

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:17-cv-01351-CKK**

AMERICAN CIVIL LIBERTIES UNION et al v. TRUMP et al Date Filed: 07/10/2017  
Assigned to: Judge Colleen Kollar-Kotelly Jury Demand: None  
Cause: 28:1361 Petition for Writ of Mandamus Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**AMERICAN CIVIL LIBERTIES  
UNION**

represented by **Arthur B. Spitzer**  
AMERICAN CIVIL LIBERTIES UNION  
OF THE DISTRICT OF COLUMBIA  
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**Plaintiff**

**AMERICAN CIVIL LIBERTIES  
UNION FOUNDATION**

represented by **Arthur B. Spitzer**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Sophia Lin Lakin**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Theresa J. Lee**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Dale E. Ho**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**DONALD J. TRUMP**  
*in his official capacity as President of the  
United States*

represented by **Carol Federighi**  
U.S. DEPARTMENT OF JUSTICE  
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**Defendant**

**MICHAEL R. PENCE**  
*in his official capacity as Vice President  
of the United States and chair of the  
Presidential Advisory Commission on  
Election Integrity*

represented by **Carol Federighi**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Elizabeth J. Shapiro**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joseph Evan Borson**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kristina Ann Wolfe**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**PRESIDENTIAL ADVISORY  
COMMISSION ON ELECTION  
INTEGRITY**

*an advisory committee commissioned by  
President Donald Trump*

represented by **Carol Federighi**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Elizabeth J. Shapiro**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joseph Evan Borson**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kristina Ann Wolfe**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**TIMOTHY HORNE**

*in his official capacity as Acting  
Administrator of the General Services  
Administration*

represented by **Joseph Evan Borson**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kristina Ann Wolfe**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**M. VIRGINIA WILLS**

*in her official capacity as Committee  
Management Officer of the Presidential  
Advisory Commission on Election  
Integrity*

represented by **Joseph Evan Borson**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kristina Ann Wolfe**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**GENERAL SERVICES  
ADMINISTRATION**

represented by **Joseph Evan Borson**  
(See above for address)  
*LEAD ATTORNEY*

ATTORNEY TO BE NOTICED

**Kristina Ann Wolfe**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/10/2017	<u>1</u>	COMPLAINT against All Defendants ( Filing fee \$ 400 receipt number 0090-5024737) filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Civil Cover Sheet Related Case Form, # <u>3</u> Summons U.S. Attorney for DC, # <u>4</u> Summons U.S. Attorney General, # <u>5</u> Summons Presidential Advisory Comm'n on Election Integrity, # <u>6</u> Summons Donald Trump, # <u>7</u> Summons Michael Pence)(Ho, Dale) (Entered: 07/10/2017)
07/10/2017	<u>2</u>	Corporate Disclosure Statement by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Ho, Dale) (Entered: 07/10/2017)
07/10/2017	<u>3</u>	MOTION for Temporary Restraining Order , MOTION for Preliminary Injunction by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Ho, Dale) (Entered: 07/10/2017)
07/10/2017	<u>4</u>	NOTICE of Appearance by Dale E. Ho on behalf of AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Ho, Dale) (Entered: 07/10/2017)
07/10/2017		ENTERED IN ERROR.....Case Assigned to Judge Emmet G. Sullivan. (jd) Modified on 7/10/2017 (jd). (Entered: 07/10/2017)
07/10/2017		Case Reassigned to Judge Colleen Kollar-Kotelly. Judge Emmet G. Sullivan no longer assigned to the case. (jd) (Entered: 07/10/2017)
07/10/2017	<u>5</u>	NOTICE OF RELATED CASE by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. Case related to Case No. 17-cv-1320-CKK. (jd) (Entered: 07/10/2017)
07/10/2017	<u>6</u>	SUMMONS (5) Issued Electronically as to MICHAEL PENCE, PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY, DONALD J. TRUMP, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Forms)(jd) (Entered: 07/10/2017)
07/10/2017	<u>7</u>	NOTICE of Appearance by Joseph Evan Borson on behalf of All Defendants (Borson, Joseph) (Entered: 07/10/2017)
07/10/2017	<u>8</u>	NOTICE of Appearance by Carol Federighi on behalf of All Defendants (Federighi, Carol) (Entered: 07/10/2017)
07/10/2017	<u>9</u>	ORDER Establishing Procedures for Cases Assigned to Judge Colleen Kollar-Kotelly. Signed by Judge Colleen Kollar-Kotelly on 07/10/2017. (DM) (Entered: 07/10/2017)
07/10/2017	<u>10</u>	NOTICE of Appearance by Elizabeth J. Shapiro on behalf of All Defendants (Shapiro, Elizabeth) (Entered: 07/10/2017)
07/10/2017	<u>11</u>	NOTICE of Appearance by Arthur B. Spitzer on behalf of AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Spitzer, Arthur) (Entered: 07/10/2017)
07/10/2017	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/10/2017. Answer due for ALL FEDERAL DEFENDANTS by 9/8/2017. (Spitzer, Arthur) (Entered: 07/10/2017)
07/10/2017		NOTICE of Hearing: Telephone Conference on the record set for 7/11/2017 at 8:30 AM in Chambers before Judge Colleen Kollar-Kotelly. (dot) (Entered: 07/13/2017)

07/11/2017		MINUTE ORDER: The Court has received Plaintiffs' <u>3</u> Motion for a Temporary Restraining Order and Preliminary Injunction. The parties shall adhere to the following expedited briefing schedule. Defendants shall file their opposition by July 13, 2017 at 5:00 P.M. Plaintiff shall file its reply by July 14, 2016 at 5:00 P.M. The parties' briefing should address the availability of judicial review of Plaintiffs' claims pursuant to the Federal Advisory Committee Act, including pursuant to the Administrative Procedure Act, and by way of mandamus jurisdiction. The parties have agreed to the consideration of the motion for a temporary restraining order and motion for a preliminary injunction in a single proceeding. Signed by Judge Colleen Kollar-Kotelly on 7/11/2017. (lcckk1) (Entered: 07/11/2017)
07/11/2017	<u>13</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Sophia Lin Lakin, :Firm– American Civil Liberties Union Foundation, Inc., :Address– 125 Broad St., 18th Fl., New York, NY 10004. Phone No. – (212) 519–7836. Fax No. – (212) 549–2654 Filing fee \$ 100, receipt number 0090–5027180. Fee Status: Fee Paid. by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Certification of Sophia Lin Lakin, # <u>2</u> Declaration of Sophia Lin Lakin, # <u>3</u> Text of Proposed Order)(Ho, Dale) (Entered: 07/11/2017)
07/11/2017	<u>14</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Theresa J. Lee, :Firm– American Civil Liberties Union Foundation, Inc., :Address– 125 Broad St., 18th Fl., New York, NY 10004. Phone No. – (212) 284–7359. Fax No. – (212) 549–2654 Filing fee \$ 100, receipt number 0090–5027354. Fee Status: Fee Paid. by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Certification of Theresa J. Lee, # <u>2</u> Declaration of Theresa J. Lee, # <u>3</u> Text of Proposed Order)(Ho, Dale) (Entered: 07/11/2017)
07/11/2017		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Telephone Conference on the record held on 7/11/2017. Defendants shall file opposition to <u>3</u> by 7/13/2017. Plaintiff shall file Reply to <u>3</u> by 7/14/2017. (Court Reporter Richard Ehrlich.) (dot) (Entered: 07/13/2017)
07/13/2017	<u>15</u>	NOTICE of Appearance by Kristina Ann Wolfe on behalf of All Defendants (Wolfe, Kristina) (Entered: 07/13/2017)
07/13/2017	<u>16</u>	RESPONSE re <u>3</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by MICHAEL PENCE, PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY, DONALD J. TRUMP. (Attachments: # <u>1</u> Declaration Kossack Decl.)(Borson, Joseph) (Entered: 07/13/2017)
07/14/2017	<u>17</u>	REPLY to opposition to motion re <u>3</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Ho, Dale) (Entered: 07/14/2017)
07/18/2017	<u>18</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on 7/18/2017. (lcckk1) (Entered: 07/18/2017)
07/18/2017	<u>19</u>	ORDER. Plaintiffs' <u>3</u> Motion for Temporary Restraining Order and Preliminary Injunction is DENIED WITHOUT PREJUDICE. Signed by Judge Colleen Kollar-Kotelly on 7/18/2017. (lcckk1) (Entered: 07/18/2017)
07/26/2017	<u>20</u>	ENTERED IN ERROR. . . .RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DONALD J. TRUMP served on 7/11/2017 (Ho, Dale) Modified on 7/26/2017 (td). (Entered: 07/26/2017)
07/26/2017		NOTICE OF CORRECTED DOCKET ENTRY: re <u>20</u> Summons Returned Executed as to Federal Defendant was entered in error and counsel was instructed to refile said pleading. (td) (Entered: 07/26/2017)
07/26/2017	<u>21</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 07/11/2017. (Ho, Dale) (Entered: 07/26/2017)
07/26/2017	<u>22</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY served on 7/11/2017 (Ho, Dale) (Entered: 07/26/2017)

07/26/2017	<u>23</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. MICHAEL PENCE served on 7/12/2017 (Ho, Dale) (Entered: 07/26/2017)
07/26/2017	<u>24</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DONALD J. TRUMP served on 7/11/2017. (Ho, Dale) Modified to add party served on 7/27/2017 (znmw). (Entered: 07/26/2017)
08/11/2017		MINUTE ORDER: The Court has received the <u>13 14</u> Motions for Admission Pro Hac Vice of attorneys Sophia Lin Lakin and Theresa J. Lee. The Motions are GRANTED CONTINGENT on each attorney filing a declaration, by AUGUST 18, 2017, certifying to the Court that they are familiar with the Local Rules of this Court. Signed by Judge Colleen Kollar-Kotelly on 8/11/2017. (lcckk1) (Entered: 08/11/2017)
08/18/2017	<u>25</u>	NOTICE of filing of Supplemental Declarations in Support of Motions for Admission Pro Hac Vice by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Declaration of Sophia Lin Lakin, # <u>2</u> Declaration of Theresa J. Lee)(Ho, Dale) (Entered: 08/18/2017)
09/06/2017	<u>26</u>	Unopposed MOTION to Stay <i>Defendants' Obligation to Answer or Otherwise Respond to the Complaint</i> by MICHAEL PENCE, PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY, DONALD J. TRUMP (Attachments: # <u>1</u> Text of Proposed Order)(Borson, Joseph) (Entered: 09/06/2017)
09/08/2017	<u>27</u>	ORDER. Defendants' obligation to answer or otherwise respond to the complaint is STAYED. Signed by Judge Randolph D. Moss on 9/8/2017. (lcckk1) (Entered: 09/08/2017)
12/12/2017	<u>28</u>	Consent MOTION for Leave to File <i>Amended Complaint</i> by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Amended Complaint, # <u>2</u> Summons for General Services Administration, # <u>3</u> Summons for Timothy Horne, # <u>4</u> Summons for M. Virginia Wills, # <u>5</u> Text of Proposed Order)(Ho, Dale) (Entered: 12/12/2017)
01/03/2018		MINUTE ORDER: The Court has received Plaintiffs' <u>28</u> Consent Motion for Leave to File an Amended Complaint. In light of Plaintiffs' representation that Defendants have consented, the Court shall GRANT Plaintiffs' motion pursuant to Federal Rule of Civil Procedure 15(a)(2). The Clerk of the Court shall file the Amended Complaint attached to Plaintiffs' <u>28</u> Motion under a separate docket entry. With Plaintiffs' consent, the Court shall continue, with respect to the Amended Complaint, the stay of Defendants' obligation to answer or otherwise respond established by the Court's <u>27</u> Order. Signed by Judge Colleen Kollar-Kotelly on January 3, 2018. (lcckk1) (Entered: 01/03/2018)
01/03/2018	<u>29</u>	NOTICE of Executive Order by MICHAEL R. PENCE, PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY, DONALD J. TRUMP (Attachments: # <u>1</u> Exhibit Executive Order)(Borson, Joseph) (Entered: 01/03/2018)
01/03/2018	<u>30</u>	AMENDED COMPLAINT against MICHAEL R. PENCE, PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY, DONALD J. TRUMP, TIMOTHY HORNE, M. VIRGINIA WILLS, GENERAL SERVICES ADMINISTRATION filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION.(znmw) (Entered: 01/04/2018)
01/04/2018	<u>31</u>	SUMMONS (3) Issued Electronically as to GENERAL SERVICES ADMINISTRATION, TIMOTHY HORNE, M. VIRGINIA WILLS. (znmw) (Entered: 01/04/2018)
01/17/2018	<u>32</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. GENERAL SERVICES ADMINISTRATION served on 1/10/2018 (Ho, Dale) (Entered: 01/17/2018)
01/17/2018	<u>33</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. TIMOTHY HORNE served on 1/10/2018 (Ho, Dale) (Entered: 01/17/2018)
01/17/2018	<u>34</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. M. VIRGINIA WILLS served on 1/11/2018 (Ho, Dale) (Entered: 01/17/2018)

06/28/2018		MINUTE ORDER: In light of the Court's Memorandum Opinion and Order in <i>Lawyers' Committee for Civil Rights Under Law v. Presidential Advisory Commission on Election Integrity</i> , No. 17-cv-1354 (CKK) (D.D.C. June 28, 2018), ECF No. 43, the Court shall lift the stay of Defendants' obligation to answer or otherwise respond to the <u>30</u> Amended Complaint in this matter. <i>See</i> Order, ECF No. 27 (imposing stay of obligation as to <u>1</u> Complaint pending Court's evaluation of certain materials in <i>Lawyers' Committee</i> ); Min. Order of Jan. 3, 2018 (continuing stay as to <u>30</u> Amended Complaint). Defendants shall answer or otherwise respond to the <u>30</u> Amended Complaint by <b>AUGUST 6, 2018</b> . Signed by Judge Colleen Kollar-Kotelly on June 28, 2018. (lcckk1) (Entered: 06/28/2018)
06/29/2018		Set/Reset Deadlines: Answer or Response to Amended Complaint due by 8/6/2018. (kt) (Entered: 06/29/2018)
07/24/2018	<u>35</u>	Unopposed MOTION for Extension of Time to <i>File Motion to Dismiss Amended Complaint</i> by GENERAL SERVICES ADMINISTRATION, TIMOTHY HORNE, MICHAEL R. PENCE, PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY, DONALD J. TRUMP, M. VIRGINIA WILLS (Attachments: # <u>1</u> Text of Proposed Order)(Borson, Joseph) (Entered: 07/24/2018)
07/24/2018		MINUTE ORDER: The Court has received Defendants' <u>35</u> Unopposed Motion for an Extension of Time to File Their Motion to Dismiss. Defendants seek additional time so that "the parties can continue to discuss how the release of documents in a related case pending before this Court, <i>Dunlap v. Presidential Advisory Commission on Election Integrity</i> (' <i>Dunlap</i> '), No. 17-cv-2361 (CKK), may narrow or eliminate the issues outstanding in the present litigation." With Plaintiffs' consent, the Court GRANTS Defendants' <u>35</u> Unopposed Motion, for good cause shown. Defendants shall file their Motion to Dismiss by <b>SEPTEMBER 5, 2018</b> . Now that Defendants have indicated that they will file a motion to dismiss, rather than an answer, in response to Plaintiffs' <u>30</u> Amended Complaint, the Court also shall set deadlines for further briefing. Plaintiffs shall respond to the Motion to Dismiss by <b>SEPTEMBER 19, 2018</b> . Defendants' reply, if any, shall be due by <b>SEPTEMBER 26, 2018</b> . Signed by Judge Colleen Kollar-Kotelly on July 24, 2018. (lcckk1) (Entered: 07/24/2018)
07/24/2018		Set/Reset Deadlines: Defendants' Motion to Dismiss due by 9/5/2018. Response due by 9/19/2018. Reply due by 9/26/2018. (dot) (Entered: 07/25/2018)
07/25/2018		Set/Reset Deadlines: Defendants shall file their Motion to Dismiss by 9/5/2018; Plaintiffs shall respond to the Motion to Dismiss by 9/19/2018; Defendants' reply, if any, shall be due by 9/26/2018. (kt) (Entered: 07/25/2018)
09/05/2018	<u>36</u>	MOTION to Dismiss by GENERAL SERVICES ADMINISTRATION, TIMOTHY HORNE, MICHAEL R. PENCE, PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY, DONALD J. TRUMP, M. VIRGINIA WILLS (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Appendix, # <u>3</u> Text of Proposed Order)(Wolfe, Kristina) (Entered: 09/05/2018)
09/12/2018	<u>37</u>	Unopposed MOTION to Stay <i>Proceedings and Hold Case in Abeyance</i> by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Ho, Dale). Added MOTION to Hold in Abeyance on 9/18/2018 (ztd). (Entered: 09/12/2018)
09/17/2018		MINUTE ORDER: The Court has received Plaintiffs' <u>37</u> Unopposed Motion to Stay Proceedings and Hold Case in Abeyance. Plaintiffs indicate that developments in similar case, <i>Dunlap v. Presidential Advisory Commission on Election Integrity</i> , Civil Action No. 17-2361, may moot, or otherwise cause them to voluntarily dismiss, this case. Accordingly, Plaintiffs seek a stay of this case pending the resolution of <i>Dunlap</i> , including any appellate proceedings. With the consent of Defendants, and in the interest of judicial economy, the Court shall GRANT Plaintiffs' <u>37</u> Unopposed Motion. The Court shall hereby STAY proceedings in this case, including the deadline for Plaintiffs' response to Defendants' <u>36</u> Motion to Dismiss, pending the resolution of <i>Dunlap</i> , including any appellate proceedings. Within thirty days of such resolution of <i>Dunlap</i> or at such other time as the Court may order, the parties shall submit a Joint Status Report indicating how they intend to proceed. Signed by Judge Colleen Kollar-Kotelly on September 17, 2018. (lcckk1) (Entered: 09/17/2018)