courtroom Four, 141 Church Street, New Haven, CT before Judge Mark R. Kravitz. All persons entering the courthouse must present photo identification. Signed by Judge Mark R. Kravitz on 5/19/2008. (Carotenuto, R.) (Entered: 05/19/2008)
06/10/2008	<u>23</u>	NOTICE of Appearance by Michelle Lynn Colson on behalf of Department of Homeland Security (Colson, Michelle) (Entered: 06/10/2008)
06/10/2008	<u>24</u>	MOTION for Leave to Appear as Law Student Intern by Department of Homeland Security. (Colson, Michelle) (Entered: 06/10/2008)
06/11/2008	25	ORDER granting <u>24</u> Motion to Permit Appearance of Law Student Intern. Signed by Judge Mark R. Kravitz on 6/11/2008. (Carotenuto, R.) (Entered: 06/11/2008)
06/12/2008	<u>26</u>	Minute Entry. Proceedings held before Judge Mark R. Kravitz: taking under advisement <u>19</u> Motion for Summary Judgment; Motion Hearing held on 6/12/2008 re <u>19</u> MOTION for Summary Judgment filed by Department of Homeland Security. Total Time: 2 hours 6 minutes(Court Reporter Finkelstein.) (Ghilardi, K.) (Entered: 06/13/2008)
08/07/2008	27	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. Telephonic Status Conference set for 8/15/2008 at 09:00 AM before Judge Mark R. Kravitz for the purpose of discussing in camera review of documents. (Carotenuto, R.) (Entered: 08/07/2008)
08/15/2008	28	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. Telephonic Status Conference set for 9/8/2008 at 03:30 PM before Judge Mark R. Kravitz. Plaintiff's attorney will initiate the telephone conference call. After all of the parties are on the conference call, they should then call chambers at (203) 773-2022 on the above date and time. (Carotenuto, R.) (Entered: 08/15/2008)
08/15/2008	29	Minute Entry for proceedings held before Judge Mark R. Kravitz: Telephone Status Conference held on 8/15/2008. 46 minutes(Court Reporter Finkelstein.) (Ghilardi, K.) (Entered: 08/21/2008)
08/26/2008	30	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. NOTE NEW TIME: Telephonic Conference reset for 9/8/2008 at 08:30 AM before Judge Mark R. Kravitz. Plaintiff's attorney will initiate the telephone conference call. After all of the parties are on the conference call, they should then call chambers at (203) 773-2022 on the above date and time. (Carotenuto, R.) (Entered: 08/26/2008)
08/28/2008	<u>31</u>	MOTION to Withdraw <i>Law Student Intern Appearance</i> by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 08/28/2008)
08/29/2008	32	ORDER granting <u>31</u> Motion to Withdraw Law Student Intern Appearance of Justin Cox. Signed by Judge Mark R. Kravitz on 8/29/2008. (Carotenuto, R.) (Entered: 08/29/2008)
09/02/2008	33	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. Telephonic Status Conference set for 9/4/2008 at 09:30 AM before Judge Mark R. Kravitz. Plaintiffs' attorney will initiate the telephone conference call. After all of the parties are on the conference

		call, they should then call chambers at (203) 773-2022 on the above date and time. (Carotenuto, R.) (Entered: 09/02/2008)
09/04/2008	34	Minute Entry for proceedings held before Judge Mark R. Kravitz: Telephone Status Conference held on 9/4/2008. 48 minutes(Court Reporter Finkelstein.) (Ghilardi, K.) (Entered: 09/04/2008)
09/05/2008	35	ORDER. As discussed during an on-the-record telephonic conference on September 4, 2008, the Court sets the following schedule for supplemental filings: The Government will file a supplemental declaration from the Department of Homeland Security ("DHS") regarding additional searches no later than September 25, 2008. Plaintiffs must file any supplemental briefing related to the adequacy of the search no later than October 2, 2008, and the Government may respond no later than October 10, 2008. The Government will file a supplemental Vaughn Index regarding additional DHS documents no later than October 22, 2008. The parties will confer regarding the contents of the Index and the need for supplemental briefing and will submit a joint schedule for any additional briefing no later than October 31, 2008. Signed by Judge Mark R. Kravitz on 9/5/2008. (Carotenuto, R.) (Entered: 09/05/2008)
09/05/2008		Set Deadlines as to <u>19</u> MOTION for Summary Judgment. Responses due by 10/31/2008 (Ghilardi, K.) (Entered: 09/08/2008)
09/25/2008	<u>36</u>	NOTICE by Department of Homeland Security <i>Second Supplemental Declaration</i> (Morabito, Douglas) in support of <u>19</u> Motion for Summary Judgment. Modified on 9/26/2008 to create link to document No. 19 (Kelsey, N.). (Entered: 09/25/2008)
09/30/2008	<u>37</u>	RULING on Documents Submitted In Camera. Joint Proposal to be submitted no later than 10/14/2008. Signed by Judge Mark R. Kravitz on 9/30/2008. (Kelsey, N.) (Entered: 09/30/2008)
10/01/2008	<u>38</u>	MOTION for Extension of Time to file response/reply to <u>19</u> motion for summary judgment until Oct. 9, 2008 re <i>Plaintiffs' Supplemental Briefing</i> 35 Order, by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) Modified on 10/2/2008 to correct event (Kelsey, N.). Modified on 10/10/2008 to create link to document No. 19 (Kelsey, N.). (Entered: 10/01/2008)
10/02/2008	39	ORDER granting Plaintiffs' <u>38</u> Motion for Extension of Time. Plaintiffs' shall file their Supplemental Brief no later than October 9, 2008. The time for Defendant's Response is extended until October 17, 2008. Signed by Judge Mark R. Kravitz on 10/2/2008. (Flynn, E.) (Entered: 10/02/2008)
10/03/2008	<u>40</u>	First MOTION for Extension of Time to file response/reply until November 6, 2008 re 35 Order, by Department of Homeland Security. (Morabito, Douglas) re <u>19</u> motion for summary judgment. Modified on 10/3/2008 to correct event (Kelsey, N.). Modified on 10/10/2008 to create link to document No. 19 (Kelsey, N.). (Entered: 10/03/2008)
10/06/2008	41	ORDER granting <u>40</u> Motion for Extension of Time. The Government shall file its supplemental Vaughn Index regarding additional DHS documents no later than November 6, 2008. Signed by Judge Mark R. Kravitz on 10/6/2008. (Flynn, E.) (Entered: 10/06/2008)
10/06/2008		Set Deadlines as to Vaughn Index <u>19</u> MOTION for Summary Judgment. Responses due by 11/6/2006 (Ghilardi, K.) (Entered: 10/07/2008)
10/09/2008	<u>42</u>	RESPONSE re <u>36</u> Notice <i>Response to Second Supplemental Declaration</i> re <u>19</u> motion for summary judgment filed by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Attachments: # <u>1</u> Exhibit A)(Wishnie, Michael) Modified on 10/10/2008 to create link to document No. 19 (Kelsey, N.). (Entered: 10/09/2008)
10/14/2008	<u>43</u>	STATUS REPORT by Department of Homeland Security. (Morabito, Douglas) (Entered: 10/14/2008)
10/15/2008	<u>44</u>	NOTICE by Department of Homeland Security re <u>36</u> Notice (Other) of Service (Morabito, Douglas) (Entered: 10/15/2008)

10/15/2008	<u>45</u>	ORDER. Based on the Status Report <u>43</u> filed with the Court on October 14, 2008, the Parties' deadline for filing a joint proposal that responds to the Court's Ruling on Documents Submitted In Camera <u>37</u> is extended to October 27, 2008. In addition, the Court previously granted the Government until November 6, 2008 to file its supplemental Vaughn Index regarding additional DHS documents <u>41</u> . Following the Government's filing of the supplemental Vaughn Index, the Court directs the Parties to confer regarding the contents of the Index and the need for supplemental briefing and to submit a joint schedule for any additional briefing no later than November 14, 2008. Signed by Judge Mark R. Kravitz on 10/15/2008. (Carotenuto, R.) (Entered: 10/15/2008)
10/17/2008	<u>46</u>	SCHEDULING ORDER: A Status Conference is set for 11/21/2008 at 02:00 PM in Courtroom Four, 141 Church Street, New Haven, CT before Judge Mark R. Kravitz. All persons entering the courthouse must present photo identification. Signed by Judge Mark R. Kravitz on 10/17/2008. (Carotenuto, R.) (Entered: 10/17/2008)
10/17/2008	<u>47</u>	REPLY to Response to <u>19</u> MOTION for Summary Judgment filed by Department of Homeland Security. (Morabito, Douglas) (Entered: 10/17/2008)
10/27/2008	<u>48</u>	MOTION for Extension of Time until October 28, 2008 ( <i>with consent</i> ) to file joint proposal identifying next steps by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 10/27/2008)
10/28/2008	<u>49</u>	ORDER granting <u>48</u> Motion for Extension of Time. The deadline for the parties to file a joint proposal identifying next steps is extended to October 28, 2008. Signed by Judge Mark R. Kravitz on 10/28/2008. (Carotenuto, R.) (Entered: 10/28/2008)
10/28/2008	<u>50</u>	MOTION for Leave to Appear Law Student Interns <i>Hunter Smith and Jane Lewis</i> by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Wishnie, Michael) (Entered: 10/28/2008)
10/28/2008	<u>51</u>	Joint STATUS REPORT <i>proposing next steps</i> by Department of Homeland Security, Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 10/28/2008)
10/29/2008	<u>52</u>	ORDER granting <u>50</u> Motion for law student interns Hunter Smith and Jane Lewis to appear on behalf of Plaintiffs. Signed by Judge Mark R. Kravitz on 10/29/2008. (Carotenuto, R.) (Entered: 10/29/2008)
11/06/2008	<u>53</u>	NOTICE by Department of Homeland Security <i>Vaughn Index</i> (Morabito, Douglas) (Entered: 11/06/2008)
11/06/2008	<u>54</u>	NOTICE by Department of Homeland Security <i>Vaughn Index 52939</i> (Morabito, Douglas) (Entered: 11/06/2008)
11/07/2008	<u>55</u>	NOTICE by Department of Homeland Security re <u>54</u> Notice (Other), <u>53</u> Notice (Other) (Morabito, Douglas) (Entered: 11/07/2008)
11/10/2008	<u>56</u>	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. NOTE NEW TIME. The Status Conference set for 11/21/2008 will begin at 09:00 AM in Courtroom Four, 141 Church Street, New Haven, CT before Judge Mark R. Kravitz. All persons entering the courthouse must present photo identification. (Carotenuto, R.) (Entered: 11/10/2008)
11/18/2008	<u>57</u>	Joint STATUS REPORT by Department of Homeland Security, Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 11/18/2008)
11/21/2008	<u>58</u>	Minute Entry for proceedings held before Judge Mark R. Kravitz: In Court Status Conference held on 11/21/2008. Total Time: 1 hour 19 minutes(Court Reporter Finkelstein.) (Ghilardi, K.) (Entered: 11/21/2008)
11/26/2008	<u>59</u>	STATUS REPORT by Department of Homeland Security. (Morabito, Douglas) (Entered: 11/26/2008)
12/09/2008	<u>60</u>	RULING on the Adequacy of DHS's Search re <u>19</u> MOTION for Summary Judgment filed by Department of Homeland Security. Signed by Judge Mark R.

		Kravitz on 12/9/2008. (Kelsey, N.) (Entered: 12/09/2008)
12/19/2008	<u>61</u>	NOTICE by Department of Homeland Security re <u>60</u> Order (Morabito, Douglas) (Entered: 12/19/2008)
12/23/2008	<u>62</u>	MOTION to Alter Judgment, MOTION for Preliminary Injunction by Unidad Latina En Accion, Junta for Progressive Action, Inc.Responses due by 1/13/2009 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit, # <u>3</u> Exhibit A-G)(Wishnie, Michael) (Entered: 12/23/2008)
12/24/2008	63	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. Telephonic Scheduling Conference set for 1/5/2009 at 10:00 AM before Judge Mark R. Kravitz. Plaintiff's attorney will initiate the telephone conference call. After all of the parties are on the conference call, they should then call chambers at (203) 773-2022 on the above date and time. Counsel are ordered by the court to be prepared to discuss the merits of all pending motions. Counsel are further ordered to be prepared to discuss the status of all pending declarations, the number of non-exempt documents that have yet to be released, and the nature of any remaining challenges to exemptions DHS has invoked with respect to documents located and/or reviewed after this Court's Ruling dated September 30, 2008. (Flynn, E.) (Entered: 12/24/2008)
12/24/2008	64	NOTICE OF REVISED E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. The telephone conference scheduled for 1/5/09 has been reset for an in-court conference on 1/5/2009 at 10:00 AM in Courtroom Four, 141 Church Street, New Haven, CT before Judge Mark R. Kravitz. All persons entering the courthouse must present photo identification. (Flynn, E.) (Entered: 12/24/2008)
01/02/2009	<u>65</u>	MOTION for Extension of Time by Department of Homeland Security. (Morabito, Douglas) (Entered: 01/02/2009)
01/05/2009	<u>66</u>	Minute Entry for proceedings held before Judge Mark R. Kravitz: In Court Status Conference held on 1/5/2009. 44 minutes(Court Reporter Finkelstein.) (Ghilardi, K.) (Entered: 01/05/2009)
01/05/2009	67	ORDER. As explained during the on-the-record in-court conference on January 5, 2009, the Court grants Plaintiffs' Motion for Relief from Order and for Preliminary Injunction <u>62</u> insofar as it seeks to depose Ms. Catrina Pavlik-Keenan and SDDO Richard McCaffrey regarding the adequacy of the DHS search. The Court will withhold judgment regarding the adequacy of the DHS search pending the depositions of Ms. Pavlik-Keenan and Mr. McCaffrey. Plaintiffs shall conduct the depositions of Ms. Pavlik-Keenan and SDDO McCaffrey no later than February 5, 2009, at a time and place convenient to the parties. Further, based on DHS's representation that all other responsive, non-exempt documents have been produced, the Court orders DHS to produce the OPR documents to Plaintiffs no later than January 12, 2009. The Court will reserve on Plaintiffs' motion for a preliminary injunction as it may develop that the motion is moot. Signed by Judge Mark R. Kravitz on 1/5/2009. (Flynn, E.) (Entered: 01/05/2009)
01/05/2009	68	ORDER. As explained during the on-the-record in-court conference on January 5, 2009, the Court grants DHS's oral motion to withdraw its Motion for Summary Judgment <u>19</u> without prejudice to renewal insofar as it pertains to the adequacy of DHS's search. Further, Defendant's Motion for Summary Judgment <u>19</u> is denied as moot insofar as it sought to withhold law enforcement officers' names and telephone numbers from disclosure because DHS has disclosed the names to Plaintiffs and Plaintiffs do not seek the officers' telephone numbers. That leaves as the only issue remaining for decision on Defendant's Motion for Summary Judgment <u>19</u> , whether any remaining records were properly withheld under Exemption (b)(7)(E). DHS will review its withholdings and submit to the Court for in camera inspection any remaining records that the parties themselves have not resolved. The records shall be submitted to the Court no later than January 12, 2009. Signed by Judge Mark R. Kravitz on 1/5/2009. (Flynn, E.) (Entered: 01/05/2009)
01/05/2009	69	ORDER. As explained during the on-the-record in-court conference on January 5, 2009, the Court grants DHS's Motion for Extension of Time <u>65</u> to file its

		summary judgment motion no later than January 23, 2009. Signed by Judge Mark R. Kravitz on 1/5/2009. (Flynn, E.) (Entered: 01/05/2009)
01/05/2009		Set Deadlines: Dispositive Motions due by 1/23/2009 (Ghilardi, K.) (Entered: 01/08/2009)
01/07/2009	<u>70</u>	STATUS REPORT by Department of Homeland Security. (Morabito, Douglas) (Entered: 01/07/2009)
01/08/2009	71	ORDER. Having reviewed the Status Report <u>70</u> , and in light of the Court's Orders dated January 5, 2009, the Court vacates its prior order dated December 9, 2008 <u>60</u> requiring the filing of the supplemental declaration by January 6, 2009. Signed by Judge Mark R. Kravitz on 1/8/2009. (Flynn, E.) (Entered: 01/08/2009)
01/12/2009	<u>72</u>	NOTICE by Department of Homeland Security <i>Amended Vaughn Index</i> (Attachments: # <u>1</u> Appendix Certificate of Service)(Morabito, Douglas) (Entered: 01/12/2009)
01/20/2009	<u>73</u>	Second MOTION for Extension of Time by Department of Homeland Security. (Morabito, Douglas) (Entered: 01/20/2009)
01/21/2009	74	ORDER granting <u>73</u> Motion, on Consent, for Extension of Time. Defendant Department of Homeland Security shall file its motion for summary judgment or, in the alternative, a motion for submission of documents at issue for this Court's in camera review no later than January 27, 2009. Signed by Judge Mark R. Kravitz on 1/21/2009. (Flynn, E.) (Entered: 01/21/2009)
01/21/2009		Set Deadlines: Dispositive Motions due by 1/27/2009 (Ghilardi, K.) (Entered: 01/22/2009)
01/22/2009	75	ORDER. In accordance with the Court's on-the-record telephonic status conference dated January 22, 2009, the Court grants Plaintiffs until January 26, 2009 to respond to Defendant's January 12, 2009 submission of documents for this Court's in camera review. Signed by Judge Mark R. Kravitz on 1/22/2009. (Flynn, E.) (Entered: 01/22/2009)
01/22/2009	76	ORDER. Based on the representations of counsel during this Court's on-the-record telephonic status conference dated January 22, 2009, the Court denies as moot Plaintiff's Motion for Preliminary Injunction <u>62</u> . Signed by Judge Mark R. Kravitz on 1/22/2009. (Flynn, E.) (Entered: 01/22/2009)
01/22/2009	78	Minute Entry for proceedings held before Judge Mark R. Kravitz: Telephone Status Conference held on 1/22/2009. 10 minutes(Court Reporter Finkelstein.) (Ghilardi, K.) (Entered: 01/26/2009)
01/26/2009	<u>77</u>	Memorandum in Opposition <i>regarding documents submitted for in camera review on January 12 2009</i> re <u>19</u> MOTION for Summary Judgment filed by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit A)(Wishnie, Michael) (Entered: 01/26/2009)
01/27/2009	<u>79</u>	MOTION In Camera Review of Documents by Department of Homeland Security.Responses due by 2/17/2009 (Morabito, Douglas) (Entered: 01/27/2009)
01/29/2009	80	Minute Entry for proceedings held before Judge Mark R. Kravitz: Telephone Conference held on 1/29/2009. 13 minutes(Court Reporter Finkelstein.) (Ghilardi, K.) (Entered: 01/30/2009)
01/30/2009	<u>81</u>	RULING on Documents Submitted In Camera denying as moot <u>19</u> Motion for Summary Judgment. Signed by Judge Mark R. Kravitz on 1/29/2009. (Kelsey, N.) (Entered: 01/30/2009)
02/17/2009	<u>82</u>	First MOTION for Extension of Time to File Response/Reply as to <u>79</u> MOTION In Camera Review of Documents until 2/23/09 by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 02/17/2009)
02/18/2009	83	ORDER granting <u>82</u> Motion for Extension of Time to File Response re <u>79</u> MOTION In Camera Review of Documents. Plaintiff shall file its brief on records submitted by Defendant DHS for in camera review no later than February 23, 2009. Signed by Judge Mark R. Kravitz on 2/18/2009. (Carotenuto, R.) (Entered: 02/18/2009)



		02/18/2009)
02/23/2009	<u>84</u>	Second MOTION for Extension of Time to File Response/Reply as to <u>79</u> MOTION In Camera Review of Documents until March 2, 2009 by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 02/23/2009)
02/24/2009	85	ORDER granting <u>84</u> Motion for Extension of Time to File Response re <u>79</u> MOTION In Camera Review of Documents. Plaintiff shall file its brief on records submitted by Defendant DHS for in camera review no later than March 2, 2009. Signed by Judge Mark R. Kravitz on 2/24/2009. (Carotenuto, R.) (Entered: 02/24/2009)
02/27/2009	<u>86</u>	STATUS REPORT <i>regarding Defendant's search for records</i> by Department of Homeland Security, Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 02/27/2009)
03/02/2009	<u>87</u>	Memorandum in Opposition re <u>79</u> MOTION In Camera Review of Documents filed by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Attachments: # <u>1</u> Affidavit of Law Student Intern Jane Lewis, # <u>2</u> Exhibit A-J)(Wishnie, Michael) (Entered: 03/02/2009)
03/05/2009	<u>88</u>	MOTION for <i>Status Conference</i> by Department of Homeland Security. (Morabito, Douglas) (Entered: 03/05/2009)
03/06/2009	89	ORDER granting <u>88</u> Motion for Conference. A status conference will be held at 1:30 p.m. on March 9, 2009, in Courtroom Four, 141 Church Street, New Haven, Connecticut. Signed by Judge Mark R. Kravitz on 3/6/2009. (Carotenuto, R.) (Entered: 03/06/2009)
03/06/2009		Set Deadlines: Status Conference set for 3/9/2009 1:30 AM in Courtroom Four, 141 Church Street, New Haven, CT before Judge Mark R. Kravitz (Ghilardi, K.) (Entered: 03/09/2009)
03/09/2009	<u>90</u>	MOTION for Leave to Appear Law Student Intern <i>Erin Macdonald</i> by Junta for Progressive Action, Inc. (Attachments: # <u>1</u> Exhibit A)(Wishnie, Michael) (Entered: 03/09/2009)
03/09/2009	91	ORDER granting <u>90</u> Motion to Appear as Law Student Intern Erin Macdonald on behalf of Junta For Progressive Aciton, Inc. Signed by Judge Mark R. Kravitz on 3/9/2009. (Ghilardi, K.) (Entered: 03/09/2009)
03/09/2009	<u>92</u>	Minute Entry for proceedings held before Judge Mark R. Kravitz: In Court Status Conference held on 3/9/2009. 32 minutes(Court Reporter Finkelstein.) (Ghilardi, K.) (Entered: 03/09/2009)
03/09/2009	93	ORDER. During an on-the-record, in-court status conference dated March 9, 2009, Plaintiffs made an oral application that this Court order Defendant Department of Homeland Security to process certain documents that haven't yet already been processed. The Court grants Plaintiffs' application and orders Defendant to process and determine which documents, if any, are subject to a partial or complete release under FOIA with respect to all outstanding records regarding Operation Return to Sender that resulted in the arrest of 29 individuals on June 6, 2007, including, but not limited to, records contained within the ICE FOIA working file and any other records identified by Ms. Catrina Pavlik-Keenan during her deposition. The Court further orders Defendant to process all OPR documents and to determine which documents, if any, are subject to a partial or complete release under FOIA. Defendant shall comply with all aspects of this Order no later than March 30, 2009. Signed by Judge Mark R. Kravitz on 3/9/2009. (Flynn, E.) (Entered: 03/09/2009)
03/09/2009	<u>94</u>	MOTION for Leave to Appear Pro Hac Vice: Attorney Muneer I. Ahmad, by Unidad Latina En Accion, Junta for Progressive Action, Inc. Filing Fee \$25.00. Receipt Number N026963. (Kelsey, N.) (Entered: 03/11/2009)
03/11/2009	95	ORDER granting <u>94</u> Motion to Appear Pro Hac Vice. Attorney Muneer I. Ahmad for Unidad Latina En Accion and Junta for Progressive Action, Inc added. Signed by Clerk on 3/11/2009. (Kelsey, N.) (Entered: 03/11/2009)

03/16/2009	<u>96</u>	MOTION to Withdraw <u>79</u> MOTION In Camera Review of Documents by Department of Homeland Security. (Morabito, Douglas) (Entered: 03/16/2009)
03/16/2009	<u>97</u>	OBJECTION re <u>96</u> MOTION to Withdraw <u>79</u> MOTION In Camera Review of Documents filed by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 03/16/2009)
03/18/2009	98	ORDER denying <u>96</u> Motion to Withdraw. The Court will conduct an in camera review of the documents that the Government submitted on January 27, 2009, and will address other issues raised by the parties as they are tendered to the Court in the future. Signed by Judge Mark R. Kravitz on 3/18/2009. (Flynn, E.) (Entered: 03/18/2009)
03/19/2009	<u>99</u>	Third Supplemental Declaration of <i>Catrina Pavlik-Keenan</i> re <u>60</u> RULING on the Adequacy of DHS's Search (Attachments: # <u>1</u> Certificate of Service), by Department of Homeland Security(Morabito, Douglas). Modified on 3/20/2009 to create link to underlying document and correct entry text (Kelsey, N.). (Entered: 03/19/2009)
03/19/2009	<u>100</u>	MOTION for Extension of Time until March 26, 2009 <i>to inform the Court of the parties' progress re: adequacy of search</i> by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 03/19/2009)
03/20/2009	101	ORDER granting <u>100</u> Motion for Extension of Time. The deadline for Plaintiffs to inform the Court on their position on the adequacy of Defendant's search for records and the need for further discovery thereon is extended to March 26, 2009. Signed by Judge Mark R. Kravitz on 3/20/2009. (Carotenuto, R.) (Entered: 03/20/2009)
03/20/2009	102	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. In-court Conference set for 3/27/2009 at 03:00 PM in Courtroom Four, 141 Church Street, New Haven, CT before Judge Mark R. Kravitz for the purpose of the Court to issue an oral ruling on <u>79</u> MOTION For Submission of Documents For In Camera Review. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. (Carotenuto, R.) (Entered: 03/20/2009)
03/26/2009	<u>103</u>	STATUS REPORT by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 03/26/2009)
03/27/2009	104	ORDER. The Court grants Defendant's <u>79</u> Motion for In Camera Review. For the reasons stated on the record on March 27, 2009, the Court finds that Defendant properly withheld certain portions of the documents under the claimed FOIA exemptions, but that other portions of the documents were improperly withheld or reasonably segregable. In accordance with the Court's oral ruling, Defendant shall disclose to Plaintiffs all improperly withheld information no later than 5pm on March 30, 2009. Signed by Judge Mark R. Kravitz on 3/27/2009. (Flynn, E.) (Entered: 03/27/2009)
03/27/2009	105	ORDER. On Plaintiffs' consent, the Court grants Defendant's oral motion made on the record on March 27, 2009 requesting that the Court partially amend its Order dated March 9, 2009. Defendant shall process all documents and determine which documents, if any, are subject to a partial or complete release under FOIA no later than May 15, 2009. Signed by Judge Mark R. Kravitz on 3/27/2009. (Flynn, E.) (Entered: 03/27/2009)
03/27/2009	106	ORDER. The Court grants Plaintiffs' oral motion made on the record on March 27, 2009 requesting that Defendant advise it of its email backup system, if any. Defendant shall provide Plaintiffs with this information no later than April 6, 2009. Signed by Judge Mark R. Kravitz on 3/27/2009. (Flynn, E.) (Entered: 03/27/2009)
03/27/2009	<u>107</u>	Minute Entry for proceedings held before Judge Mark R. Kravitz: Miscellaneous Hearing re; oral ruling on contested exhibits held on 3/27/2009. Total Time: 2 hours and 15 minutes(Court Reporter T. Finkelstein.) (Brown, S.) (Entered: 03/31/2009)
05/28/2009	108	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. Telephone Conference set for

		5/29/2009 at 03:30 PM before Judge Mark R. Kravitz. Plaintiffs' attorney will initiate the telephone conference call. After all of the parties are on the conference call, they should then call chambers at (203) 773-2022 on the above date and time. (Carotenuto, R.) (Entered: 05/28/2009)
05/29/2009	109	ORDER. Having conferred with the parties during an on-the-record telephonic conference dated May 29, 2009, the parties appear to have worked out an agreement regarding the adequacy of Defendant's search for responsive records, though it requires limited additional searches to be completed by DHS. Accordingly, Defendant is required to complete the additional searches and to produce the documents from any such search to Plaintiffs no later than June 22, 2009. Plaintiffs shall review the documents and advise Defendant of their need for Vaughn indices no later than July 10, 2009, and Defendant shall provide the Vaughn indices to Plaintiffs no later than July 24, 2009. In addition, Defendant shall file any motion for summary judgment no later than September 4, 2009. Signed by Judge Mark R. Kravitz on 5/29/2009. (Flynn, E.) (Entered: 05/29/2009)
05/29/2009		Set Deadlines: Dispositive Motions due by 9/4/2009 (Ghilardi, K.) (Entered: 06/05/2009)
05/29/2009	110	Minute Entry for proceedings held before Judge Mark R. Kravitz: Telephone Status Conference held on 5/29/2009. 11 minutes(Court Reporter Finkelstein.) (Ghilardi, K.) (Entered: 06/05/2009)
06/19/2009	<u>111</u>	Joint STIPULATION <i>re: Adequacy of Search</i> by Department of Homeland Security, Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 06/19/2009)
06/30/2009	<u>112</u>	MOTION for Christopher N. Lasch to Withdraw as Attorney by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Lasch, Christopher) (Entered: 06/30/2009)
07/01/2009	113	ORDER granting <u>112</u> Motion to Withdraw as Attorney. The appearance of Attorney Christopher Nelson Lasch on behalf of Plaintiffs in terminated. Plaintiffs have continuing alternate legal representation. Signed by Judge Mark R. Kravitz on 7/1/2009. (Carotenuto, R.) (Entered: 07/01/2009)
08/13/2009	<u>114</u>	MOTION for Extension of Time 109 Order,,, by Department of Homeland Security. (Morabito, Douglas) (Entered: 08/13/2009)
08/14/2009	115	ORDER granting <u>114</u> Motion for Extension of Time. Defendant shall file a supplemental Vaughn Index no later than September 14, 2009, and shall file any motion for summary judgment no later than October 2, 2009. Signed by Judge Mark R. Kravitz on 8/14/2009. (Carotenuto, R.) (Entered: 08/14/2009)
08/14/2009		Set Deadlines: Dispositive Motions due by 10/2/2009 (Ghilardi, K.) (Entered: 08/14/2009)
09/14/2009	<u>116</u>	NOTICE by Department of Homeland Security <i>Vaughn Index</i> (Attachments: # <u>1</u> Supplement)(Morabito, Douglas) (Entered: 09/14/2009)
10/05/2009	<u>117</u>	MOTION for Extension of Time until October 16, 2009 Set Deadlines/Hearings, 115 Order on Motion for Extension of Time, by Department of Homeland Security. (Morabito, Douglas) (Entered: 10/05/2009)
10/06/2009	118	ORDER granting nunc pro tunc <u>117</u> Motion for Extension of Time. The deadline for filing dispositive motions, including all motions to exclude testimony of experts pursuant to Fed. R. Evid. 702-05 and the Daubert v. Merrill Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993) line of cases, is extended to October 16, 2009. Signed by Judge Mark R. Kravitz on 10/6/2009. (Carotenuto, R.) (Entered: 10/06/2009)
10/06/2009		Set Deadlines: Dispositive Motions due by 10/16/2009 (Ghilardi, K.) (Entered: 10/07/2009)
11/04/2009	<u>119</u>	Joint STIPULATION <i>Resolving All Remaining Claims Other Than Costs and Attorneys' Fees</i> by Department of Homeland Security, Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 11/04/2009)

11/05/2009	120	ORDER. The parties' Joint Stipulation Resolving All Remaining Claims Other Than Costs and Attorneys' Fees <u>119</u> is approved and so ordered. All remaining claims, with the exception of costs and attorneys' fees, are dismissed with prejudice, and the Clerk is directed to enter judgment in favor of Plaintiffs in part and in favor of Defendant in part. If the parties would like the Court to resolve the issues of costs and attorneys' fees, they must file a motion requesting such judicial resolution by January 8, 2010. If no such motion is filed by that date, the Clerk is directed to close this file. Signed by Judge Mark R. Kravitz on 11/5/2009. (Berwick, B.) (Entered: 11/05/2009)
11/09/2009	<u>121</u>	JUDGMENT.  For Appeal Forms please go to the following website: <a href="http://www.ctd.uscourts.gov/forms.html">http://www.ctd.uscourts.gov/forms.html</a> . Signed by Clerk on 11/9/2009. (Ghilardi, K.) (Entered: 11/09/2009)
11/09/2009		JUDICIAL PROCEEDINGS SURVEY: The following link to the survey requires you to log into CM/ECF for SECURITY purposes. Once in CM/ECF you will be prompted for the case number. Upon entering the survey, all responses are completely anonymous.  <a href="https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey">https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey</a> (Ghilardi, K.) (Entered: 11/09/2009)
11/09/2009		Set Deadlines as to resolve the issues of costs and attorneys' fees Responses due by 1/8/2010 (Ghilardi, K.) (Entered: 11/09/2009)
01/08/2010	<u>122</u>	MOTION for Extension of Time until January 15, 2010 <i>to file final</i> Stipulation on Costs & Fees by Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 01/08/2010)
01/11/2010	123	ORDER granting <u>122</u> Motion for Extension of Time. The parties shall file a stipulation regarding remaining issues in this case no later than January 15, 2010. Signed by Judge Mark R. Kravitz on 1/11/2010. (Carotenuto, R.) (Entered: 01/11/2010)
01/15/2010	<u>124</u>	SETTLEMENT AGREEMENT <i>re: Costs &amp; Attorneys' Fees</i> by Department of Homeland Security, Unidad Latina En Accion, Junta for Progressive Action, Inc. (Wishnie, Michael) (Entered: 01/15/2010)
01/19/2010	125	ORDER. <u>124</u> Stipulation for Compromise Settlement and Release of Claims Regarding Fees and Costs is So Ordered. Signed by Judge Mark R. Kravitz on 1/19/2010. (Carotenuto, R.) (Entered: 01/19/2010)