

**General Docket
Third Circuit Court of Appeals**

Court of Appeals Docket #: 19-1366		Docketed: 02/14/2019
Nature of Suit: 2890 Other Statutory Actions		Termed: 03/02/2020
Elliott Schuchardt v. President United States of Ame, et al		
Appeal From: United States District Court for the Western District of Pennsylvania		
Fee Status: Paid		
Case Type Information:		
1) civil		
2) United States as party		
3) Other civil		
Originating Court Information:		
District: 0315-2 : 2-14-cv-00705		
Trial Judge: Cathy Bissoon, U.S. District Judge		
Date Filed: 06/02/2014		
Date Order/Judgment:	Date Order/Judgment EOD:	Date NOA Filed:
02/04/2019	02/04/2019	02/12/2019
Prior Cases:		
None		
Current Cases:		
None		

<p>ELLIOTT J. SCHUCHARDT, individually and doing business as the Schuchardt Law Firm, on behalf of himself and all others similarly situated</p> <p style="text-align: center;">Plaintiff - Appellant</p> <p>v.</p> <p>PRESIDENT UNITED STATES OF AMERICA</p> <p style="text-align: center;">Defendant - Appellee</p>	<p>Elliott J. Schuchardt, Esq. Direct: 865-304-4374 Email: elliott016@gmail.com [COR NTC Pro Se Atty] Suite 201 6223 Highland Place Way Knoxville, TN 37919</p> <p>Caroline J. Anderson, Esq. Direct: 202-305-8645 Email: Caroline.J.Anderson@usdoj.gov [Federal government] United States Department of Justice Office 7220 20 Massachusetts Avenue, N.W. Washington, DC 20530</p> <p>Julia A. Berman, Esq. Direct: 202-616-8480 Email: julia.berman@usdoj.gov [Federal government] United States Department of Justice Civil Division, Federal Programs Branch 20 Massachusetts Avenue, N.W. Room 7130 Washington, DC 20530</p> <p>Marcia Berman, Esq. Direct: 202-514-2205 Email: marcia.berman@usdoj.gov Fax: 202-616-8470 [Federal government] United States Department of Justice Room 7132 20 Massachusetts Avenue, N.W. Washington, DC 20530</p> <p>Joseph F. Busa, Esq. Direct: 202-353-0261</p>
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Email: Joseph.F.Busa@usdoj.gov
Fax: 202-514-7964
[COR NTC Federal government]
United States Department of Justice
Civil Division, Appellate Staff
7209
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

James J. Gilligan, Esq.
Direct: 202-514-3358
Email: james.gilligan@usdoj.gov
[Federal government]
United States Department of Justice
Civil Division
Room 3324
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Rodney Patton, Esq.
Direct: 202-616-4105
Email: rodney.patton@usdoj.gov
Fax: 202-616-4002
[Federal government]
United States Department of Justice
Torts Branch, Civil Division
P.O. Box 14271
Washington, DC 20044

Caroline J. Anderson, Esq.
Direct: 202-305-8645
[Federal government]
(see above)

Julia A. Berman, Esq.
Direct: 202-616-8480
[Federal government]
(see above)

Marcia Berman, Esq.
Direct: 202-514-2205
[Federal government]
(see above)

Joseph F. Busa, Esq.
Direct: 202-353-0261
[COR NTC Federal government]
(see above)

James J. Gilligan, Esq.
Direct: 202-514-3358
[Federal government]
(see above)

Rodney Patton, Esq.
Direct: 202-616-4105
[Federal government]
(see above)

Caroline J. Anderson, Esq.
Direct: 202-305-8645
[Federal government]
(see above)

Julia A. Berman, Esq.
Direct: 202-616-8480
[Federal government]
(see above)

Marcia Berman, Esq.

DIRECTOR NATIONAL INTELLIGENCE
Defendant - Appellee

DIRECTOR NATIONAL SECURITY AGENCY AND CHIEF OF
THE CENTRAL SECURITY SERVICE
Defendant - Appellee

Direct: 202-514-2205
[Federal government]
(see above)

Joseph F. Busa, Esq.
Direct: 202-353-0261
[COR NTC Federal government]
(see above)

James J. Gilligan, Esq.
Direct: 202-514-3358
[Federal government]
(see above)

Rodney Patton, Esq.
Direct: 202-616-4105
[Federal government]
(see above)

DIRECTOR FEDERAL BUREAU OF INVESTIGATION
Defendant - Appellee

Caroline J. Anderson, Esq.
Direct: 202-305-8645
[Federal government]
(see above)

Julia A. Berman, Esq.
Direct: 202-616-8480
[Federal government]
(see above)

Marcia Berman, Esq.
Direct: 202-514-2205
[Federal government]
(see above)

Joseph F. Busa, Esq.
Direct: 202-353-0261
[COR NTC Federal government]
(see above)




James J. Gilligan, Esq.
Direct: 202-514-3358
[Federal government]
(see above)

Rodney Patton, Esq.
Direct: 202-616-4105
[Federal government]
(see above)












ELLIOTT J. SCHUCHARDT, individually and doing business as the
Schuchardt Law Firm, on behalf of himself and all others similarly situated,
Appellant

v.

PRESIDENT OF THE UNITED STATES OF AMERICA;
DIRECTOR OF NATIONAL INTELLIGENCE;
DIRECTOR OF THE NATIONAL SECURITY AGENCY AND
CHIEF OF THE CENTRAL SECURITY SERVICE;
DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION

02/14/2019	<input type="checkbox"/> 	CIVIL CASE DOCKETED. Notice filed by Appellant Elliott J. Schuchardt in District Court No. 2-14-cv-00705. (JK) [Entered: 02/14/2019 10:36 AM]
02/14/2019	<input type="checkbox"/>	RECORD available on District Court CM/ECF. (JK) [Entered: 02/14/2019 11:00 AM]
02/15/2019	<input type="checkbox"/> 	ECF FILER: CIVIL INFORMATION STATEMENT on behalf of Appellant Elliott J. Schuchardt, filed. [19-1366] (EJS) [Entered: 02/15/2019 10:43 AM]
02/15/2019	<input type="checkbox"/> 	ECF FILER: Transcript Purchase Order Form (Part 1) filed by Appellant Elliott J. Schuchardt advising this court that no transcripts are available. [19-1366] (EJS) [Entered: 02/15/2019 10:59 AM]
02/15/2019	<input type="checkbox"/> 	ECF FILER: ENTRY OF APPEARANCE from Elliott J. Schuchardt on behalf of Appellant(s) Elliott J. Schuchardt. [19-1366] (EJS) [Entered: 02/15/2019 11:07 AM]
02/15/2019	<input type="checkbox"/> 	ECF FILER: ENTRY OF APPEARANCE from Joseph F. Busa on behalf of Appellee(s) President of the United States of America; Director of National Intelligence; Director of the National Security Agency and Chief of the Central Security Service; and Director of the Federal Bureau of Investigation. [19-1366] (JFB) [Entered: 02/15/2019 06:21 PM]
02/25/2019	<input type="checkbox"/> 	ECF FILER: Concise Summary of the Case filed by Appellant Elliott J. Schuchardt, received. [19-1366] (EJS) [Entered: 02/25/2019 07:10 PM]
03/04/2019	<input type="checkbox"/> 	BRIEFING NOTICE ISSUED. Brief on behalf of Appellant Elliott J. Schuchardt due on or before 04/15/2019. Appendix due on or before 04/15/2019. (JK) [Entered: 03/04/2019 02:46 PM]
03/28/2019	<input type="checkbox"/> 	ECF FILER: ELECTRONIC VOLUME I OF APPENDIX on behalf of Appellant Elliott J. Schuchardt, filed. Certificate of service dated 03/28/2019 by ECF. [19-1366]--[Edited 03/29/2019 by MCW] (EJS) [Entered: 03/28/2019 05:32 PM]
03/28/2019	<input type="checkbox"/> 	ECF FILER: ELECTRONIC APPENDIX on behalf of Appellant Elliott J. Schuchardt, filed. Certificate of service dated 03/28/2019 by ECF. [19-1366] (EJS) [Entered: 03/28/2019 08:07 PM]
04/03/2019	<input type="checkbox"/> 	ECF FILER: UNOPPOSED Motion filed by Appellant Elliott J. Schuchardt for Extension of Time to file Appellant's brief until/for 30 days or May 15, 2019. Certificate of Service dated 04/03/2019. Service made by ECF. [19-1366] (EJS) [Entered: 04/03/2019 09:47 AM]
04/04/2019	<input type="checkbox"/>	HARD COPY RECEIVED from Appellant Elliott J. Schuchardt - Appendix. Copies: 4. Volumes: 2. (EMA) [Entered: 04/05/2019 02:49 PM]
04/11/2019	<input type="checkbox"/>	TEXT ONLY ORDER (Clerk) granting Unopposed Motion for Extension of Time to File Brief filed by Appellant Elliott J. Schuchardt. Appellant's brief must be filed and served on or before May 15, 2019. It is noted that Appellant's appendix was filed as of March 28, 2019. (DW) [Entered: 04/11/2019 10:14 AM]
05/07/2019	<input type="checkbox"/> 	ECF FILER: Motion filed by Appellant Elliott J. Schuchardt to seal Appellant's brief. Certificate of Service dated 05/07/2019. Service made by ECF. [19-1366] (EJS) [Entered: 05/07/2019 09:36 PM]
05/07/2019	<input type="checkbox"/> 	ECF FILER: ELECTRONIC BRIEF on behalf of Appellant Elliott J. Schuchardt. Certificate of Service dated 05/07/2019. Service made by ECF. (Sealed brief denied per Clerk Order dated 05/23/2019; Entry edited to reflect the correct event per Order) [19-1366]--[Edited 05/23/2019 by EMA] (EJS) [Entered: 05/07/2019 09:39 PM]
05/13/2019	<input type="checkbox"/>	HARD COPY RECEIVED from Appellant Elliott J. Schuchardt - Brief. Copies: 7. (RM) [Entered: 05/14/2019 01:22 PM]
05/17/2019	<input type="checkbox"/> 	ECF FILER: Response filed by Appellees Director Federal Bureau of Investigation, Director National Intelligence, Director National Security Agency and Chief of the Central Security Service and President United States of America to motion. Certificate of Service dated 05/17/2019. [19-1366] (JFB) [Entered: 05/17/2019 01:27 PM]
05/23/2019	<input type="checkbox"/> 	ORDER (Clerk) The foregoing motion and response are considered. Appellant's motion seeks to see Appellant's brief "until the government advises Appellant that it has no objection to unsealing the document." (Appellant's motion, May 7, 2019, p.3). The government opposes the motion to seal. Accordingly, Appellant's motion is denied. The Clerk's Office will unrestrict Appellant's brief on the docket so that it is publicly available. (EMA) [Entered: 05/23/2019 06:34 PM]
06/06/2019	<input type="checkbox"/> 	ECF FILER: ELECTRONIC BRIEF with Addendum attached on behalf of Appellees Director Federal Bureau of Investigation, Director National Intelligence, Director National Security Agency and Chief of the Central Security Service and President United States of America, filed. Certificate of Service dated 06/06/2019 by ECF. [19-1366] (JFB) [Entered: 06/06/2019 02:40 PM]
06/07/2019	<input type="checkbox"/> 	NON COMPLIANCE Order issued to Appellees Director Federal Bureau of Investigation, Director National Intelligence, Director National Security Agency and Chief of the Central Security Service and President United States of America regarding the brief filed on 06/06/2019. Please open the attachment for the full

text of the Order. Compliance due by 06/12/2019. This Order does not change the deadline for filing the next brief. (EMA) [Entered: 06/07/2019 01:18 PM]

- 06/07/2019 HARD COPY RECEIVED from Appellees Director Federal Bureau of Investigation, Director National Intelligence, Director National Security Agency and Chief of the Central Security Service and President United States of America - Brief with Addendum attached. Copies: 7. (RM) [Entered: 06/07/2019 01:25 PM]
- 06/11/2019  4 pg, 111.02 KB
ECF FILER: Motion filed by Appellees Director Federal Bureau of Investigation, Director National Intelligence, Director National Security Agency and Chief of the Central Security Service and President United States of America to supplement the appendix. Certificate of Service dated 06/11/2019. Service made by ECF. SEND TO MERITS PANEL. [19-1366]--[Edited 06/20/2019 by JK] (JFB) [Entered: 06/11/2019 05:51 PM]
- 06/11/2019 COMPLIANCE RECEIVED. Motion to file supplemental appendix received from Appellees Director Federal Bureau of Investigation, Director National Intelligence, Director National Security Agency and Chief of the Central Security Service and President United States of America. (EMA) [Entered: 06/18/2019 06:13 PM]
- 06/17/2019  3 pg, 69.24 KB
ECF FILER: Response filed by Appellant Elliott J. Schuchardt to motion to supplement. Certificate of Service dated 06/17/2019. SEND TO MERITS PANEL. [19-1366]--[Edited 06/20/2019 by JK] (EJS) [Entered: 06/17/2019 08:27 AM]
- 06/20/2019  1 pg, 58.01 KB
ORDER (Clerk) referring the Appellees motion to supplement appendix and Appellant's Response to the merits panel, filed. (JK) [Entered: 06/20/2019 04:33 PM]
- 06/27/2019  24 pg, 164.65 KB
ECF FILER: ELECTRONIC REPLY BRIEF on behalf of Appellant Elliott J. Schuchardt, filed. Certificate of Service dated 06/27/2019 by ECF. [19-1366] (EJS) [Entered: 06/27/2019 03:50 PM]
- 07/01/2019 HARD COPY RECEIVED from Appellant Elliott J. Schuchardt - Reply Brief. Copies: 7. (LM) [Entered: 07/01/2019 02:47 PM]
- 07/15/2019 ECF FILER: LETTER from Attorney Elliott J. Schuchardt, Esq. for Appellant Elliott J. Schuchardt. Counsel is unavailable for the following dates: 09/24/2019, 09/25/2019, 09/26/2019, [19-1366] (EJS) [Entered: 07/15/2019 08:59 AM]
- 07/25/2019  2 pg, 24.68 KB
Calendared for Tuesday, 09/24/2019. (Rescheduled from Monday, 09/23/2019.) Calendar Clerk: TLG.-- [Edited 09/11/2019 by TLG] (TLG) [Entered: 07/25/2019 05:03 PM]
- 07/25/2019  1 pg, 145.13 KB
ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Joseph F. Busa, Esq. for Appellees Director Federal Bureau of Investigation, Director National Intelligence, Director National Security Agency and Chief of the Central Security Service and President United States of America. Certificate of Service dated 07/25/2019. Service made by ECF. [19-1366] (JFB) [Entered: 07/25/2019 06:17 PM]
- 07/29/2019  1 pg, 51.57 KB
ECF FILER: ARGUMENT ACKNOWLEDGMENT filed by Attorney Elliott J. Schuchardt, Esq. for Appellant Elliott J. Schuchardt. Certificate of Service dated 07/29/2019. Service made by ECF. [19-1366] (EJS) [Entered: 07/29/2019 12:24 PM]
- 09/10/2019  2 pg, 66.78 KB
Oral Argument Notification for Tuesday, 09/24/2019. Courtroom & Time: Maris Courtroom/10am. Location: Philadelphia, PA. (TLG) [Entered: 09/10/2019 03:55 PM]
- 09/12/2019  2 pg, 71.18 KB
Amended Oral Argument Notification for Monday, 09/23/2019. Courtroom & Time: Maris Courtroom/1pm. Location: Philadelphia, PA. (TLG) [Entered: 09/12/2019 11:20 AM]
- 09/14/2019 ECF FILER: SUMMARY OF ORAL ARGUMENT submitted by Attorney Elliott J. Schuchardt, Esq. for Appellant Elliott J. Schuchardt. Case Summary: In this case, the plaintiff contends that the federal government is unlawfully collecting the nation's e-mail database, in violation of the 4th Amendment of the United States constitution. The plaintiff is seeking an injunction.. Post Video: YES. [19-1366] (EJS) [Entered: 09/14/2019 01:39 PM]
- 09/16/2019 ECF FILER: SUMMARY OF ORAL ARGUMENT submitted by Attorney Joseph F. Busa, Esq. for Appellees Director Federal Bureau of Investigation, Director National Intelligence, Director National Security Agency and Chief of the Central Security Service and President United States of America. Case Summary: Whether plaintiff has standing to challenge the targeted acquisition of certain electronic communications of certain non-U.S. persons located abroad.. Post Video: YES. [19-1366] (JFB) [Entered: 09/16/2019 07:27 PM]
- 09/19/2019  1 pg, 62.81 KB
CLERK'S LETTER to counsel written at the direction of the Court. The Court requests that oral argument scheduled on Monday, September 23, 2019 you prepare to address the following information in this attached letter. (Please see Attached Letter.) (TLG) [Entered: 09/19/2019 01:08 PM]
- 09/23/2019  0 pg, 0 KB
COURT MINUTES OF ARGUED/SUBMITTED CASES. [19-1395, 19-1366, 18-2602, 18-2955] (TLG) [Entered: 09/23/2019 08:25 AM]
- 09/23/2019 ARGUED on Monday, September 23, 2019. Panel: McKEE, AMBRO and ROTH, Circuit Judges. Joseph F. Busa arguing for Appellees Director Federal Bureau of Investigation, Director National Intelligence,

Director National Security Agency and Chief of the Central Security Service; Elliott J. Schuchardt arguing for Appellant Elliott J. Schuchardt. (TLG) [Entered: 09/23/2019 01:26 PM]

- 01/06/2020 [62](#) ORDER (MCKEE, AMBRO and ROTH, Circuit Judges) The motion filed by Appellees Director Federal Bureau of Investigation, Director National Intelligence, Director National Security Agency and Chief of the Central Security Service and President United States of America to supplement the appendix is granted.. AMBRO, Authoring Judge. (JK) [Entered: 01/06/2020 08:59 AM]
1 pg, 74.32 KB
- 03/02/2020 [63](#) NOT PRECEDENTIAL OPINION. Coram: MCKEE, AMBRO and ROTH, Circuit Judges. Total Pages: 14. Judge: AMBRO Authoring. (JK) [Entered: 03/02/2020 09:19 AM]
14 pg, 221.78 KB
- 03/02/2020 [64](#) JUDGMENT, Affirmed. Costs taxed against Appellant.--[Edited 03/02/2020 by JK] (JK) [Entered: 03/02/2020 09:20 AM]
3 pg, 212.62 KB
- 04/23/2020 [65](#) MANDATE ISSUED. (JK) [Entered: 04/23/2020 09:42 AM]
16 pg, 471.58 KB

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