

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:15-cv-02383-KBF**

The New York Times Company et al v. National Security  
Agency  
Assigned to: Judge Katherine B. Forrest  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/31/2015  
Date Terminated: 08/26/2016  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**The New York Times Company**

represented by **David Edward McCraw**  
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**Plaintiff**

**Charlie Savage**

represented by **David Edward McCraw**  
(See above for address)  
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**Jeremy Alexander Kutner**  
(See above for address)  
*TERMINATED: 03/02/2016*  
*LEAD ATTORNEY*

**Tali Ravit Leinwand**  
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V.

**Defendant**

**National Security Agency**

represented by

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Date Filed	#	Docket Text
03/31/2015	<u>1</u>	COMPLAINT against National Security Agency. (Filing Fee \$ 350.00, Receipt Number 465401121330) Document filed by The New York Times Company, Charlie Savage.(moh) (Entered: 04/01/2015)
03/31/2015		SUMMONS ISSUED as to National Security Agency. (moh) (Entered: 04/01/2015)
03/31/2015		Magistrate Judge Michael H. Dolinger is so designated. (moh) (Entered: 04/01/2015)
03/31/2015		Case Designated ECF. (moh) (Entered: 04/01/2015)
03/31/2015	<u>2</u>	CIVIL COVER SHEET filed. (moh) (Entered: 04/01/2015)
04/01/2015	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Charlie Savage, The New York Times Company.(Kutner, Jeremy) (Entered: 04/01/2015)
04/02/2015	<u>4</u>	ORDER. The Court shall hold an initial conference on Wednesday, April 29, 2015 at 10:00 a.m. (Initial Conference set for 4/29/2015 at 10:00 AM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 4/2/2015) (rjm) (Entered: 04/02/2015)
04/08/2015	<u>5</u>	CERTIFICATE OF SERVICE. National Security Agency served on 4/1/2015, answer due 4/22/2015. Service was made by Mail. Document filed by The New York Times Company; Charlie Savage. (Kutner, Jeremy) (Entered: 04/08/2015)
04/15/2015	<u>6</u>	LETTER MOTION to Adjourn Conference <i>and to reset the corresponding deadline to submit a proposed scheduling order</i> addressed to Judge Katherine B. Forrest from Andrew E. Krause dated April 15, 2015. Document filed by National Security Agency.(Krause, Andrew) (Entered: 04/15/2015)
04/15/2015	<u>7</u>	ORDER granting <u>6</u> Letter Motion to Adjourn Conference and to reset the corresponding deadline to submit a proposed scheduling order. A letter setting out how the parties propose to proceed in this matter is certainly fine. The initial conference is adjourned to 5/15/15 at 3:30 pm. (Initial Conference set for 5/15/2015 at 03:30 PM before Judge Katherine B. Forrest). (Signed by Judge Katherine B. Forrest on 4/15/2015) (kko) (Entered: 04/15/2015)
05/04/2015	<u>8</u>	ANSWER to <u>1</u> Complaint. Document filed by National Security Agency.(Krause, Andrew) (Entered: 05/04/2015)
05/14/2015	<u>9</u>	ORDER: The initial conference scheduled for Friday, May 15, 2015 shall now take place at 11:00 a.m. Initial Conference set for 5/15/2015 at 11:00 AM before Judge Katherine B. Forrest. (Signed by Judge Katherine B. Forrest on 5/14/2015) (lmb) (Entered: 05/14/2015)
05/15/2015		Minute Entry for proceedings held before Judge Katherine B. Forrest: Initial Pretrial Conference held on 5/15/2015. (jp) (Entered: 05/15/2015)
05/15/2015	<u>10</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Andrew E. Krause dated 5/11/2015 re: The parties submit this joint scheduling proposal in lieu of the Court's standard Scheduling Order form. ENDORSEMENT: Schedule adopted as set forth herein., ( Cross Motions due by 4/1/2016., Motions due by 3/11/2016., Responses due by 4/22/2016., Replies due by 4/29/2016.) (Signed by Judge Katherine B. Forrest on 5/15/2015) (lmb) (Entered: 05/15/2015)

02/14/2016	<u>11</u>	NOTICE of Withdrawal of Counsel. Document filed by Charlie Savage, The New York Times Company. (McCraw, David) (Entered: 02/14/2016)
02/29/2016	<u>12</u>	LETTER MOTION for Extension of Time <i>for briefing deadlines for the parties' contemplated cross motions for summary judgment</i> addressed to Judge Katherine B. Forrest from Andrew E. Krause dated February 29, 2016. Document filed by National Security Agency.(Krause, Andrew) (Entered: 02/29/2016)
03/01/2016	<u>13</u>	ORDER granting <u>12</u> Letter Motion for Extension of Time. So ordered. Cross Motions due by 4/12/2016. Motions due by 3/22/2016. Reply due by 5/10/2016. Responses due by 5/3/2016. (Signed by Judge Katherine B. Forrest on 3/1/2016) (lmb) (Entered: 03/01/2016)
03/02/2016	<u>14</u>	MEMO ENDORSEMENT on re: <u>11</u> Notice (Other) filed by The New York Times Company, Charlie Savage. ENDORSEMENT: So ordered., Attorney Jeremy Alexander Kutner terminated. (Signed by Judge Katherine B. Forrest on 3/1/2016) (lmb) (Entered: 03/02/2016)
03/22/2016	<u>15</u>	MOTION for Summary Judgment . Document filed by National Security Agency.(Krause, Andrew) (Entered: 03/22/2016)
03/22/2016	<u>16</u>	MEMORANDUM OF LAW in Support re: <u>15</u> MOTION for Summary Judgment . . Document filed by National Security Agency. (Krause, Andrew) (Entered: 03/22/2016)
03/22/2016	<u>17</u>	DECLARATION of David J. Sherman in Support re: <u>15</u> MOTION for Summary Judgment .. Document filed by National Security Agency. (Krause, Andrew) (Entered: 03/22/2016)
04/05/2016	<u>18</u>	NOTICE OF APPEARANCE by Tali Ravit Leinwand on behalf of Charlie Savage, The New York Times Company. (Leinwand, Tali) (Entered: 04/05/2016)
04/12/2016	<u>19</u>	MOTION for Summary Judgment <i>and Opposition to Defendant's Motion for Summary Judgment</i> . Document filed by Charlie Savage, The New York Times Company. Responses due by 5/3/2016(McCraw, David) (Entered: 04/12/2016)
04/12/2016	<u>20</u>	MEMORANDUM OF LAW in Support re: <u>19</u> MOTION for Summary Judgment <i>and Opposition to Defendant's Motion for Summary Judgment</i> . . Document filed by Charlie Savage, The New York Times Company. (McCraw, David) (Entered: 04/12/2016)
04/12/2016	<u>21</u>	DECLARATION of David E. McCraw in Support re: <u>19</u> MOTION for Summary Judgment <i>and Opposition to Defendant's Motion for Summary Judgment</i> .. Document filed by Charlie Savage, The New York Times Company. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(McCraw, David) (Entered: 04/12/2016)
04/25/2016	<u>22</u>	LETTER MOTION for Extension of Time <i>for the NSA to file its reply brief in further support of its motion for summary judgment/opposition to Plaintiffs cross-motion for summary judgment</i> addressed to Judge Katherine B. Forrest from Andrew E. Krause dated April 25, 2016. Document filed by National Security Agency.(Krause, Andrew) (Entered: 04/25/2016)
04/25/2016	<u>23</u>	ORDER granting <u>22</u> Letter Motion for Extension of Time. So ordered. Reply due by 5/20/2016. Responses to Brief due by 5/13/2016. (Signed by Judge Katherine B. Forrest on 4/25/2016) (lmb) Modified on 4/27/2016 (lmb). (Entered: 04/25/2016)
05/13/2016	<u>24</u>	REPLY MEMORANDUM OF LAW in Support re: <u>15</u> MOTION for Summary Judgment . <i>and in opposition to Plaintiffs' cross-motion for summary judgment</i> . Document filed by National Security Agency. (Krause, Andrew) (Entered: 05/13/2016)
05/20/2016	<u>25</u>	REPLY MEMORANDUM OF LAW in Support re: <u>19</u> MOTION for Summary Judgment <i>and Opposition to Defendant's Motion for Summary Judgment</i> . . Document filed by Charlie Savage, The New York Times Company. (McCraw, David) (Entered: 05/20/2016)
05/25/2016	<u>26</u>	LETTER MOTION for Leave to File sur-reply letter of no more than two pages addressed to Judge Katherine B. Forrest from Andrew E. Krause dated May 25,

		2016. Document filed by National Security Agency.(Krause, Andrew) (Entered: 05/25/2016)
05/25/2016	<u>27</u>	ORDER granting <u>26</u> Letter Motion for Leave to File Document. Permission granted. Defendants may file a sur-reply of not more than two pages. (Signed by Judge Katherine B. Forrest on 5/25/2016) (lmb) (Entered: 05/25/2016)
05/25/2016	<u>28</u>	SECOND REPLY MEMORANDUM OF LAW in Support re: <u>15</u> MOTION for Summary Judgment . . Document filed by National Security Agency. (Krause, Andrew) (Entered: 05/25/2016)
08/25/2016	<u>29</u>	OPINION & ORDER re: <u>19</u> MOTION for Summary Judgment <i>and Opposition to Defendant's Motion for Summary Judgment</i> . filed by The New York Times Company, Charlie Savage, <u>15</u> MOTION for Summary Judgment . filed by National Security Agency. For the reasons stated above, the National Security Agency's motion for summary judgment is GRANTED and the New York Times Company and Charlie Savage's motion for summary judgment is DENIED. The Clerk of Court is directed to close the motions at docket numbers 15 and 19 and to terminate this matter. As further set forth in this Order) (Signed by Judge Katherine B. Forrest on 8/25/2016) (lmb) (Entered: 08/25/2016)
08/25/2016		Transmission to Judgments and Orders Clerk. Transmitted re: <u>29</u> Memorandum & Opinion, to the Judgments and Orders Clerk. (lmb) (Entered: 08/25/2016)
08/26/2016	<u>30</u>	CLERK'S JUDGMENT: It is, ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Opinion & Order dated August 25, 2016, the National Security Agency's motion for summary judgment is granted and the New York Times Company and Charlie Savage's motion for summary judgment is denied; accordingly, the case is closed. (Signed by Clerk of Court Ruby Krajick on 8/26/2016) (Attachments: # <u>1</u> Right to Appeal, # <u>2</u> Right to Appeal)(km) (Entered: 08/26/2016)