

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:13-cv-07347-GHW**

American Civil Liberties Union et al v. United States  
Department of Justice  
Assigned to: Judge Gregory H. Woods  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/17/2013  
Date Terminated: 05/03/2017  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**American Civil Liberties Union**

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**Plaintiff**

**American Civil Liberties Union Foundation**

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*TERMINATED: 01/17/2017*

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**Jameel Jaffer**

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*TERMINATED: 09/01/2016**ATTORNEY TO BE NOTICED***Patrick Christopher Toomey**

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V.

**Defendant****United States Department of Justice**

represented by **Benjamin Henry Torrance**  
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Date Filed	#	Docket Text
10/17/2013	<u>1</u>	COMPLAINT against United States Department of Justice. (Filing Fee \$ 350.00, Receipt Number 465401079194) Document filed by American Civil Liberties Union Foundation, American Civil Liberties Union.(msa) (Entered: 10/22/2013)
10/17/2013		SUMMONS ISSUED as to United States Department of Justice, U.S. Attorney and U.S. Attorney General. (msa) (Entered: 10/22/2013)
10/17/2013		Case Designated ECF. (msa) (Entered: 10/22/2013)
10/17/2013		Magistrate Judge Andrew J. Peck is so designated. (msa) (Entered: 10/22/2013)
10/23/2013	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation.(Toomey, Patrick) (Entered: 10/23/2013)
10/24/2013	<u>3</u>	AFFIDAVIT OF SERVICE of Summons served on United States Department of Justice on 10/24/2013. Service was made by MAIL. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation. (Toomey, Patrick) (Entered: 10/24/2013)
10/24/2013	<u>4</u>	AFFIDAVIT OF SERVICE of Summons served on Eric H. Holder, Attorney General of the United States on 10/24/2013. Service was made by MAIL. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation. (Toomey, Patrick) (Entered: 10/24/2013)
10/24/2013	<u>5</u>	AFFIDAVIT OF SERVICE of Summons served on United States Attorney for the Southern District of New York on 10/24/2013. Service was made by MAIL. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation. (Toomey, Patrick) (Entered: 10/24/2013)
12/02/2013	<u>6</u>	ANSWER to <u>1</u> Complaint. Document filed by United States Department of Justice.(Torrance, Benjamin) (Entered: 12/02/2013)
01/02/2014	<u>7</u>	PRETRIAL ORDER: The above entitled action has been assigned to Judge Robert W. Sweet for all purposes. Counsel are directed to meet and discuss settlement, pretrial discovery and all preliminary matters. If this action has been settled or otherwise terminated, counsel are directed to file or mail a stipulation of discontinuance, voluntary dismissal, or other proof of termination of the action prior to the date of the pretrial conference with Tsz Chan, Courtroom Clerk to Judge Sweet, Room 18C, U.S.

		Courthouse, 500 Pearl Street, New York, New York 10007; otherwise counsel are directed to appear in courtroom 18C on 1/15/2014 for a pretrial conference for the reason set forth herein. Plaintiff(s)' counsel ARE REQUIRED TO NOTIFY COUNSEL FOR ALL PARTIES OF THIS CONFERENCE. (See Order). (Pretrial Conference set for 1/15/2014 at 04:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet.) (Signed by Judge Robert W. Sweet on 1/2/2014) (ja) (Entered: 01/02/2014)
01/14/2014	<u>8</u>	JOINT LETTER MOTION to Adjourn Conference <i>scheduled for Jan. 15, 2014</i> , addressed to Judge Robert W. Sweet from Benjamin H. Torrance dated January 14, 2014. Document filed by United States Department of Justice.(Torrance, Benjamin) (Entered: 01/14/2014)
01/16/2014	<u>9</u>	ORDER granting <u>8</u> Letter Motion to Adjourn Conference. So ordered. (Signed by Judge Robert W. Sweet on 1/14/2014) (ja) (Entered: 01/16/2014)
04/04/2014		NOTICE OF CASE REASSIGNMENT to Judge Gregory H. Woods. Judge Robert W. Sweet is no longer assigned to the case. (pgu) (Entered: 04/04/2014)
04/04/2014	<u>10</u>	ORDER: The parties are hereby ORDERED to submit a joint letter to the Court updating the Court on the status of the case by April 30, 2014. The letter should address the status of the stipulation referenced in the parties' joint application to the Court of January 14, 2014. (Signed by Judge Gregory H. Woods on 4/4/2014) (djc) (Entered: 04/04/2014)
04/30/2014	<u>11</u>	JOINT LETTER addressed to Judge Gregory H. Woods from Patrick C. Toomey dated April 30, 2014 re: Case Status, Conference, and Schedule. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation.(Toomey, Patrick) (Entered: 04/30/2014)
05/02/2014		Minute Entry. The Court has scheduled a Telephone Conference for 5/5/2014 at 09:30 AM. (Daniels, Anthony) (Entered: 05/02/2014)
05/05/2014		Minute Entry for proceedings held before Judge Gregory H. Woods: Telephone Conference held on 5/5/2014. (Court Reporter Bill Richards) (Daniels, Anthony) (Entered: 05/05/2014)
05/05/2014	<u>12</u>	MEMO ENDORSEMENT on re: <u>11</u> Letter filed by American Civil Liberties Union, American Civil Liberties Union Foundation. ENDORSEMENT: As discussed on the telephone conference of May 5, 2014, the parties shall jointly notify the Court by May 12, 2014 regarding the status of the EOUSA's processing of the request. Briefing on the NSD issue shall proceed by the schedule proposed by the parties. SO ORDERED. (Signed by Judge Gregory H. Woods on 5/5/2014) (djc) (Entered: 05/05/2014)
05/05/2014		Set/Reset Deadlines: ( Cross Motions due by 7/18/2014. Motions due by 6/20/2014. Responses due by 8/15/2014, Replies due by 8/29/2014.) (djc) (Entered: 05/07/2014)
05/12/2014	<u>13</u>	LETTER addressed to Judge Gregory H. Woods from Benjamin H. Torrance dated May 12, 2014 re: update on deadline for production. Document filed by United States Department of Justice.(Torrance, Benjamin) (Entered: 05/12/2014)
05/12/2014	<u>14</u>	MEMO ENDORSEMENT on re: <u>13</u> Letter filed by United States Department of Justice. As discussed at a status conference on May 5, 2014, the Court has directed counsel for the parties to confer regarding plaintiffs' request for documents from the United States Attorney's Offices in the District of Colorado and the District of Oregon. The government agrees that the search, processing, and production of those documents is to be completed by May 30, 2014. ENDORSEMENT: The May 30, 2014 deadline for the production of documents is SO ORDERED. (Signed by Judge Gregory H. Woods on 5/12/2014) (ama) (Entered: 05/12/2014)
06/11/2014	<u>15</u>	LETTER MOTION for Extension of Time addressed to Judge Gregory H. Woods from Benjamin H. Torrance dated June 11, 2014. Document filed by United States Department of Justice.(Torrance, Benjamin) (Entered: 06/11/2014)
06/13/2014	<u>16</u>	ORDER granting <u>15</u> Letter Motion for Extension of Time. Application granted. The government's motion for summary judgment is due July 25, 2014; the ACLU's cross motion and opposition is due August 22, 2014; the government's opposition and reply is due September 5, 2014; and the ACLU's reply is due September 19, 2014.

		(HEREBY ORDERED by Judge Gregory H. Woods)(Text Only Order) (Woods, Gregory) (Entered: 06/13/2014)
07/25/2014	<u>17</u>	MOTION for Partial Summary Judgment . Document filed by United States Department of Justice. Responses due by 8/22/2014(Torrance, Benjamin) (Entered: 07/25/2014)
07/25/2014	<u>18</u>	MEMORANDUM OF LAW in Support re: <u>17</u> MOTION for Partial Summary Judgment . . Document filed by United States Department of Justice. (Torrance, Benjamin) (Entered: 07/25/2014)
07/25/2014	<u>19</u>	DECLARATION of Mark A. Bradley in Support re: <u>17</u> MOTION for Partial Summary Judgment .. Document filed by United States Department of Justice. (Attachments: # <u>1</u> Exhibit index of documents)(Torrance, Benjamin) (Entered: 07/25/2014)
07/25/2014	<u>20</u>	DECLARATION of Benjamin H. Torrance in Support re: <u>17</u> MOTION for Partial Summary Judgment .. Document filed by United States Department of Justice. (Attachments: # <u>1</u> Exhibit Mohamud Discovery Memo, # <u>2</u> Exhibit OIP Letter)(Torrance, Benjamin) (Entered: 07/25/2014)
07/25/2014	<u>21</u>	DECLARATION of Zeyen J. Wu in Support re: <u>17</u> MOTION for Partial Summary Judgment .. Document filed by United States Department of Justice. (Torrance, Benjamin) (Entered: 07/25/2014)
07/25/2014	<u>22</u>	DECLARATION of Charles F. Gorder, Jr. in Support re: <u>17</u> MOTION for Partial Summary Judgment .. Document filed by United States Department of Justice. (Torrance, Benjamin) (Entered: 07/25/2014)
08/22/2014	<u>23</u>	MOTION for Partial Summary Judgment . Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation.(Toomey, Patrick) (Entered: 08/22/2014)
08/22/2014	<u>24</u>	MEMORANDUM OF LAW in Support re: <u>23</u> MOTION for Partial Summary Judgment . <i>and in Opposition to Defendant's Motion for Partial Summary Judgment.</i> Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation. (Toomey, Patrick) (Entered: 08/22/2014)
08/22/2014	<u>25</u>	DECLARATION of Patrick Toomey in Support re: <u>23</u> MOTION for Partial Summary Judgment .. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Exhibit A–G, # <u>2</u> Exhibit H, # <u>3</u> Exhibit I, # <u>4</u> Exhibit J)(Toomey, Patrick) (Entered: 08/22/2014)
09/05/2014	<u>26</u>	MEMORANDUM OF LAW in Opposition re: <u>17</u> MOTION for Partial Summary Judgment ., <u>23</u> MOTION for Partial Summary Judgment . <i>Reply Mem. in support of government's motion.</i> Document filed by United States Department of Justice. (Torrance, Benjamin) (Entered: 09/05/2014)
09/05/2014	<u>27</u>	DECLARATION of Mark A. Bradley in Opposition re: <u>17</u> MOTION for Partial Summary Judgment ., <u>23</u> MOTION for Partial Summary Judgment .. Document filed by United States Department of Justice. (Torrance, Benjamin) (Entered: 09/05/2014)
09/05/2014	<u>28</u>	DECLARATION of John B. Wiegmann in Opposition re: <u>17</u> MOTION for Partial Summary Judgment ., <u>23</u> MOTION for Partial Summary Judgment .. Document filed by United States Department of Justice. (Torrance, Benjamin) (Entered: 09/05/2014)
09/19/2014	<u>29</u>	REPLY MEMORANDUM OF LAW in Support re: <u>23</u> MOTION for Partial Summary Judgment . . Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation. (Toomey, Patrick) (Entered: 09/19/2014)
09/19/2014	<u>30</u>	DECLARATION of Patrick Toomey in Support re: <u>23</u> MOTION for Partial Summary Judgment .. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Exhibit A)(Toomey, Patrick) (Entered: 09/19/2014)
10/08/2014	<u>31</u>	LETTER addressed to Judge Gregory H. Woods from Patrick Toomey dated October 8, 2014 re: Supplemental Authorities. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation.(Toomey, Patrick) (Entered: 10/08/2014)

10/16/2014	<u>32</u>	LETTER addressed to Judge Gregory H. Woods from Benjamin H. Torrance dated October 16, 2014 re: response to supplemental authorities. Document filed by United States Department of Justice.(Torrance, Benjamin) (Entered: 10/16/2014)
12/23/2014	<u>33</u>	LETTER addressed to Judge Gregory H. Woods from Benjamin H. Torrance dated December 23, 2014 re: supplemental authority. Document filed by United States Department of Justice.(Torrance, Benjamin) (Entered: 12/23/2014)
12/29/2014	<u>34</u>	LETTER addressed to Judge Gregory H. Woods from Patrick Toomey dated December 29, 2014 re: Response to supplemental authority. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation.(Toomey, Patrick) (Entered: 12/29/2014)
02/05/2015		Minute Entry for proceedings held before Judge Gregory H. Woods: Telephone Conference held on 2/5/2015. (Court Reporter Khris Sellin) (Daniels, Anthony) (Entered: 02/05/2015)
03/03/2015	<u>35</u>	MEMORANDUM OPINION AND ORDER re: <u>17</u> MOTION for Partial Summary Judgment, filed by United States Department of Justice, <u>23</u> MOTION for Partial Summary Judgment, filed by American Civil Liberties Union, American Civil Liberties Union Foundation. The ACLU's motion for summary judgment based on the scope of DOJ's search is GRANTED IN PART as described above. The Court orders DOJ to conduct a new search for the documents requested in Part 3, without limiting that search to "governing" documents, and to release any responsive records that do not fall under a FOIA exemption. To the extent that the ACLU's motion challenges other aspects of DOJ's search, it is DENIED IN PART. The government's motion for summary judgment based on the applicability of Exemption 5 to the documents listed in the government's Vaughn index is GRANTED. The ACLU's cross-motion on that issue is DENIED. The Clerk of Court is directed to terminate the motions pending at docket numbers 17 and 23 and to close this case. (Signed by Judge Gregory H. Woods on 3/3/2015) (kko) (Entered: 03/03/2015)
03/03/2015		Transmission to Judgments and Orders Clerk. Transmitted re: <u>35</u> MEMORANDUM OPINION AND ORDER, to the Judgments and Orders Clerk. (kko) (Entered: 03/03/2015)
03/05/2015	<u>36</u>	LETTER addressed to Judge Gregory H. Woods from Patrick Toomey dated March 5, 2015 re: Case Closing. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation.(Toomey, Patrick) (Entered: 03/05/2015)
03/05/2015	<u>37</u>	CLERK'S JUDGMENT: That for the reasons stated in the Court's Memorandum Opinion and Order dated March 3, 2015, the ACLU's motion for summary judgment based on the scope of DOJ's search is granted in part as described in that Order; the Court orders DOJ to conduct a new search for the documents requested in Part 3, without limiting that search to governing documents, and to release any responsive records that do nor fall under a FOIA exemption; to the extent that the ACLU's motion challenge other aspects of DOJ's search, it is denied in part; the government's motion for summary judgment based on the applicability of Exemption 5 to the documents listed in the government's Vaughn index is granted; the ACLU's cross-motion on that issue is denied; accordingly, the case is closed. (Signed by Clerk of Court Ruby Krajick on 3/5/2015) (Attachments: # <u>1</u> Notice of Right to Appeal, # <u>2</u> Notice of Right to Appeal)(dt) (Entered: 03/05/2015)
03/05/2015	<u>38</u>	ORDER: As discussed during a telephone conference on March 5, 2015, this case will be reopened to enable the parties to litigate an outstanding issue: the search for records in U.S. Attorney's Offices other than those previously searched. The Court will hold a status conference on Thursday, April 2, 2015 at 3:00 p.m. The parties are ordered to confer regarding the government's compliance with the Court's March 3, 2015 order and the search of additional U.S. Attorney's Offices and to submit a joint status letter no later than March 26, 2015. The Clerk of Court is ordered to restore this case to the Court's active calendar. (Status Conference set for 4/2/2015 at 03:00 PM before Judge Gregory H. Woods.) (Signed by Judge Gregory H. Woods on 3/5/2015) (kko) (Entered: 03/05/2015)
03/05/2015		Minute Entry for proceedings held before Judge Gregory H. Woods: Telephone Conference held on 3/5/2015. (Court Reporter Khris Sellin) (Daniels, Anthony) (Entered: 03/16/2015)

03/20/2015	<u>39</u>	JOINT LETTER addressed to Judge Gregory H. Woods from Benjamin H. Torrance dated March 20, 2015 re: Joint Status Report. Document filed by United States Department of Justice.(Torrance, Benjamin) (Entered: 03/20/2015)
04/02/2015		Minute Entry for proceedings held before Judge Gregory H. Woods: Status Conference held on 4/2/2015. (Court Reporter Alena Lynch) (Daniels, Anthony) (Entered: 04/02/2015)
04/03/2015	<u>40</u>	ORDER: As discussed during an April 2, 2015 conference, the parties are ordered to submit to the Court a joint letter regarding the status of this case no later than April 16, 2015. If the parties are unable to negotiate and agree upon a stipulation regarding the ongoing searches before that time, the parties shall include in the letter a set of firm dates by which the government can produce the documents requested by the ACLU, and, if necessary, the parties shall propose a briefing schedule to resolve any disputes regarding the scope of the request. (Signed by Judge Gregory H. Woods on 4/3/2015) (kko) (Entered: 04/03/2015)
04/16/2015	<u>41</u>	LETTER addressed to Judge Gregory H. Woods from Benjamin H. Torrance dated April 16, 2015 re: status report. Document filed by United States Department of Justice.(Torrance, Benjamin) (Entered: 04/16/2015)
04/17/2015	<u>42</u>	MEMO ENDORSEMENT on re: <u>41</u> Letter re: status report filed by United States Department of Justice. ENDORSEMENT: The government is ordered to produce to the ACLU all responsive documents it intends to disclose, if any, as well as a Vaughn index for any withheld documents, no later than August 21, 2015. The parties shall submit a joint letter no later than August 28, 2015, confirming that the searches and production are complete and notifying the Court as to whether any motions are anticipated or if the case should be closed at that time. If production is complete or an agreement is reached before August 21, 2015, the parties should notify the Court within one week of any such change in status. (Signed by Judge Gregory H. Woods on 4/17/2015) (kko) (Entered: 04/17/2015)
08/27/2015	<u>43</u>	LETTER MOTION for Extension of Time <i>and status report regarding search and production of documents</i> addressed to Judge Gregory H. Woods from Benjamin H. Torrance dated August 27, 2015. Document filed by United States Department of Justice.(Torrance, Benjamin) (Entered: 08/27/2015)
08/27/2015	<u>44</u>	ORDER granting <u>43</u> Letter Motion for Extension of Time. Application granted. The deadline for the parties' joint letter is extended to September 16, 2015. The Clerk of Court is directed to terminate the motion pending at Docket Number 43. (Signed by Judge Gregory H. Woods on 8/27/2015) (mro) (Entered: 08/27/2015)
09/16/2015	<u>45</u>	LETTER addressed to Judge Gregory H. Woods from Benjamin H. Torrance dated Sept. 16, 2015 re: schedule for upcoming cross-motions. Document filed by United States Department of Justice.(Torrance, Benjamin) (Entered: 09/16/2015)
09/21/2015		Minute Entry for proceedings held before Judge Gregory H. Woods: Telephone Conference held on 9/21/2015. (Court Reporter Paula Speer) (Daniels, Anthony) (Entered: 09/21/2015)
09/22/2015	<u>46</u>	ORDER: As discussed during a telephone conference on September 22, 2015, the ACLU's deadline to identify to the government the documents whose withholding it is challenging is October 2, 2015. The government's deadline to file a motion for summary judgment is November 23, 2015; the ACLU's opposition and cross-motion for summary judgment is due no later than December 22, 2015; the government's reply in support of its motion and opposition to the ACLU's cross-motion is due no later than January 15, 2016; and the ACLU's reply in support of its cross-motion is due no later than January 29, 2016. (Cross Motions due by 12/22/2015. Motions due by 11/23/2015. Responses due by 1/15/2016, Replies due by 1/29/2016.) (Signed by Judge Gregory H. Woods on 9/22/2015) (kko) (Entered: 09/22/2015)
11/23/2015	<u>47</u>	MOTION for Summary Judgment . Document filed by United States Department of Justice. Responses due by 12/22/2015(Torrance, Benjamin) (Entered: 11/23/2015)
11/23/2015	<u>48</u>	MEMORANDUM OF LAW in Support re: <u>47</u> MOTION for Summary Judgment . . Document filed by United States Department of Justice. (Torrance, Benjamin) (Entered: 11/23/2015)

11/23/2015	<u>49</u>	DECLARATION of Mark A. Bradley in Support re: <u>47</u> MOTION for Summary Judgment .. Document filed by United States Department of Justice. (Attachments: # <u>1</u> Index of documents)(Torrance, Benjamin) (Entered: 11/23/2015)
11/23/2015	<u>50</u>	DECLARATION of John Kornmeier in Support re: <u>47</u> MOTION for Summary Judgment .. Document filed by United States Department of Justice. (Torrance, Benjamin) (Entered: 11/23/2015)
11/23/2015	<u>51</u>	DECLARATION of Vanessa R. Brinkmann in Support re: <u>47</u> MOTION for Summary Judgment .. Document filed by United States Department of Justice. (Torrance, Benjamin) (Entered: 11/23/2015)
12/22/2015	<u>52</u>	MOTION for Summary Judgment . Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation.(Toomey, Patrick) (Entered: 12/22/2015)
12/22/2015	<u>53</u>	MEMORANDUM OF LAW in Support re: <u>52</u> MOTION for Summary Judgment . <i>and in Opposition to Defendant's Motion for Summary Judgment</i> . Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation. (Toomey, Patrick) (Entered: 12/22/2015)
12/22/2015	<u>54</u>	DECLARATION of Patrick Toomey in Support re: <u>52</u> MOTION for Summary Judgment .. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Exhibit A–K)(Toomey, Patrick) (Entered: 12/22/2015)
01/15/2016	<u>55</u>	REPLY MEMORANDUM OF LAW in Support re: <u>47</u> MOTION for Summary Judgment . <i>and in opposition to plaintiff's mot. for s.j. 52</i> . Document filed by United States Department of Justice. (Attachments: # <u>1</u> Smith Decl.)(Torrance, Benjamin) (Entered: 01/15/2016)
01/29/2016	<u>56</u>	REPLY MEMORANDUM OF LAW in Support re: <u>52</u> MOTION for Summary Judgment . . Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation. (Toomey, Patrick) (Entered: 01/29/2016)
03/11/2016	<u>57</u>	LETTER addressed to Judge Gregory H. Woods from Patrick Toomey dated March 11, 2016 re: Cross–motions for summary judgment. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation.(Toomey, Patrick) (Entered: 03/11/2016)
03/16/2016	<u>58</u>	LETTER addressed to Judge Gregory H. Woods from Benjamin H. Torrance dated March 16, 2016 re: Cross–motions for summary judgment. Document filed by United States Department of Justice.(Torrance, Benjamin) (Entered: 03/16/2016)
08/31/2016	<u>59</u>	MOTION for Jameel Jaffer to Withdraw as Attorney . Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation.(Jaffer, Jameel) (Entered: 08/31/2016)
09/01/2016	60	ORDER granting <u>59</u> Motion to Withdraw as Attorney. Mr. Jameel Jaffer is granted leave to withdraw as counsel for plaintiff. The Clerk of Court is instructed to remove Mr. Jaffer from the list of counsel in this case. (HEREBY ORDERED by Judge Gregory H. Woods)(Text Only Order) (Woods, Gregory) (Entered: 09/01/2016)
09/27/2016	<u>61</u>	MEMORANDUM OPINION AND ORDER re: <u>52</u> MOTION for Summary Judgment filed by American Civil Liberties Union, American Civil Liberties Union Foundation, <u>47</u> MOTION for Summary Judgment filed by United States Department of Justice. For the reasons stated above, DOJ's motion for summary judgment is GRANTED IN PART and DENIED IN PART without prejudice. The ACLU's cross–motion is GRANTED insofar as it challenges the adequacy of DOJ's Vaughn submissions on behalf of EOUSA and with respect to NSD Doc. No. 7, and is otherwise DENIED. The denial of the ACLU's motion is without prejudice to the extent that the motion challenges the withholding of documents by EOUSA and NSD Doc. No. 7. DOJ is directed to submit revised Vaughn submissions addressing the documents withheld by EOUSA and NSD Doc. No. 7 and a segregability analysis addressing the NSD documents the Court has found to be within the scope of Exemption 5, along with a renewed motion for partial summary judgment no later than November 14, 2016. The ACLU may file a renewed cross–motion for summary judgment with respect to the documents withheld by EOUSA and NSD Doc. No. 7 no later than 30 days from the

		date of service of DOJ's renewed motion. The Clerk of Court is directed to terminate the motions pending at Dkt. Nos. 47 and 52. (As further set forth in this Order.) (Motions due by 11/14/2016.) (Signed by Judge Gregory H. Woods on 9/27/2016) (kko) (Entered: 09/27/2016)
11/14/2016	<u>62</u>	MOTION for Summary Judgment . Document filed by United States Department of Justice. Responses due by 12/14/2016(Torrance, Benjamin) (Entered: 11/14/2016)
11/14/2016	<u>63</u>	DECLARATION of John W. Kornmeier in Support re: <u>62</u> MOTION for Summary Judgment .. Document filed by United States Department of Justice. (Torrance, Benjamin) (Entered: 11/14/2016)
11/14/2016	<u>64</u>	DECLARATION of Susan L. Kim in Support re: <u>62</u> MOTION for Summary Judgment .. Document filed by United States Department of Justice. (Torrance, Benjamin) (Entered: 11/14/2016)
11/14/2016	<u>65</u>	MEMORANDUM OF LAW in Support re: <u>62</u> MOTION for Summary Judgment . . Document filed by United States Department of Justice. (Torrance, Benjamin) (Entered: 11/14/2016)
12/14/2016	<u>66</u>	MEMORANDUM OF LAW in Opposition re: <u>62</u> MOTION for Summary Judgment . . Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation. (Toomey, Patrick) (Entered: 12/14/2016)
01/13/2017	<u>67</u>	MOTION for Alexander Abdo to Withdraw as Attorney . Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation.(Abdo, Alexander) (Entered: 01/13/2017)
01/17/2017	<u>68</u>	MEMO ENDORSEMENT on MOTION OF ALEX ABDO TO WITHDRAW AS COUNSEL. ENDORSEMENT: Mr. Alex Abdo is granted leave to withdraw as counsel for plaintiff. The Clerk of Court is instructed to remove Mr. Abdo from the list of counsel in this case. The Clerk of Court is further directed to terminate the motion pending at Dkt. No. 67. So ordered. Granting <u>67</u> Motion to Withdraw as Attorney. Attorney Alexander Abraham Abdo terminated. (Signed by Judge Gregory H. Woods on 1/17/2017) (rjm) (Entered: 01/17/2017)
05/02/2017	<u>69</u>	MEMORANDUM OPINION AND ORDER re: <u>62</u> MOTION for Summary Judgment filed by United States Department of Justice. For the reasons stated above, the DOJ's motion for summary judgment (Dkt. No. 62) is GRANTED. The Clerk of Court is directed to terminate all pending motions and to close this case. SO ORDERED. (Signed by Judge Gregory H. Woods on 5/2/2017) (anc) (Entered: 05/02/2017)
05/02/2017		Transmission to Judgments and Orders Clerk. Transmitted re: <u>69</u> Memorandum & Opinion to the Judgments and Orders Clerk. (anc) (Entered: 05/02/2017)
05/03/2017	<u>70</u>	CLERK'S JUDGMENT: It is, ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Memorandum Opinion and Order dated May 2, 2017, the DOJ's motion for summary judgment is granted; accordingly, the case is closed. (Signed by Clerk of Court Ruby Krajick on 5/3/2017) (Attachments: # <u>1</u> Right to Appeal, # <u>2</u> Right to Appeal)(km) (Entered: 05/03/2017)