

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:12-cv-01441-ABJ**

ELECTRONIC FRONTIER FOUNDATION v.
DEPARTMENT OF JUSTICE
Assigned to: Judge Amy Berman Jackson
Cause: 05:552 Freedom of Information Act

Date Filed: 08/30/2012
Date Terminated: 07/21/2014
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**ELECTRONIC FRONTIER
FOUNDATION**

represented by **David L. Sobel**
ELECTRONIC FRONTIER
FOUNDATION
5335 Wisconsin Avenue, NW
Suite 640
Washington, DC 20015-2052
(202) 246-6180
Fax: (415) 436-9993
Email: sobel@att.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

DEPARTMENT OF JUSTICE

represented by **Deepthy Kishore**
U.S. DEPARTMENT OF JUSTICE
Civil Division
P.O. Box 883
Washington, DC 20044
(202) 616-4448
Fax: (202) 616-8470
Email: deepthy.c.kishore@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacqueline E. Coleman Snead
U.S. DEPARTMENT OF JUSTICE
Civil Division
20 Massachusetts Avenue, NW
Room 7332
Washington, DC 20044
(202) 514-3418
Fax: (202) 616-8470
Email: jacqueline.snead@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rodney Patton
U.S. DEPARTMENT OF JUSTICE
Federal Programs Branch
20 Massachusetts Avenue, NW
Washington, DC 20530
(202) 305-7919
Fax: (202) 616-8470
Email: rodney.patton@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven Y. Bressler
U.S. DEPARTMENT OF JUSTICE
Ben Franklin Station
P.O. Box 883
Washington, DC 20044
(202) 305-0167
Fax: (202) 616-8470
Email: steven.bressler@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/30/2012	<u>1</u>	COMPLAINT <i>for Injunctive Relief</i> against DEPARTMENT OF JUSTICE (Filing fee \$ 350 receipt number 0090-3053407) filed by ELECTRONIC FRONTIER FOUNDATION. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Attorney General, # <u>3</u> Summons Dept. of Justice, # <u>4</u> Summons US Attorneys Office)(Sobel, David) (Entered: 08/30/2012)
08/30/2012	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by ELECTRONIC FRONTIER FOUNDATION (Sobel, David) (Entered: 08/30/2012)
08/30/2012		Case Assigned to Judge Amy Berman Jackson. (mmh) (Entered: 08/30/2012)
08/30/2012	<u>3</u>	ELECTRONIC SUMMONS Issued (3) as to DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Consent Notice)(mmh) (Entered: 08/30/2012)
10/01/2012	<u>4</u>	ANSWER to Complaint by DEPARTMENT OF JUSTICE.(Coleman Snead, Jacqueline) (Entered: 10/01/2012)
10/02/2012	<u>5</u>	ORDER that defendant file on or before 10/31/12 a dispositive motion or, in the alternative, a report setting forth the schedule for document production to plaintiff. See Order for details. Signed by Judge Amy Berman Jackson on 10/2/12. (DMK) (Entered: 10/02/2012)
10/08/2012		Set/Reset Deadlines: Defendant to file a dispositive motion or, in the alternative, a report setting forth the schedule for the production of documents to plaintiff by 10/31/2012. (jth) (Entered: 10/08/2012)
10/31/2012	<u>6</u>	STATUS REPORT by DEPARTMENT OF JUSTICE. (Coleman Snead, Jacqueline) (Entered: 10/31/2012)
11/01/2012		MINUTE ORDER. It is ORDERED that on December 14, 2012, the parties file a joint status report that addresses: (1) the status of production, and (2) whether plaintiff is challenging any withholdings, and if so, a proposed briefing schedule for dispositive motions. Signed by Judge Amy Berman Jackson on 11/1/12. (lcabj1) (Entered: 11/01/2012)
11/01/2012		Set/Reset Deadlines: Joint Status Report due by 12/14/2012. (jth) (Entered: 11/01/2012)
12/05/2012	<u>7</u>	STATUS REPORT by DEPARTMENT OF JUSTICE. (Coleman Snead, Jacqueline) (Entered: 12/05/2012)
12/06/2012		MINUTE ORDER. It is ORDERED that on or before January 4, 2013, defendant is to file a status report that addresses the status of production, and it is further ORDERED that on or before January 18, 2013, the parties are to file a joint status report indicating whether plaintiff is challenging any withholdings and if so, a proposed briefing schedule for dispositive motions. Signed by Judge Amy Berman Jackson on 12/6/12. (DMK) (Entered: 12/06/2012)
12/06/2012		Set/Reset Deadlines: Defendant to file a status report by 1/4/2013 that addresses the status of production. The parties are directed to file a joint status report by 1/18/2013 indicating whether plaintiff is challenging any withholdings and if so, a proposed briefing schedule for the filing of dispositive motions. (jth) (Entered: 12/06/2012)

01/04/2013	<u>8</u>	STATUS REPORT by DEPARTMENT OF JUSTICE. (Coleman Snead, Jacqueline) (Entered: 01/04/2013)
01/18/2013	<u>9</u>	STATUS REPORT <i>and Proposed Briefing Schedule</i> by DEPARTMENT OF JUSTICE, ELECTRONIC FRONTIER FOUNDATION. (Sobel, David) (Entered: 01/18/2013)
01/22/2013	<u>10</u>	SCHEDULING ORDER:Defendant's motion for summary judgment will be due on or before April 1, 2013; Plaintiff's combined opposition to the motion for summary judgment and cross-motion for summary judgment, if any, will be due on or before May 3, 2013; Defendant's combined reply in support of its motion for summary judgment and opposition to plaintiff's cross-motion, if any, will be due on or before May 24, 2013; Plaintiff's reply in support of its cross-motion, if any, will be due on or before June 7, 2013. (SEE ORDER FOR COMPLETE DETAILS). Signed by Judge Amy Berman Jackson on 1/22/13. (lcabj1) (Entered: 01/22/2013)
04/01/2013	<u>11</u>	WITHDRAWN PURSUANT TO NOTICE FILED 09/05/13.....MOTION for Summary Judgment by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Statement of Material Facts not in Dispute, # <u>3</u> Bradley Declaration, # <u>4</u> Janosek Declaration)(Coleman Snead, Jacqueline) Modified on 9/6/2013 (jth). (Entered: 04/01/2013)
04/24/2013	<u>12</u>	Unopposed MOTION to Stay <i>Proceedings</i> by ELECTRONIC FRONTIER FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Sobel, David) (Entered: 04/24/2013)
04/24/2013		MINUTE ORDER granting <u>12</u> Motion to Stay. It is ORDERED that the parties file a joint status report on June 5, 2013. Signed by Judge Amy Berman Jackson on 4/24/13. (lcabj1) (Entered: 04/24/2013)
04/25/2013		Set/Reset Deadline: Joint Status Report due on 6/5/2013. (jth) (Entered: 04/25/2013)
06/05/2013	<u>13</u>	STATUS REPORT (<i>JOINT</i>) by ELECTRONIC FRONTIER FOUNDATION. (Sobel, David) (Entered: 06/05/2013)
06/10/2013		MINUTE ORDER. In light of the joint status report filed on June 5, 2013, it is ORDERED that the parties file another joint status report on July 1, 2013. Signed by Judge Amy Berman Jackson on 6/10/13. (lcabj1) (Entered: 06/10/2013)
06/10/2013		Set/Reset Deadlines: Joint Status Report due by 7/1/2013. (jth) (Entered: 06/10/2013)
07/01/2013	<u>14</u>	STATUS REPORT <i>of the Parties</i> by DEPARTMENT OF JUSTICE. (Coleman Snead, Jacqueline) (Entered: 07/01/2013)
07/09/2013		MINUTE ORDER LIFTING STAY. In light of the status report filed by the parties on July 1, 2013 [Dkt. # 14], it is ORDERED that the stay on this action is lifted. It is FURTHER ORDERED that by August 12, 2013, defendant must assess its position and make any additional disclosures it intends to make in light of the developments described in the July 1 status report. It is FURTHER ORDERED that defendant shall file a notice with the Court on August 12, 2013, indicating whether any other materials were provided to the plaintiff in whole or in part, and stating whether it intends to rely upon the Motion for Summary Judgment filed on April 1, 2013 [Dkt. # 11], or if it intends to withdraw that motion and substitute a new motion for summary judgment. If the defendant intends to file a new motion, it will be due on or before August 26, 2013; plaintiff's opposition and combined cross-motion for summary judgment, if any, will be due on or before September 23, 2013; defendant's reply in support of its motion and combined opposition to plaintiff's cross-motion, if any, will be due on or before October 14, 2013; and plaintiff's reply in support of its cross-motion, if any, will be due on or before October 28, 2013. If defendant states on August 12 that the original Motion for Summary Judgment is still the operative document, plaintiff's opposition and combined cross-motion for summary judgment, if any, will be due on or before September 9, 2013; defendant's reply in support of its motion and combined opposition to plaintiff's cross-motion, if any, will be due on or before September 30, 2013; and plaintiff's reply in support of its cross-motion, if any, will be due on or before October 14, 2013. Signed by Judge Amy Berman Jackson on 7/9/13. (lcabj1) (Entered: 07/09/2013)

07/10/2013		Set/Reset Deadlines: Defendant to file a notice with the Court on 8/12/2013, indicating whether any other materials were provided to the plaintiff in whole or in part, and stating whether it intends to rely upon the Motion for Summary Judgment filed on 4/1/2013 [Dkt. # 11], or if it intends to withdraw that motion and substitute a new motion for summary judgment. If the defendant intends to file a new motion, it will be due on or before 8/26/2013. (jth) (Entered: 07/10/2013)
07/10/2013		Set/Reset Deadlines: If defendant's notice of 8/12/2013 states its intention to withdraw the Motion for Summary Judgment filed 4/1/2013 [Dkt. #11], and substitute a new Motion for Summary Judgment – reset the remaining briefing schedule deadlines established in the minute order issued 7/9/2013. (jth) (Entered: 07/10/2013)
08/09/2013	<u>15</u>	Unopposed MOTION for Extension of Time to <i>Release Documents to Plaintiff; Status Report</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Bressler, Steven) (Entered: 08/09/2013)
08/09/2013		MINUTE ORDER granting <u>15</u> Unopposed Motion for Extension of Time. In light of defendant's consolidated statute report and motion for extension of time filed on this day, it is ORDERED that defendant shall produce further information to plaintiff by August 21, 2013. It is further ORDERED that defendant's renewed motion for summary judgment, if any, is due by September 4, 2013, plaintiff's opposition and combined cross-motion for summary judgment, if any, is due by October 2, 2013, defendant's reply in support of its motion and combined opposition to plaintiff's cross-motion, if any, is due by October 23, 2013, and plaintiff's reply in support of its cross-motion, if any, is due by November 6, 2013. Signed by Judge Amy Berman Jackson on 8/9/13. (DMK) (Entered: 08/09/2013)
08/12/2013		Set/Reset Deadlines: Defendant shall produce additional information to Plaintiff by 8/21/2013. Defendant's Renewed Motion for Summary Judgment is due by 9/4/2013, Plaintiff's Opposition and Cross-Motion is due by 10/2/2013. Defendant's Reply and Opposition to the Cross-Motion is due by 10/23/2013. Plaintiff's reply in support of the Cross-Motion is due by 11/6/2013. (jth) (Entered: 08/12/2013)
09/04/2013	<u>16</u>	MOTION for Summary Judgment by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Hudson Declaration, # <u>3</u> Sherman Declaration, # <u>4</u> Statement of Material Facts not in Dispute)(Coleman Snead, Jacqueline) (Entered: 09/04/2013)
09/05/2013	<u>17</u>	NOTICE OF WITHDRAWAL OF MOTION by DEPARTMENT OF JUSTICE re <u>11</u> MOTION for Summary Judgment (Coleman Snead, Jacqueline) (Entered: 09/05/2013)
10/02/2013	<u>18</u>	Memorandum in opposition to re <u>16</u> MOTION for Summary Judgment filed by ELECTRONIC FRONTIER FOUNDATION. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Statement of Facts (Response), # <u>6</u> Text of Proposed Order)(Sobel, David) (Entered: 10/02/2013)
10/02/2013	<u>19</u>	MOTION for Summary Judgment by ELECTRONIC FRONTIER FOUNDATION (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Statement of Facts, # <u>6</u> Text of Proposed Order)(Sobel, David) (Entered: 10/02/2013)
10/03/2013	<u>20</u>	Unopposed MOTION to Stay <i>Litigation in Light of Lapse in Federal Government Appropriations</i> by DEPARTMENT OF JUSTICE (Coleman Snead, Jacqueline) (Entered: 10/03/2013)
10/03/2013		MINUTE ORDER granting <u>20</u> Motion to Stay. It is ORDERED that the current briefing schedule for dispositive motions is vacated. It is FURTHER ORDERED that the parties shall file a joint status report with a proposed revised dispositive motions briefing schedule within two business days of the resumption of operations at the Department of Justice. Signed by Judge Amy Berman Jackson on 10/3/2013. (lcabj1) (Entered: 10/03/2013)
10/18/2013	<u>21</u>	STATUS REPORT of the Parties by DEPARTMENT OF JUSTICE. (Coleman Snead, Jacqueline) (Entered: 10/18/2013)
10/18/2013		MINUTE ORDER. It is ORDERED that the stay in this case is lifted in light of the resumption of government activities. Pursuant to the parties' joint status report, it is FURTHER ORDERED that Defendant's Opposition to Plaintiff's Cross-Motion for Summary Judgment/Reply in Support of Defendant's Renewed Motion for Summary

		Judgment is now due on or before November 7, 2013, and Plaintiff's Reply in Support of Plaintiff's Cross-Motion for Summary Judgment is now due on or before November 21, 2013. Signed by Judge Amy Berman Jackson on 10/18/2013. (lcabj1) (Entered: 10/18/2013)
10/21/2013		Set/Reset Deadlines: Defendant's Reply in support of their Motion for Summary Judgment and Opposition to Plaintiff's Cross-Motion for Summary Judgment is due by 11/7/2013, Plaintiff's Reply in Support of it's Cross-Motion for Summary Judgment is now due by 11/21/2013. (jth) (Entered: 10/21/2013)
11/07/2013	<u>22</u>	REPLY to opposition to motion re <u>16</u> MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE. (Coleman Snead, Jacqueline) (Entered: 11/07/2013)
11/07/2013	<u>23</u>	Memorandum in opposition to re <u>19</u> MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Counterstatement of Material Facts)(Coleman Snead, Jacqueline) (Entered: 11/07/2013)
11/20/2013	<u>24</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>19</u> MOTION for Summary Judgment by ELECTRONIC FRONTIER FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Sobel, David) (Entered: 11/20/2013)
11/20/2013		MINUTE ORDER granting <u>24</u> Unopposed Motion for Extension of Time to File Response/Reply. It is ORDERED that plaintiff's reply in support of its cross-motion for summary judgment is now due on or before December 6, 2013. Signed by Judge Amy Berman Jackson on 11/20/2013. (lcabj1) (Entered: 11/20/2013)
11/21/2013		Set/Reset Deadlines: Plaintiff's Reply in support of its Cross-Motion for Summary Judgment is now due by 12/6/2013. (jth) (Entered: 11/21/2013)
12/06/2013	<u>25</u>	REPLY to opposition to motion re <u>19</u> MOTION for Summary Judgment filed by ELECTRONIC FRONTIER FOUNDATION. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Sobel, David) (Entered: 12/06/2013)
03/25/2014		MINUTE ORDER. Defendant is directed to deliver the October 3, 2011 FISC Opinion and Order withheld under 5 U.S.C. § 552(b)(1) and (b)(3) to chambers by Friday, April 4, 2014, for in camera inspection to assist the Court in making a responsible de novo determination. Ray v. Turner, 587 F.2d 1187, 1195 (D.C. Cir. 1978). Signed by Judge Amy Berman Jackson on 3/25/2014. (lcabj1) (Entered: 03/25/2014)
03/25/2014		Set/Reset Deadline: Defendant's In-Camera Submission is due by 4/4/2014. (jth) (Entered: 03/25/2014)
04/04/2014	<u>26</u>	NOTICE of Compliance with Minute Order by DEPARTMENT OF JUSTICE re Order, (Coleman Snead, Jacqueline) (Entered: 04/04/2014)
05/28/2014	<u>27</u>	NOTICE to the Court by DEPARTMENT OF JUSTICE (Coleman Snead, Jacqueline) (Entered: 05/28/2014)
06/11/2014		MINUTE ORDER. On March 25, 2014, the Court ordered defendant to provide the October 2011 FISC Opinion for in camera review. The Court has completed that review but needs further information from defendant regarding certain redactions. First, with respect to the many redactions of docket information, the Court notes that paragraph 30 of the Declaration of Jennifer L. Hudson [Dkt. # 16-2] states that the redactions contain dates and targets, and therefore disclosure would threaten national security. But many of the redactions are of docket numbers or dates only, so it is ORDERED that defendant shall provide further explanation as to why that sort of purely numerical information cannot be disclosed as long as any reference to particular targets remain classified. Second, it is FURTHER ORDERED that defendant shall notify the Court: (1) why, in light of the unredacted paragraph that begins on page three, any reference to the number of previous acquisitions in the opinion needs to be withheld; (2) why the material in the 10th line of the first paragraph in section I.A on page 3 is classified, taking into consideration the rest of the sentence that has already been disclosed and what is disclosed in footnote 17 on page 18; (3) the reason why the end of footnote 9 is redacted; (4) the reason for the redaction of the reference that is not a docket number within lines 2-4 at the top of page 16; (5) the reason for the redactions other than docket numbers on page 23; (6) the reason for the redaction on page 24; (7) the reason for the redaction on page 25; (8) the reason for the redaction in footnote 49 on page 54; (9) the reason for the redaction in the 5th line of the first

		paragraph under section B; (10) the reason for the redacted lines at the bottom of page 21 and onto page 22; (11) the reason for the redactions, other than the docket numbers, in the first full paragraph on page 22 beginning with "Furthermore;" and (12) the reason for the reactions on page 73. This information shall be provided on or before July 2, 2014. Signed by Judge Amy Berman Jackson on 6/11/2014. (lcabj1) (Entered: 06/11/2014)
06/12/2014		Set/Reset Deadlines: Information pursuant to the Court's Minute Order issued 6/11/2014 shall be provided by 7/2/2014. (jth) (Entered: 06/12/2014)
06/20/2014	<u>28</u>	Unopposed MOTION for Extension of Time to File Response/Reply to <i>Minute Order of June 11, 2014</i> by DEPARTMENT OF JUSTICE (Coleman Snead, Jacqueline) (Entered: 06/20/2014)
06/23/2014		MINUTE ORDER granting <u>28</u> Unopposed Motion for Extension of Time to File Response. It is ORDERED that defendant's response to the Court's Minute Order of June 11, 2014 is due by July 11, 2014. Signed by Judge Amy Berman Jackson on 6/23/14. (DMK) (Entered: 06/23/2014)
06/24/2014		Set/Reset Deadlines: Defendant's Response to the Court's Minute Order of 6/11/2014 is now due by 7/11/2014. (jth) (Entered: 06/24/2014)
07/11/2014	<u>29</u>	NOTICE re <i>Minute Order of June 11, 2014</i> by DEPARTMENT OF JUSTICE re Order,,,,,, (Coleman Snead, Jacqueline) (Entered: 07/11/2014)
07/18/2014	<u>30</u>	ORDER granting <u>16</u> Defendant's Motion for Summary Judgment; denying <u>19</u> Plaintiff's Motion for Summary Judgment. (SEE ORDER FOR DETAIL). Signed by Judge Amy Berman Jackson on 7/18/2014. (lcabj1) (Entered: 07/18/2014)
07/18/2014	<u>31</u>	MEMORANDUM OPINION. Signed by Judge Amy Berman Jackson on 7/18/2014. (lcabj1) (Entered: 07/18/2014)
07/18/2014		MINUTE ORDER. It is ORDERED that defendant shall file on the public docket a redacted version of the supplemental Hudson Declaration that it provided ex parte to this Court in response to the June 11, 2014 Minute Order or an explanation for why it cannot do so on or before August 1, 2014. Signed by Judge Amy Berman Jackson on 7/18/2014. (lcabj1) (Entered: 07/18/2014)
07/18/2014		Set/Reset Deadlines: Defendant to file on the public docket a redacted version of the Supplemental Hudson Declaration or, file an explanation for why it can't do so by 8/1/2014. (jth) (Entered: 07/18/2014)
07/25/2014	<u>32</u>	Consent MOTION for Extension of Time to <i>File Petition for an Award of Attorneys' Fees and Costs</i> by ELECTRONIC FRONTIER FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Sobel, David) (Entered: 07/25/2014)
07/25/2014		MINUTE ORDER granting <u>32</u> Consent Motion for Extension of Time to File a Motion for an Award of Attorney's Fees and Costs. It is ORDERED that plaintiff's time in which to file a motion for an award of attorney's fees and costs is extended until September 5, 2014. Signed by Judge Amy Berman Jackson on 7/25/2014. (lcabj1) (Entered: 07/25/2014)
07/25/2014		Set/Reset Deadlines: The time in which plaintiff may file a Motion for an Award of Attorney's Fees and Costs is extended until 9/5/2014. (jth) (Entered: 07/25/2014)
08/01/2014	<u>33</u>	RESPONSE TO ORDER OF THE COURT re Order, <i>Redacted Supplemental Hudson Declaration</i> filed by DEPARTMENT OF JUSTICE. (Coleman Snead, Jacqueline) (Entered: 08/01/2014)
09/04/2014	<u>34</u>	Consent MOTION for Extension of Time to <i>File Petition for an Award of Attorneys' Fees and Costs</i> by ELECTRONIC FRONTIER FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Sobel, David) (Entered: 09/04/2014)
09/04/2014		MINUTE ORDER granting <u>34</u> Consent Motion for Extension of Time to File Petition for an Award of Attorneys' Fees and Costs. In light of the consent motion, it is ORDERED that any motion for attorneys' fees and costs is now due on or before September 26, 2104. Signed by Judge Amy Berman Jackson on 9/4/2014. (lcabj1) (Entered: 09/04/2014)

09/05/2014		Set/Reset Deadlines: The time in which plaintiff may file any Motion for an Award of Attorney's Fees and Costs is extended until 9/26/2014. (jth) (Entered: 09/05/2014)
09/10/2014	<u>35</u>	NOTICE of Change of Address by David L. Sobel (Sobel, David) (Entered: 09/10/2014)
09/23/2014	<u>36</u>	Consent MOTION to Stay re Order on Motion for Extension of Time to File, by DEPARTMENT OF JUSTICE (Coleman Snead, Jacqueline) (Entered: 09/23/2014)
09/24/2014		MINUTE ORDER granting <u>36</u> Consent Motion to Stay the Court's September 4 Order on the Motion for Extension of Time to File a Petition for Award of Attorneys' Fees and Costs. In light of the consent motion, it is ORDERED that the deadline to file a petition for an award of attorneys' fees and costs is stayed. It is FURTHER ORDERED that the parties shall file a joint status report or proposed briefing schedule on or before October 10, 2014, if the issue has not been resolved by that date. Signed by Judge Amy Berman Jackson on 9/24/2014. (lcabj1) (Entered: 09/24/2014)
09/24/2014		Set/Reset Deadlines: If the issue has not been resolved by that date, the parties shall file a Joint Status Report or Proposed Briefing Schedule by 10/10/2014. (jth) (Entered: 09/24/2014)
10/10/2014	<u>37</u>	RESPONSE TO ORDER OF THE COURT re Order on Motion to Stay,, filed by DEPARTMENT OF JUSTICE. (Coleman Snead, Jacqueline) (Entered: 10/10/2014)
10/10/2014		MINUTE ORDER. In light of the jointly proposed schedule submitted by the parties pursuant to the Court's September 24, 2014 Minute Order, it is ORDERED that: Plaintiff's motion for fees is due on or before November 7, 2014. Defendant's opposition is due on or before December 8, 2014. Plaintiff's reply is due on or before December 24, 2014. Signed by Judge Amy Berman Jackson on 10/10/2014. (lcabj2) (Entered: 10/10/2014)
10/10/2014		Set/Reset Deadlines: Plaintiff's Motion for Fees is due by 11/7/2014; Defendant's Opposition is due by 12/8/2014; Plaintiff's reply is due by 12/24/2014. (jth) (Entered: 10/10/2014)
11/07/2014	<u>38</u>	MOTION for Attorney Fees <i>and Costs</i> by ELECTRONIC FRONTIER FOUNDATION (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Text of Proposed Order)(Sobel, David) (Entered: 11/07/2014)
12/08/2014	<u>39</u>	Memorandum in opposition to re <u>38</u> MOTION for Attorney Fees <i>and Costs</i> filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Second Supplemental Hudson Declaration, # <u>2</u> Kim Declaration, # <u>3</u> Malowane Declaration)(Coleman Snead, Jacqueline) (Entered: 12/08/2014)
12/22/2014	<u>40</u>	REPLY to opposition to motion re <u>38</u> MOTION for Attorney Fees <i>and Costs</i> filed by ELECTRONIC FRONTIER FOUNDATION. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Declaration of David L. Sobel (supplemental), # <u>5</u> Declaration of Mark Rumold (supplemental))(Sobel, David) (Entered: 12/22/2014)
02/23/2015		CASE REFERRED directly to Magistrate Judge G. Michael Harvey for a motion for attorney's fees and costs. (gt,) (Entered: 02/23/2015)
08/21/2015	<u>41</u>	NOTICE of Appearance by Rodney Patton on behalf of DEPARTMENT OF JUSTICE (Patton, Rodney) (Entered: 08/21/2015)
09/03/2015		MINUTE ORDER: It is ORDERED that the parties will provide supplemental briefing regarding the impact, if any, of Eley v. District of Columbia, 793 F.3d 97 (D.C. Cir. 2015), on plaintiffs request for attorneys fees in this case. Plaintiffs brief is due on or before September 10, 2015; defendants response is due on or before September 17, 2015; and plaintiffs reply, if any, is due on or before September 22, 2015. Signed by Magistrate Judge G. Michael Harvey on 09/03/2015. (lcmh1) (Entered: 09/03/2015)
09/04/2015		Set/Reset Deadlines: Plaintiffs Brief due by 9/10/2015. Defendants Responses due by 9/17/2015. Plaintiffs Replies due by 9/22/2015. (ldc) (Entered: 09/04/2015)
09/10/2015	<u>42</u>	MEMORANDUM re <u>38</u> MOTION for Attorney Fees <i>and Costs</i> filed by ELECTRONIC FRONTIER FOUNDATION by ELECTRONIC FRONTIER FOUNDATION. (Attachments: # <u>1</u> Exhibit A (Colapinto Declaration), # <u>2</u> Exhibit B (Davidson Declaration), # <u>3</u> Exhibit C (Real Rates Report excerpts))(Sobel, David)

		(Entered: 09/10/2015)
09/17/2015	<u>43</u>	NOTICE of Appearance by Deepthy Kishore on behalf of DEPARTMENT OF JUSTICE (Kishore, Deepthy) (Entered: 09/17/2015)
09/17/2015	<u>44</u>	MOTION for Extension of Time to File Response/Reply as to <u>38</u> MOTION for Attorney Fees <i>and Costs</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Kishore, Deepthy) (Entered: 09/17/2015)
09/17/2015		MINUTE ORDER granting in part and denying in part <u>44</u> Motion for Extension of Time to File Response/Reply. Upon consideration of defendant's motion for an extension of time, it is hereby ORDERED that the motion is GRANTED IN PART AND DENIED IN PART. Defendant's response to plaintiff's supplemental brief is due on or before September 18, 2015. Plaintiff's reply, if any, is due on or before September 23, 2015. No further extensions of time will be granted to either party to submit the supplemental briefing ordered on September 3, 2015. Signed by Magistrate Judge G. Michael Harvey on 09/17/2015. (lcmh1) (Entered: 09/17/2015)
09/17/2015		Set/Reset Deadlines: Defendant's response to plaintiff's supplemental brief is due 09/18/15. Plaintiff's reply due 09/23/15. (ldc) (Entered: 09/17/2015)
09/18/2015	<u>45</u>	SUPPLEMENTAL MEMORANDUM to filed by DEPARTMENT OF JUSTICE. (Kishore, Deepthy) (Entered: 09/18/2015)
09/23/2015	<u>46</u>	SUPPLEMENTAL MEMORANDUM to re <u>38</u> MOTION for Attorney Fees <i>and Costs (Reply)</i> filed by ELECTRONIC FRONTIER FOUNDATION. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Sobel, David) (Entered: 09/23/2015)
09/30/2015	<u>47</u>	MEMORANDUM OPINION granting in part and denying in part <u>38</u> Motion for Attorney Fees. Signed by Magistrate Judge G. Michael Harvey on 09/30/2015. (lcmh1) (Entered: 09/30/2015)
09/30/2015	<u>48</u>	ORDER granting in part and denying in part <u>38</u> MOTION for Attorney Fees and Costs filed by ELECTRONIC FRONTIER FOUNDATION. Signed by Magistrate Judge G. Michael Harvey on 09/30/2015. (lcmh1) (Entered: 09/30/2015)
10/08/2015	<u>49</u>	Consent MOTION for Extension of Time to <i>File Objections to Magistrate Judge's Memorandum Opinion on Attorney's Fees and Costs</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Patton, Rodney) (Entered: 10/08/2015)
10/09/2015		MINUTE ORDER granting <u>49</u> Motion for Extension of Time. The parties shall have until November 16, 2015, to file any objections to the Magistrate Judge's <u>47</u> Memorandum Opinion and <u>48</u> Order granting in part and denying in part plaintiff's motion for attorneys' fees and costs. Signed by Judge Amy Berman Jackson on 10/9/2015. (lcabj2) (Entered: 10/09/2015)
10/13/2015		Set/Reset Deadlines: The parties shall have until 11/16/2015, to file any objections to the Magistrate Judge's <u>47</u> Memorandum Opinion and <u>48</u> Order granting in part and denying in part plaintiff's motion for attorneys' fees and costs. (jth) (Entered: 10/13/2015)
11/16/2015	<u>50</u>	NOTICE <i>that Defendant Will Not File Objections to the Magistrate Judge's Decision on Attorneys' Fees and Costs</i> by DEPARTMENT OF JUSTICE (Patton, Rodney) (Entered: 11/16/2015)