

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:14-cv-00760-RMC**

ELECTRONIC FRONTIER FOUNDATION v. DEPARTMENT OF JUSTICE
Assigned to: Judge Rosemary M. Collyer
Demand: \$0
Case in other court: USCA, 15-05346
Cause: 05:552 Freedom of Information Act

Date Filed: 05/01/2014
Date Terminated: 10/30/2015
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**
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V.

Defendant**DEPARTMENT OF JUSTICE**

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Date Filed	#	Docket Text
05/01/2014	<u>1</u>	COMPLAINT for <i>Injunctive Relief</i> against All Defendants <i>DEPARTMENT OF JUSTICE</i> (Filing fee \$ 400 receipt number 0090-3702791) 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: 05/01/2014)
05/01/2014	<u>2</u>	NOTICE OF RELATED CASE by ELECTRONIC FRONTIER FOUNDATION. Case related to Case No. 12-cv-1441. (Sobel, David) (Entered: 05/01/2014)

05/01/2014	<u>3</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by ELECTRONIC FRONTIER FOUNDATION (Sobel, David) (Entered: 05/01/2014)
05/01/2014		Case Assigned to Judge Amy Berman Jackson. (sth,) (Entered: 05/01/2014)
05/01/2014	<u>4</u>	SUMMONS (3) Issued Electronically 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> Summons)(sth,) (Entered: 05/01/2014)
06/02/2014	<u>5</u>	ANSWER to Complaint by DEPARTMENT OF JUSTICE.(Coleman Snead, Jacqueline) (Entered: 06/02/2014)
06/02/2014	<u>6</u>	RESPONSE re <u>2</u> Notice of Related Case <i>and Objection to Designation</i> filed by DEPARTMENT OF JUSTICE. (Coleman Snead, Jacqueline) (Entered: 06/02/2014)
06/04/2014	<u>7</u>	Case randomly reassigned to Judge Rosemary M. Collyer, as case is not related to 12cv1441. Judge Amy Berman Jackson no longer assigned to the case. (gt,) (Entered: 06/04/2014)
08/01/2014	<u>8</u>	MOTION for Preliminary Injunction by ELECTRONIC FRONTIER FOUNDATION (Attachments: # <u>1</u> Memorandum in Support of Motion for Preliminary Injunction, # <u>2</u> Declaration of David Sobel, # <u>3</u> Exhibit #1 to Decl. of David Sobel, # <u>4</u> Exhibit #2 to Decl. of David Sobel, # <u>5</u> Exhibit #3 to Decl. of David Sobel, # <u>6</u> Exhibit #4 to Decl. of David Sobel, # <u>7</u> Exhibit #5 to Decl. of David Sobel, # <u>8</u> Exhibit #6 to Decl. of David Sobel, # <u>9</u> Exhibit #7 to Decl. of David Sobel, # <u>10</u> Text of Proposed Order)(Sobel, David) (Entered: 08/01/2014)
08/08/2014	<u>9</u>	Memorandum in opposition to re <u>8</u> MOTION for Preliminary Injunction filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Coleman Snead, Jacqueline) (Entered: 08/08/2014)
08/12/2014		Set/Reset Deadlines/Hearings: Preliminary Injunction Hearing set for 9/3/2014 at 2:00 PM in Courtroom 8 before Judge Rosemary M. Collyer. (cdw) (Entered: 08/12/2014)
08/14/2014	<u>10</u>	REPLY to opposition to motion re <u>8</u> MOTION for Preliminary Injunction filed by ELECTRONIC FRONTIER FOUNDATION. (Attachments: # <u>1</u> Exhibit A)(Sobel, David) (Entered: 08/14/2014)
09/03/2014		Minute Entry for proceedings held before Judge Rosemary M. Collyer: Preliminary Injunction Hearing held on 9/3/2014. Motion <u>8</u> for Preliminary Injunction, heard and taken under advisement. Status Conference set for 11/5/2014 at 12:15 PM in Courtroom 8 before Judge Rosemary M. Collyer. (Court Reporter: Crystal Pilgrim) (cdw) (Entered: 09/04/2014)
09/05/2014		MINUTE ORDER. At the hearing on September 3, 2014, Plaintiff withdrew its request for a preliminary injunction and requested a firm schedule for agency determinations on its FOIA requests. Plaintiff's motion for preliminary injunction <u>8</u> is thus denied as moot. The Court GRANTS Plaintiff's motion to set a schedule. DOJ shall issue a partial determination on the 8/23/13 and 2/24/14 FOIA Requests by September 5, 2014, and shall forthwith produce records, if production is applicable. DOJ shall make a final determination on the 8/23/13 and 2/24/14 FOIA Requests by November 3, 2014, and shall produce records, if production is applicable. DOJ shall issue rolling responses on the 10/31/13 and 3/14/14 FOIA Requests on December 8, 2014; January 26, 2015; and March 2, 2015, whereby it issues a determination and produces records, if production is applicable and so long as doing so would not release an incomplete document. Each of DOJ's rolling responses shall be as to one-third of the requested pages. A status conference is scheduled for November 5, 2014 at 12:15 p.m. in Courtroom 8. Signed by Judge Rosemary M. Collyer on 9/5/2014. (KD) (Entered: 09/05/2014)
09/10/2014	<u>11</u>	NOTICE of Change of Address by David L. Sobel (Sobel, David) (Entered: 09/10/2014)
11/05/2014		MINUTE ORDER setting a status conference on February 9, 2015 at 10:45 a.m. Signed by Judge Rosemary M. Collyer on 11/5/2014. (KD) (Entered: 11/05/2014)

11/05/2014		Minute Entry for proceedings held before Judge Rosemary M. Collyer: Status Conference held on 11/5/2014. (Court Reporter Crystal Pilgrim.) (cdw) (Entered: 11/06/2014)
12/05/2014	<u>12</u>	Consent MOTION for Extension of Time to <i>Provide Interim, Partial FOIA Response</i> by DEPARTMENT OF JUSTICE (Coleman Snead, Jacqueline) (Entered: 12/05/2014)
12/08/2014		MINUTE ORDER granting <u>12</u> Defendant's consent Motion for Extension of Time. By December 15, 2014, the Government shall provide its next interim response to FOIA Requests dated 10/31/13 and 3/14/14. Signed by Judge Rosemary M. Collyer on 12/8/2014. (KD) (Entered: 12/08/2014)
12/08/2014		Set/Reset Deadlines/Hearings: Interim response to FOIA Requests dated 10/31/13 and 3/14/14 due by 12/15/2014. (cdw) (Entered: 12/09/2014)
02/04/2015		Set/Reset Deadlines/Hearings: Status Conference reset for 2/12/2015 at 11:00 AM in Courtroom 8 before Judge Rosemary M. Collyer. (cdw) (Entered: 02/04/2015)
02/12/2015		Minute Entry for proceedings held before Judge Rosemary M. Collyer: Status Conference held on 2/12/2015. (Court Reporter: Crystal Pilgrim) (cdw) (Entered: 02/12/2015)
02/12/2015		MINUTE ORDER setting status conference on March 16, 2015 at 10:15 a.m. in Courtroom 8. The parties shall file a joint proposed dispositive motion briefing schedule no later than March 12, 2015. Signed by Judge Rosemary M. Collyer on 2/12/2015. (KD) (Entered: 02/12/2015)
02/12/2015		Set/Reset Deadlines/Hearings: Joint proposed dispositive motion briefing schedule due by 3/12/2015. Status Conference set for 3/16/2015 at 10:15 AM in Courtroom 8 before Judge Rosemary M. Collyer. (cdw) (Entered: 02/13/2015)
03/04/2015	<u>13</u>	MOTION for Extension of Time to <i>Complete FOIA Processing</i> by DEPARTMENT OF JUSTICE (Coleman Snead, Jacqueline) (Entered: 03/04/2015)
03/10/2015		MINUTE ORDER granting <u>13</u> Defendant's Motion for Extension of Time nunc pro tunc to March 2, 2015. Defendant shall complete the processing of Plaintiff's March 14, 2014 FOIA request by March 6, 2015. Signed by Judge Rosemary M. Collyer on 3/10/2015. (KD) (Entered: 03/10/2015)
03/12/2015	<u>14</u>	NOTICE – <i>Joint Proposed Dispositive Motion Briefing Schedule</i> by ELECTRONIC FRONTIER FOUNDATION (Sobel, David) (Entered: 03/12/2015)
03/16/2015		MINUTE ORDER setting briefing schedule. Defendant's motion for summary judgment is due May 1, 2015; Plaintiff's opposition/cross motion is due June 1, 2015; Defendant's reply/opposition is due July 1, 2015; Plaintiff's reply is due July 15, 2015. Signed by Judge Rosemary M. Collyer on 3/16/2015. (KD) (Entered: 03/16/2015)
03/16/2015		Minute Entry for proceedings held before Judge Rosemary M. Collyer: Status Conference held on 3/16/2015. (Court Reporter Crystal Pilgrim) (cdw) (Entered: 03/16/2015)
03/16/2015		Set/Reset Deadlines/Hearings: Defendant's Summary Judgment motion due by 5/1/2015. Response to Motion for Summary Judgment due by 6/1/2015. Reply to Motion for Summary Judgment due by 7/1/2015. Plaintiff's Cross Motion due by 6/1/2015. Response to Cross Motion due by 7/1/2015. Reply to Cross Motion due by 7/15/2015. (cdw) (Entered: 03/16/2015)
05/01/2015	<u>15</u>	MOTION for Summary Judgment by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statment of Undisputed Facts, # <u>3</u> Declaration Susan Kim, # <u>4</u> Declaration David Sherman, # <u>5</u> Declaration David Hardy, # <u>6</u> Notice of Classified Filing)(Coleman Snead, Jacqueline) Modified on 5/4/2015 (rdj). (Entered: 05/01/2015)
06/01/2015	<u>16</u>	Memorandum in opposition to re <u>15</u> MOTION for Summary Judgment filed by ELECTRONIC FRONTIER FOUNDATION. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Statement of Facts, # <u>4</u> Text of Proposed Order)(Sobel, David) (Entered: 06/01/2015)

06/01/2015	<u>17</u>	Cross MOTION for Partial Summary Judgment by ELECTRONIC FRONTIER FOUNDATION (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Statement of Facts, # <u>4</u> Text of Proposed Order)(Sobel, David) (Entered: 06/01/2015)
07/01/2015	<u>18</u>	REPLY to opposition to motion re <u>15</u> MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Notice of Classified Filing)(Coleman Snead, Jacqueline) (Entered: 07/01/2015)
07/01/2015	<u>19</u>	Memorandum in opposition to re <u>17</u> Cross MOTION for Partial Summary Judgment filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Counterstatement of Facts, # <u>2</u> Notice of Classified Filing)(Coleman Snead, Jacqueline) (Entered: 07/01/2015)
07/15/2015	<u>20</u>	REPLY to opposition to motion re <u>17</u> Cross MOTION for Partial Summary Judgment filed by ELECTRONIC FRONTIER FOUNDATION. (Sobel, David) (Entered: 07/15/2015)
08/21/2015	<u>21</u>	NOTICE of Appearance by Rodney Patton on behalf of DEPARTMENT OF JUSTICE (Patton, Rodney) (Entered: 08/21/2015)
10/30/2015	<u>22</u>	MEMORANDUM AND OPINION. Signed by Judge Rosemary M. Collyer on 10/30/2015. (KD) (Entered: 10/30/2015)
10/30/2015	<u>23</u>	ORDER granting <u>15</u> Defendant's Motion for Summary Judgment; denying <u>17</u> Plaintiff's Motion for Partial Summary Judgment; Judgment is entered in favor of Defendant. This case is closed. Signed by Judge Rosemary M. Collyer on 10/30/2015. (KD) (Entered: 10/30/2015)
12/24/2015	<u>24</u>	NOTICE OF APPEAL TO DC CIRCUIT COURT as to <u>23</u> Order on Motion for Summary Judgment, Order on Motion for Partial Summary Judgment,, <u>22</u> Memorandum & Opinion by ELECTRONIC FRONTIER FOUNDATION. Filing fee \$ 505, receipt number 0090-4360913. Fee Status: Fee Paid. Parties have been notified. (Sobel, David) (Entered: 12/24/2015)
12/28/2015	<u>25</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>24</u> Notice of Appeal to DC Circuit Court. (zrdj) (Entered: 12/28/2015)
12/30/2015		USCA Case Number 15-5346 for <u>24</u> Notice of Appeal to DC Circuit Court, filed by ELECTRONIC FRONTIER FOUNDATION. (zrdj) (Entered: 12/30/2015)
01/12/2016	<u>26</u>	WITHDRAWN PURSUANT TO NOTICE FILED 2/16/2016.....MOTION for Reconsideration re <u>23</u> Order on Motion for Summary Judgment, Order on Motion for Partial Summary Judgment,, <u>22</u> Memorandum & Opinion by ELECTRONIC FRONTIER FOUNDATION (Attachments: # <u>1</u> Declaration of David L. Sobel, # <u>2</u> Exhibit A to Sobel Decl., # <u>3</u> Exhibit B to Sobel Decl., # <u>4</u> Exhibit C to Sobel Decl., # <u>5</u> Exhibit D to Sobel Decl.)(Sobel, David) Modified on 2/16/2016 (zrdj). (Entered: 01/12/2016)
01/25/2016	<u>27</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>26</u> MOTION for Reconsideration re <u>23</u> Order on Motion for Summary Judgment, Order on Motion for Partial Summary Judgment,, <u>22</u> Memorandum & Opinion by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Patton, Rodney) (Entered: 01/25/2016)
01/27/2016		MINUTE ORDER granting <u>27</u> Motion for Extension of Time re <u>26</u> MOTION for Reconsideration. Response due by 2/5/2016. Reply due by 2/22/2016. Signed by Judge Rosemary M. Collyer on 1/27/2016. (KD) (Entered: 01/27/2016)
01/28/2016		Set/Reset Deadlines: Response due by 2/5/2016. Reply due by 2/22/2016. (tb) (Entered: 01/28/2016)
02/05/2016	<u>28</u>	Memorandum in opposition to re <u>26</u> MOTION for Reconsideration re <u>23</u> Order on Motion for Summary Judgment, Order on Motion for Partial Summary Judgment,, <u>22</u> Memorandum & Opinion filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Patton, Rodney) (Entered: 02/05/2016)
02/16/2016	<u>29</u>	NOTICE OF WITHDRAWAL OF MOTION by ELECTRONIC FRONTIER FOUNDATION re <u>26</u> MOTION for Reconsideration re <u>23</u> Order on Motion for Summary Judgment, Order on Motion for Partial Summary Judgment,, <u>22</u>

		Memorandum & Opinion (Sobel, David) (Entered: 02/16/2016)
04/27/2016	<u>30</u>	ORDER of USCA (certified copy) ORDERED that the motion be granted, and this case is hereby dismissed as to <u>24</u> Notice of Appeal to DC Circuit Court, filed by ELECTRONIC FRONTIER FOUNDATION. USCA Case Number 15-5346. (zrdj) (Entered: 04/28/2016)