

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:10-cv-00436-RMC**

AMERICAN CIVIL LIBERTIES UNION et al v.
DEPARTMENT OF JUSTICE et al
Assigned to: Judge Rosemary M. Collyer
Case in other court: USCA, 11-05320
USCA, 15-05217
Cause: 05:552 Freedom of Information Act

Date Filed: 03/16/2010
Date Terminated: 06/18/2015
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**AMERICAN CIVIL LIBERTIES
UNION**

represented by **Arthur B. Spitzer**
AMERICAN CIVIL LIBERTIES UNION
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TERMINATED: 09/04/2014
PRO HAC VICE

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TERMINATED: 06/03/2013
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Plaintiff

**AMERICAN CIVIL LIBERTIES
UNION FOUNDATION**

represented by **Arthur B. Spitzer**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Hina Shamsi
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brett Max Kaufman
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TERMINATED: 09/04/2014
PRO HAC VICE

Jameel Jaffer
(See above for address)
TERMINATED: 08/31/2016
PRO HAC VICE

Nathan Freed Wessler
(See above for address)
TERMINATED: 06/03/2013
PRO HAC VICE

V.

Defendant

DEPARTMENT OF JUSTICE

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Defendant

DEPARTMENT OF DEFENSE

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*LEAD ATTORNEY
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Stephen McCoy Elliott
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ATTORNEY TO BE NOTICED

Defendant

U.S. DEPARTMENT OF STATE

represented by **Amy E. Powell**
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*LEAD ATTORNEY
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Stephen McCoy Elliott
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ATTORNEY TO BE NOTICED

Defendant

**CENTRAL INTELLIGENCE
AGENCY**
TERMINATED: 09/09/2011

represented by **Amy E. Powell**
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ATTORNEY TO BE NOTICED*

Stephen McCoy Elliott
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Amicus

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ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
03/16/2010	<u>1</u>	COMPLAINT against DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Filing fee \$ 350, receipt number 4616028263) filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Attachments: # <u>1</u> Civil Cover Sheet)(rdj) (Entered: 03/16/2010)
03/16/2010		SUMMONS (5) Issued as to DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (rdj) (Entered: 03/16/2010)
03/17/2010	<u>2</u>	SUMMONS Returned Executed as to US Attorney, served on 3/16/2010, answer due 4/15/2010. (Spitzer, Arthur) Modified on 3/17/2010 to edit the parties (dr). (Entered: 03/17/2010)
03/26/2010	<u>3</u>	NOTICE of Appearance by Amy E. Powell on behalf of DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Powell,

		Amy) (Entered: 03/26/2010)
04/02/2010	<u>4</u>	SUMMONS Returned Executed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. DEPARTMENT OF JUSTICE served on 3/22/2010, answer due 4/21/2010. (Spitzer, Arthur) (Entered: 04/02/2010)
04/02/2010	<u>5</u>	SUMMONS Returned Executed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. DEPARTMENT OF DEFENSE served on 3/29/2010, answer due 4/28/2010. (Spitzer, Arthur) (Entered: 04/02/2010)
04/02/2010	<u>6</u>	SUMMONS Returned Executed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. DEPARTMENT OF STATE served on 3/24/2010, answer due 4/23/2010. (Spitzer, Arthur) (Entered: 04/02/2010)
04/02/2010	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on Attorney General. Date of Service Upon Attorney General 03/22/2010. (Spitzer, Arthur) (Entered: 04/02/2010)
04/09/2010	<u>8</u>	Unopposed MOTION for Extension of Time to File Answer by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 04/09/2010)
04/12/2010		MINUTE ORDER granting <u>8</u> Defendants' Unopposed Motion for Extension of Time to Answer. Defendants shall file their answer or otherwise respond to the complaint no later than May 6, 2010. Signed by Judge Rosemary M. Collyer on 4/12/10. (lcrmc2) (Entered: 04/12/2010)
04/12/2010		Set/Reset Deadlines/Hearings: Answer to complaint due by 5/6/2010. (cdw) (Entered: 04/13/2010)
05/04/2010	<u>9</u>	Unopposed MOTION for Extension of Time to File Answer by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 05/04/2010)
05/05/2010		MINUTE ORDER granting <u>9</u> Defendants' Unopposed Motion for Extension of Time to Answer. Defendants shall file an Answer or otherwise respond to the Complaint no later than May 19, 2010. If Plaintiffs file an amended Complaint on or before May 19, 2010, Defendants will then have fourteen (14) days from the filing of the amended Complaint to file an Answer or otherwise respond to the amended Complaint. Signed by Judge Rosemary M. Collyer on 5/5/2010. (lcrmc2) (Entered: 05/05/2010)
05/05/2010		Set/Reset Deadlines/Hearings: Answer to complaint due by 5/19/2010. (cdw) (Entered: 05/05/2010)
05/14/2010	<u>10</u>	Joint MOTION to Amend/Correct Order on Motion for Extension of Time to Answer, by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 05/14/2010)
05/14/2010		MINUTE ORDER granting <u>10</u> Defendants' Unopposed Motion for an Extension of Time. Plaintiffs will, if they determine it necessary, file an amended complaint no later than June 1, 2010. If Plaintiffs file an amended complaint, Defendants shall file an answer or other response no later than June 15, 2010. If Plaintiffs do not file an amended complaint by June 1, 2010, Defendants shall file an answer or other response to the complaint no later than June 4, 2010. Signed by Judge Rosemary M. Collyer on 5/14/2010. (lcrmc2) (Entered: 05/14/2010)
06/01/2010	<u>11</u>	AMENDED COMPLAINT against DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, CENTRAL INTELLIGENCE AGENCY filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION.(znmw,) (Entered: 06/02/2010)
06/15/2010	<u>12</u>	ANSWER to <u>11</u> Amended Complaint by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. Related document: <u>11</u> Amended Complaint filed by AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES

		UNION.(Powell, Amy) (Entered: 06/15/2010)
06/16/2010		MINUTE ORDER requiring the parties to file a joint proposed dispositive motion briefing schedule no later than July 1, 2010. Signed by Judge Rosemary M. Collyer on 6/16/2010. (lcrmc2) (Entered: 06/16/2010)
06/16/2010		Set/Reset Deadlines/Hearings: Joint Proposed Dispositive Motion Briefing Schedule due by 7/1/2010. (cdw) (Entered: 06/22/2010)
07/01/2010	<u>13</u>	STATUS REPORT <i>Proposed Briefing Schedule, jointly filed</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. (Powell, Amy) (Entered: 07/01/2010)
07/01/2010		MINUTE ORDER. The parties shall file a joint status report by no later than July 16, 2010, to inform the Court as to the Defendants' search for and production of documents responsive to the Plaintiffs' FOIA request. Defendant CIA shall file a motion for summary judgment by no later than October 1, 2010. Plaintiffs shall file an opposition by no later than November 1, 2010. Defendant CIA may file a reply by no later than December 1, 2010. The parties are advised that no extensions of time will be granted. Signed by Judge Rosemary M. Collyer on 7/1/2010. (lcrmc2) (Entered: 07/01/2010)
07/16/2010	<u>14</u>	STATUS REPORT , <i>jointly filed, with proposed order</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. (Powell, Amy) (Entered: 07/16/2010)
07/28/2010		MINUTE ORDER. The Court approves the proposed schedule detailed in the parties' Joint Status Report [Dkt. # 14] and hereby ORDERS that the parties file a joint status report by no later than December 6, 2010. Defendant Department of Justice shall complete its search for responsive records by no later than September 14, 2010. Department of Justice and the Plaintiffs shall then confer and notify the Court of the proposed production schedule. Defendant Department of State shall complete its search for responsive records by no later than October 14, 2010 and shall begin a rolling production of responsive records to the Plaintiffs by no later than November 24, 2010. Defendant Department of Defense shall complete all searches for responsive records by November 15, 2010. Signed by Judge Rosemary M. Collyer on 7/28/2010. (lcrmc2) Modified on 7/30/2010 (cdw). (Entered: 07/28/2010)
10/01/2010	<u>15</u>	MOTION for Summary Judgment by CENTRAL INTELLIGENCE AGENCY (Attachments: # <u>1</u> Declaration of Mary Ellen Cole, # <u>2</u> Exhibits A – E to Declaration of Mary Ellen Cole, # <u>3</u> Text of Proposed Order)(Powell, Amy) (Entered: 10/01/2010)
10/15/2010	<u>16</u>	MOTION for Leave to File Amicus Brief by WASHINGTON LEGAL FOUNDATION, ALLIED EDUCATIONAL FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Proposed 7.1, # <u>3</u> Proposed Amici Curiae)(rdj) (Entered: 10/15/2010)
10/19/2010	<u>17</u>	NOTICE of Consent to Motion for Leave to File Amicus Brief by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION re <u>16</u> MOTION for Leave to File (Spitzer, Arthur) (Entered: 10/19/2010)
10/19/2010		MINUTE ORDER granting <u>16</u> Washington Legal Foundation and the Allied Educational Foundation's consent motion for leave to file amicus curiae brief. Signed by Judge Rosemary M. Collyer on 10/19/2010. (lcrmc2) (Entered: 10/19/2010)
10/19/2010	<u>18</u>	AMICUS BRIEF by ALLIED EDUCATIONAL FOUNDATION, WASHINGTON LEGAL FOUNDATION. (rdj) (Entered: 10/19/2010)
10/19/2010	<u>19</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by ALLIED EDUCATIONAL FOUNDATION, WASHINGTON LEGAL FOUNDATION identifying Corporate Parent NONE for ALLIED EDUCATIONAL FOUNDATION, WASHINGTON LEGAL FOUNDATION. (rdj) (Entered: 10/19/2010)
11/01/2010	<u>20</u>	Memorandum in opposition to re <u>15</u> MOTION for Summary Judgment by Defendant CIA, filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Attachments: # <u>1</u> Declaration of Alexander Abdo, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 11/01/2010)

11/01/2010	<u>21</u>	Cross MOTION for Partial Summary Judgment <i>against Defendant CIA</i> , by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Declaration of Alexander Abdo, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 11/01/2010)
11/30/2010	<u>22</u>	REPLY to opposition to motion re <u>15</u> MOTION for Summary Judgment filed by CENTRAL INTELLIGENCE AGENCY. (Powell, Amy) (Entered: 11/30/2010)
11/30/2010	<u>23</u>	Memorandum in opposition to re <u>21</u> Cross MOTION for Partial Summary Judgment <i>against Defendant CIA</i> , filed by CENTRAL INTELLIGENCE AGENCY. (Powell, Amy) (Entered: 11/30/2010)
12/01/2010		MINUTE ORDER. Plaintiffs may file a reply in support of the cross-motion for partial summary judgment against Defendant CIA <u>21</u> by no later than December 17, 2010. Signed by Judge Rosemary M. Collyer on 12/1/2010. (lcrmc2) (Entered: 12/01/2010)
12/01/2010		Set/Reset Deadlines: Reply in support of the cross-motion for partial summary judgment due by 12/17/2010. (tcb) (Entered: 12/01/2010)
12/06/2010	<u>24</u>	STATUS REPORT (<i>JOINT</i>) by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION, CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 12/06/2010)
12/07/2010		MINUTE ORDER. Pursuant to the joint status report <u>24</u> , the parties, with the exception of Defendant Central Intelligence Agency, are ORDERED to file a joint status report by no later than January 21, 2011. The status report shall inform the Court of the progress of production and propose a mutually agreeable production schedule. Defendants shall continue with production on a rolling basis to the fullest extent possible. Signed by Judge Rosemary M. Collyer on 12/7/2010. (lcrmc2) (Entered: 12/07/2010)
12/07/2010		Set/Reset Deadlines/Hearings: Joint Status Report due by 1/21/2011. (cdw) (Entered: 12/08/2010)
12/17/2010	<u>25</u>	REPLY to opposition to motion re <u>21</u> Cross MOTION for Partial Summary Judgment <i>against Defendant CIA</i> , filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Spitzer, Arthur) (Entered: 12/17/2010)
01/21/2011	<u>26</u>	STATUS REPORT by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION, CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 01/21/2011)
01/26/2011	<u>27</u>	SCHEDULING ORDER: Counsel will meet and confer, and the parties will file a Status Report with the Court on July 15, 2011, informing the Court as to the status of production, and, if the parties can reach agreement, setting out a mutually agreeable briefing schedule. See order for further details. Signed by Judge Rosemary M. Collyer on January 24, 2011. (cdw) (Entered: 01/27/2011)
03/29/2011	<u>28</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Exhibit Newsweek article)(Spitzer, Arthur) (Entered: 03/29/2011)
05/12/2011	<u>29</u>	Unopposed MOTION for Extension of Time to <i>complete FOIA processing</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 05/12/2011)
05/12/2011		MINUTE ORDER granting <u>29</u> Defendant Department of Defense's unopposed motion for an extension of time. The Court's January 24, 2011 Scheduling Order <u>27</u> is MODIFIED as follows: Defendant Department of Defense shall use its best efforts to complete processing by May 20, 2011. Signed by Judge Rosemary M. Collyer on 5/12/2011. (lcrmc2) (Entered: 05/12/2011)

06/28/2011	<u>30</u>	Unopposed MOTION for Extension of Time to <i>complete FOIA processing</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 06/28/2011)
06/28/2011		MINUTE ORDER granting <u>30</u> Defendants' consent motion for an extension of time. The Court's January 24, 2011 Scheduling Order <u>27</u> is MODIFIED as follows: Defendant Department of State shall use best efforts to complete processing by July 14, 2011. The parties shall then meet and confer and file a joint status report by July 29, 2011, indicating the status of production and proposing a mutually agreeable briefing schedule. Signed by Judge Rosemary M. Collyer on 6/28/2011. (lcrmc2) (Entered: 06/28/2011)
06/28/2011		Set/Reset Deadlines/Hearings: Joint Status Report due by 7/29/2011. (cdw) (Entered: 06/30/2011)
07/26/2011	<u>31</u>	Consent MOTION for Extension of Time to File <i>joint status report and proposed briefing schedule</i> by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 07/26/2011)
07/26/2011		MINUTE ORDER granting <u>31</u> Plaintiffs' Motion for Extension of Time. By no later than August 12, 2011, the parties shall file a joint status report proposing a mutually agreeable briefing schedule. Signed by Judge Rosemary M. Collyer on 7/26/2011. (lcrmc2) (Entered: 07/26/2011)
07/26/2011		Set/Reset Deadlines/Hearings: Joint Status Report due by 8/12/2011. (cdw) (Entered: 07/29/2011)
08/12/2011	<u>32</u>	STATUS REPORT , <i>filed jointly</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Powell, Amy) (Entered: 08/12/2011)
08/16/2011	<u>33</u>	ORDER directing the parties to file a Status Report with the Court by 10/26/2011. See order for further details. Signed by Judge Rosemary M. Collyer on August 15, 2011. (cdw) (Entered: 08/16/2011)
09/09/2011	<u>34</u>	MEMORANDUM OPINION. Signed by Judge Rosemary M. Collyer on 9/9/2011. (lcrmc2) (Entered: 09/09/2011)
09/09/2011	<u>35</u>	ORDER granting <u>15</u> defendant Central Intelligence Agency's motion for summary judgment and denying <u>21</u> Plaintiffs' motion for partial summary judgment against the Central Intelligence Agency. Accordingly, the Central Intelligence Agency is hereby DISMISSED as a defendant. Signed by Judge Rosemary M. Collyer on 9/9/2011. (lcrmc2) (Entered: 09/09/2011)
09/09/2011	<u>36</u>	Unopposed MOTION for Extension of Time to <i>Produce Draft Vaughn Indices</i> by DEPARTMENT OF DEFENSE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 09/09/2011)
09/12/2011		MINUTE ORDER granting <u>36</u> defendants' consent motion for an extension of time. The Court's August 15, 2011 Scheduling Order <u>33</u> is modified as follows: By no later than September 16, 2011, defendant Department of Defense shall provide Plaintiffs a draft Vaughn index and defendant Department of State shall provide Plaintiffs a partial draft Vaughn index. All other deadlines remain the same. Signed by Judge Rosemary M. Collyer on 9/12/2011. (lcrmc2) (Entered: 09/12/2011)
10/11/2011	<u>37</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Nathan Freed Wessler, :Firm– American Civil Liberties Union Foundation, :Address– 125 Broad Street, NY NY 10004. Phone No. – (212) 519–7847. Fax No. – 212–549–2651 by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Declaration of Nathan Freed Wessler, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 10/11/2011)
10/13/2011		MINUTE ORDER granting <u>37</u> Motion for Leave to Appear Pro Hac Vice. Signed by Judge Rosemary M. Collyer on 10/13/2011. (lcrmc2) (Entered: 10/13/2011)

10/26/2011	<u>38</u>	STIPULATION of Dismissal <i>as to Department of Defense, Department of Justice, and Department of State</i> , by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION, CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE. (Spitzer, Arthur) (Entered: 10/26/2011)
11/09/2011	<u>39</u>	NOTICE OF APPEAL as to <u>35</u> Order on Motion for Summary Judgment, Order on Motion for Partial Summary Judgment,, by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. Filing fee \$ 455, receipt number 0090-2728622. Fee Status: Fee Paid. Parties have been notified. (Spitzer, Arthur) (Entered: 11/09/2011)
11/10/2011	<u>40</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals fee was paid this date re <u>39</u> Notice of Appeal. (rdj) (Entered: 11/10/2011)
11/18/2011		USCA Case Number 11-5320 for <u>39</u> Notice of Appeal, filed by AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES UNION. (rdj) (Entered: 11/18/2011)
07/11/2012	<u>41</u>	ORDER of USCA as to <u>39</u> Notice of Appeal to DC Circuit Court, filed by AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES UNION ; USCA Case Number 11-5320. ORDERED that the motion be denied. (kb) (Entered: 07/11/2012)
05/08/2013	<u>42</u>	MANDATE of USCA (certified copy) as to <u>39</u> Notice of Appeal to DC Circuit Court, filed by AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES UNION ; ORDERED and ADJUDGED that the judgement of the District Court appealed from in this cause is hereby reversed and the case is remanded for further proceedings, in accordance with the opinion of the court filed herein this date. USCA Case Number 11-5320. (md,) (Entered: 05/09/2013)
05/10/2013		MINUTE ORDER. Following receipt of the <u>42</u> USCA Mandate, it is hereby ORDERED that this case is REOPENED . The parties shall meet and confer and file a proposed joint briefing schedule on the issues on remand no later than May 24, 2013 . Signed by Judge Rosemary M. Collyer on 5/10/2013.(lcrmc2) (Entered: 05/10/2013)
05/15/2013	<u>43</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Brett Max Kaufman, :Firm- American Civil Liberties Union Foundation, :Address- 125 Broad Street, New York NY 10004. Phone No. - 212.549.2603. Fax No. - 212.549.2654 by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Declaration of Brett Kaufman, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 05/15/2013)
05/15/2013	<u>44</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Hina Shamsi, :Firm- American Civil Liberties Union Foundation, :Address- 125 Broad Street, New York NY 10004. Phone No. - 212.284.7321. Fax No. - 12.549.2654 by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Declaration of Hina Shamsi, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 05/15/2013)
05/15/2013	<u>45</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Jameel Jaffer, :Firm- American Civil Liberties Union Foundation, :Address- 125 Broad Street, New York NY 10004. Phone No. - 212.519.7814. Fax No. - 212.549.2654 by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Declaration of Jameel Jaffer, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 05/15/2013)
05/21/2013		MINUTE ORDER granting <u>43</u> Motion for Leave to Appear Pro Hac Vice as to attorney Brett Max Kaufman. Signed by Judge Rosemary M. Collyer on 5/21/2013. (lcrmc2) (Entered: 05/21/2013)
05/21/2013		MINUTE ORDER temporarily granting <u>44</u> Motion for Leave to Appear Pro Hac Vice as to Hina Shamsi. Ms. Shamsi has been admitted pro hac vice in this Court four times in the past two years. Her motion for pro hac vice admission in this case is granted conditionally pending her application for admission to the bar of this Court. Signed by Judge Rosemary M. Collyer on 5/21/2013. (lcrmc2) (Entered: 05/21/2013)

05/21/2013		MINUTE ORDER temporarily granting <u>45</u> Motion for Leave to Appear Pro Hac Vice as to Jameel Jaffer. Mr. Jaffer has been admitted pro hac vice in this Court four times in the past two years. His motion for pro hac vice admission in this case is granted conditionally pending his application for admission to the bar of this Court. Signed by Judge Rosemary M. Collyer on 5/21/2013. (lcrmc2) (Entered: 05/21/2013)
05/24/2013	<u>46</u>	STATUS REPORT <i>RESPONDING TO MAY 10, 2013 MINUTE ORDER OF THE COURT</i> by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Shamsi, Hina) (Entered: 05/24/2013)
05/28/2013		MINUTE ORDER. Upon consideration of the parties' <u>46</u> Joint Status Report, it is ordered that, no later than August 9, 2013, Defendant CIA shall file its motion for summary judgment. Plaintiffs may file a cross-motion and response no later than September 13, 2013; Defendant CIA may file its opposition and reply no later than October 11, 2013. The Court anticipates that briefing will be conducted as scheduled without any extensions to either party. Signed by Judge Rosemary M. Collyer on 5/28/2013. (lcrmc2) (Entered: 05/28/2013)
05/28/2013		Set/Reset Deadlines/Hearings: CIA's Summary Judgment motion due by 8/9/2013. Response to Motion for Summary Judgment due by 9/13/2013. Reply to Motion for Summary Judgment due by 10/11/2013. Plaintiff's Cross Motion due by 9/13/2013. Response to Cross Motion due by 10/11/2013. (cdw) (Entered: 05/29/2013)
06/03/2013	<u>47</u>	MOTION to Withdraw as Attorney by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Wessler, Nathan) (Entered: 06/03/2013)
06/03/2013	<u>48</u>	MOTION to Clarify <i>Briefing Schedule</i> by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 06/03/2013)
06/03/2013		MINUTE ORDER. <u>48</u> ACLU's motion to clarify is DENIED. The Court has adopted the normal progression of briefs in FOIA cases. Should future good cause exist for additional briefs, either party can submit a motion at that time. Signed by Judge Rosemary M. Collyer on 6/3/2013. (lcrmc2) (Entered: 06/03/2013)
06/03/2013		MINUTE ORDER granting <u>47</u> Motion to Withdraw as Attorney as to Nathan Freed Wessler. Signed by Judge Rosemary M. Collyer on 6/3/2013.(lcrmc2) (Entered: 06/03/2013)
08/09/2013	<u>49</u>	WITHDRAWN PER MINUTE ORDER FILED 7/25/2014.....MOTION for Summary Judgment by CENTRAL INTELLIGENCE AGENCY (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Declaration of Martha Lutz, # <u>3</u> Declaration of Amy Powell)(Powell, Amy) Modified on 7/29/2014 (zmm,). (Entered: 08/09/2013)
08/09/2013	<u>50</u>	NOTICE of Lodging Classified Material by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 08/09/2013)
09/13/2013	<u>51</u>	Cross MOTION for Partial Summary Judgment by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Shamsi, Hina) (Entered: 09/13/2013)
09/13/2013	<u>52</u>	RESPONSE re <u>51</u> Cross MOTION for Partial Summary Judgment , <u>49</u> MOTION for Summary Judgment filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Shamsi, Hina) (Entered: 09/13/2013)
10/01/2013	<u>53</u>	Unopposed MOTION to Stay <i>Briefing Deadline in Light of Lapse of Appropriations</i> by CENTRAL INTELLIGENCE AGENCY (Powell, Amy) (Entered: 10/01/2013)
10/01/2013		MINUTE ORDER granting as unopposed <u>53</u> Defendants' Motion to Stay. This case is STAYED until Congress authorizes funding so that Department of Justice attorneys may resume their usual civil litigation functions. <i>See</i> 31 U.S.C. § 1342. Upon such authorization, Defendants shall inform the Court and propose a deadline for filing their omnibus reply/opposition brief. Signed by Judge Rosemary M. Collyer on 10/1/2013. (lcrmc2) (Entered: 10/01/2013)

10/01/2013		Case Stayed. (cdw) (Entered: 10/02/2013)
10/08/2013		MINUTE ORDER. Due to the unanticipated length of the lapse of government appropriations, this case remains STAYED . No later than seven days after the government shutdown ends, the parties shall file a revised joint proposed schedule for Defendants' omnibus reply/opposition brief. The stay will be automatically lifted without further court order upon the end of the shutdown. Signed by Judge Rosemary M. Collyer on 10/8/2013. (lcrmc2) (Entered: 10/08/2013)
10/08/2013		Case Stayed. (cdw) (Entered: 10/08/2013)
10/18/2013	<u>54</u>	NOTICE of Restored Funding and Joint Proposed Schedule by DEPARTMENT OF JUSTICE (Powell, Amy) (Entered: 10/18/2013)
10/18/2013		MINUTE ORDER granting the <u>54</u> Joint Proposed Schedule. Defendants' Reply Memorandum in support of their <u>49</u> Motion for Summary Judgment shall be filed no later than 11/1/13. The Court will take Plaintiffs' request for oral argument under advisement. Signed by Judge Rosemary M. Collyer on 10/18/13. (lcrmc1) (Entered: 10/18/2013)
10/18/2013		Set/Reset Deadlines/Hearings: Reply to Motion for Summary Judgment due by 11/1/2013. (cdw) Modified on 10/21/2013 (zcdw). (Entered: 10/21/2013)
11/01/2013	<u>55</u>	REPLY to opposition to motion re <u>51</u> Cross MOTION for Partial Summary Judgment , <u>49</u> MOTION for Summary Judgment and Opposition to Cross-motion filed by CENTRAL INTELLIGENCE AGENCY. (Powell, Amy) (Entered: 11/01/2013)
02/12/2014	<u>56</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Shamsi, Hina) (Entered: 02/12/2014)
04/09/2014		MINUTE ORDER. The CIA is hereby directed to file a supplemental brief, no later than April 30, 2014, addressing <u>56</u> Plaintiffs' Notice of Supplemental Authority. Plaintiffs may reply to CIA's submission no later than May 14, 2014. The briefs on this issue are not to exceed ten pages. Signed by Judge Rosemary M. Collyer on 4/9/2014. (lcrmc1) (Entered: 04/09/2014)
04/09/2014		Set/Reset Deadlines/Hearings: CIA's supplemental brief due by 4/30/2014. Plaintiffs' reply brief due by 5/14/2014. (cdw) (Entered: 04/10/2014)
04/22/2014	<u>57</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Jaffer, Jameel) (Entered: 04/22/2014)
04/29/2014	<u>58</u>	MOTION to Stay Proceedings by CENTRAL INTELLIGENCE AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Powell, Amy) (Entered: 04/29/2014)
05/01/2014	<u>59</u>	Memorandum in opposition to re <u>58</u> MOTION to Stay Proceedings filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Attachments: # <u>1</u> Text of Proposed Order)(Jaffer, Jameel) (Entered: 05/01/2014)
05/19/2014		MINUTE ORDER taking under advisement <u>58</u> CIA's Motion to Stay the Proceedings. It is further ordered that CIA shall file a supplemental brief, no later than June 2, 2014, addressing <u>56</u> Plaintiffs' Notice of Supplemental Authority. Plaintiffs may reply to CIA's submission no later than June 16, 2014. The briefs on this issue are not to exceed ten pages. Signed by Judge Rosemary M. Collyer on 5/19/2014. (lcrmc1) (Entered: 05/19/2014)
05/19/2014		Set/Reset Deadlines/Hearings: CIA's supplemental brief due by 6/2/2014. Plaintiffs reply due by 6/16/2014. (cdw) (Entered: 05/20/2014)
06/02/2014	<u>60</u>	SUPPLEMENTAL MEMORANDUM to re <u>56</u> NOTICE OF SUPPLEMENTAL AUTHORITY filed by CENTRAL INTELLIGENCE AGENCY. (Powell, Amy) (Entered: 06/02/2014)
06/05/2014	<u>61</u>	SUPPLEMENTAL MEMORANDUM to re <u>60</u> Supplemental Memorandum re Feb. 12, 2014 Notice of Supplemental Authority filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Jaffer, Jameel)

		(Entered: 06/05/2014)
06/06/2014		MINUTE ORDER granting <u>58</u> CIA's Motion to Stay Proceedings pending further appeal of the Second Circuit's decision in New York Times Co. v. DOJ, Nos. 13-422-cv and 13-445-cv (April 21, 2014). No later than July 21, 2014, the CIA shall submit a status report to advise the Court of the status of any further proceedings in that matter. Signed by Judge Rosemary M. Collyer on 6/6/2014. (lcrmc1) (Entered: 06/06/2014)
06/06/2014		Case Stayed. Set/Reset Deadlines/Hearings: CIA's Status Report due by 7/21/2014. (cdw) (Entered: 06/09/2014)
07/18/2014	<u>62</u>	STATUS REPORT by CENTRAL INTELLIGENCE AGENCY. (Powell, Amy) (Entered: 07/18/2014)
07/24/2014	<u>63</u>	RESPONSE re <u>62</u> Status Report filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Jaffer, Jameel) (Entered: 07/24/2014)
07/25/2014		MINUTE ORDER. Pursuant to <u>62</u> Defendant CIA's status report and <u>63</u> ACLU's response, it is hereby ordered that the stay of this matter is lifted. It is further ordered that <u>49</u> Defendants' Motion for Summary Judgment is withdrawn at Defendants' request. Signed by Judge Rosemary M. Collyer on 7/25/2014. (lcrmc1) (Entered: 07/25/2014)
08/11/2014		MINUTE ORDER. Based on <u>62</u> CIA's Status Report and <u>63</u> ACLU's Response, the Court finds that <u>51</u> ACLU's Cross-Motion for Partial Summary Judgment requires revised briefing to account for recent developments. Accordingly, it is hereby ordered that <u>51</u> ACLU's Cross-Motion for Partial Summary Judgment is denied without prejudice. Signed by Judge Rosemary M. Collyer on 8/11/2014. (lcrmc1) (Entered: 08/11/2014)
08/20/2014		MINUTE ORDER. No later than September 10, 2014, the parties shall file a joint status report regarding the outstanding FOIA requests. To the extent further briefing is required, the parties are further directed to submit a joint proposed briefing schedule no later than September 10, 2014. Signed by Judge Rosemary M. Collyer on 8/20/2014. (lcrmc1) (Entered: 08/20/2014)
08/20/2014		Set/Reset Deadlines/Hearings: Joint status report and joint proposed briefing schedule due by 9/10/2014 (cdw) (Entered: 08/20/2014)
09/04/2014	<u>64</u>	MOTION to Withdraw as Attorney <i>Brett Max Kaufman</i> by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Kaufman, Brett) (Entered: 09/04/2014)
09/04/2014		MINUTE ORDER granting <u>64</u> Plaintiffs' Motion to Withdraw. Attorney Brett Max Kaufman is hereby terminated from this action. Signed by Judge Rosemary M. Collyer on 9/4/2014. (lcrmc1) (Entered: 09/04/2014)
09/10/2014	<u>65</u>	STATUS REPORT (<i>JOINT</i>) by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Jaffer, Jameel) (Entered: 09/10/2014)
09/11/2014		MINUTE ORDER. Pursuant to the <u>65</u> Joint Status Report, it is hereby ordered that Defendant CIA shall complete the processing of responsive documents and file a motion for summary judgment no later than November 25, 2014; Plaintiffs shall file an opposition and cross-motions for summary judgment no later than December 19, 2014; and Defendant CIA may file a reply no later than January 9, 2015. Signed by Judge Rosemary M. Collyer on 9/11/2014. (lcrmc1) (Entered: 09/11/2014)
09/11/2014		Set/Reset Deadlines/Hearings: Defendant CIA's Summary Judgment motion due by 11/25/2014. Response to Motion for Summary Judgment due by 12/19/2014. Reply to Motion for Summary Judgment due by 1/9/2015. Plaintiffs' Cross Motion due by 12/19/2014. (cdw) (Entered: 09/12/2014)
11/10/2014	<u>66</u>	NOTICE of Appearance by Stephen McCoy Elliott on behalf of All Defendants (Elliott, Stephen) (Entered: 11/10/2014)

11/25/2014	<u>67</u>	MOTION for Summary Judgment by CENTRAL INTELLIGENCE AGENCY (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Martha M. Lutz, # <u>3</u> Statement of Facts, # <u>4</u> Text of Proposed Order)(Elliott, Stephen) (Entered: 11/25/2014)
11/25/2014	<u>68</u>	NOTICE of <i>Classified Lodging</i> by DEPARTMENT OF JUSTICE (Elliott, Stephen) (Entered: 11/25/2014)
12/19/2014	<u>69</u>	Memorandum in opposition to re <u>67</u> MOTION for Summary Judgment filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Attachments: # <u>1</u> Declaration of Jameel Jaffer, # <u>2</u> Text of Proposed Order)(rdj) (Entered: 12/22/2014)
12/19/2014	70	Cross- MOTION for Summary Judgment by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Seed docket entry <u>69</u> to view the document)(rdj) (Entered: 12/22/2014)
01/09/2015	<u>71</u>	REPLY to opposition to motion re <u>67</u> MOTION for Summary Judgment filed by CENTRAL INTELLIGENCE AGENCY. (Attachments: # <u>1</u> Text of Proposed Order)(Elliott, Stephen) (Entered: 01/09/2015)
01/09/2015	<u>72</u>	Memorandum in opposition to re 70 MOTION for Summary Judgment by <i>Plaintiffs</i> filed by CENTRAL INTELLIGENCE AGENCY. (Attachments: # <u>1</u> Text of Proposed Order)(Elliott, Stephen) (Entered: 01/09/2015)
06/09/2015	<u>73</u>	NOTICE by DEPARTMENT OF DEFENSE, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE (Powell, Amy) (Entered: 06/09/2015)
06/18/2015	<u>74</u>	MEMORANDUM AND OPINION. Signed by Judge Rosemary M. Collyer on June 18, 2015. (lcrmc1) (Entered: 06/18/2015)
06/18/2015	<u>75</u>	ORDER granting <u>67</u> Defendant's Motion for Summary Judgment and denying 70 Plaintiffs' Cross-Motion for Summary Judgment. Judgment is entered in favor of Defendant. This case is closed. Signed by Judge Rosemary M. Collyer on June 18, 2015. (lcrmc1) (Entered: 06/18/2015)
07/29/2015	<u>76</u>	NOTICE OF APPEAL TO DC CIRCUIT COURT as to <u>75</u> Order on Motion for Summary Judgment,,, by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. Filing fee \$ 505, receipt number 0090-4191819. Fee Status: Fee Paid. Parties have been notified. (Jaffer, Jameel) (Entered: 07/29/2015)
07/30/2015	<u>77</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals fee was paid this date re <u>76</u> Notice of Appeal to DC Circuit Court. (zrdj) (Entered: 07/30/2015)
08/03/2015		USCA Case Number 15-5217 for <u>76</u> Notice of Appeal to DC Circuit Court, filed by AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES UNION. (md) (Entered: 08/03/2015)
06/15/2016	<u>78</u>	MANDATE of USCA (certified copy) ORDERED AND ADJUDGED that the judgment of the District Court be affirmed as to <u>76</u> Notice of Appeal to DC Circuit Court, filed by AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES UNION. USCA Case Number 15-5217. (Attachments: # <u>1</u> Exhibit)(zrdj) (Entered: 06/15/2016)
07/08/2016	<u>79</u>	Consent MOTION for Extension of Time to File <i>application for attorneys' fees</i> by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 07/08/2016)
07/11/2016		MINUTE ORDER granting <u>79</u> consent Motion for Extension of Time to File motion for attorney fees. Plaintiffs shall file a motion for attorney fees with accompanying affidavit regarding hourly rate(s) and time billed, no later than September 6, 2016. A status conference is scheduled on August 30, 2016 at 10:00 a.m. in Courtroom 8. If the parties resolve this issue, they shall file a notice informing the Court. Signed by Judge Rosemary M. Collyer on 7/11/2016. (KD) (Entered: 07/11/2016)

07/11/2016		Set/Reset Deadlines/Hearings: Status Conference set for 8/30/2016 at 10:00 AM in Courtroom 8 before Judge Rosemary M. Collyer. (cdw) (Entered: 07/12/2016)
08/26/2016	<u>80</u>	Consent MOTION for Extension of Time to <i>Negotiate Attorneys' Fees</i> by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Shamsi, Hina) (Entered: 08/26/2016)
08/26/2016		MINUTE ORDER granting <u>80</u> consent Motion for Extension of Time; requiring Plaintiffs to file a motion for attorney fess, with supporting affidavit of fees, costs, and hourly rates, no later than October 4, 2016. The August 30, 2016 status conference is CANCELLED and will not be reset at this time. Signed by Judge Rosemary M. Collyer on 8/26/2016. (KD) (Entered: 08/26/2016)
08/31/2016	<u>81</u>	MOTION to Withdraw as Attorney by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Jaffer, Jameel) (Entered: 08/31/2016)
08/31/2016		MINUTE ORDER granting <u>81</u> Motion to Withdraw as Attorney. Attorney Jameel Jaffer withdrawn and terminated as counsel in this case. Signed by Judge Rosemary M. Collyer on 8/31/2016. (KD) (Entered: 08/31/2016)
10/03/2016	<u>82</u>	Consent MOTION for Extension of Time to <i>Brief Attorneys Fees and Costs</i> by CENTRAL INTELLIGENCE AGENCY (Powell, Amy) (Entered: 10/03/2016)
10/03/2016		MINUTE ORDER granting <u>82</u> Consent Motion for Extension of Time. Plaintiffs' motion for attorneys' fees shall be filed on or before October 14, 2016. Signed by Judge Rosemary M. Collyer on 10/3/2016. (lcrmc1) (Entered: 10/03/2016)
10/03/2016		Set/Reset Deadlines/Hearings: Motion for attorneys' fees due by 10/14/2016. (cdw) (Entered: 10/04/2016)
10/14/2016	<u>83</u>	STIPULATION of Dismissal by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Shamsi, Hina) (Entered: 10/14/2016)
10/14/2016		MINUTE ORDER approving of <u>83</u> Stipulation of Dismissal with Prejudice. This case is closed. Signed by Judge Rosemary M. Collyer on 10/14/2016. (lcrmc1) (Entered: 10/14/2016)