

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:17-cv-05205-NRB**

Knight First Amendment Institute at Columbia University et al  
v. Trump et al  
Assigned to: Judge Naomi Reice Buchwald  
Cause: 28:1331cv Fed. Question: Other Civil Rights

Date Filed: 07/11/2017  
Date Terminated: 05/23/2018  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Knight First Amendment Institute at  
Columbia University**

represented by **Alexander Abraham Abdo**  
Knight First Amendment Institute at  
Columbia University  
475 Riverside Drive, Suite 302  
New York, NY 10115  
646-745-8500  
Email: [alex.abdo@knightcolumbia.org](mailto:alex.abdo@knightcolumbia.org)  
**ATTORNEY TO BE NOTICED**

**Jessica Ring Amunson**  
Jenner & Block, LLP (DC)  
1099 New York Avenue, N.W.  
Suite 900  
Washington, DC 20001-4412  
(202)-639-6023  
Fax: (202)-661-4993  
Email: [jamunson@jenner.com](mailto:jamunson@jenner.com)  
**ATTORNEY TO BE NOTICED**

**Katherine Amy Fallow**  
Knight First Amendment Institute At  
Columbia University  
535 West 116th Street  
New York, NY 10027  
(212)-854-1086  
Email: [katie.fallow@knightcolumbia.org](mailto:katie.fallow@knightcolumbia.org)  
**ATTORNEY TO BE NOTICED**

**Tassity S. Johnson**  
Jenner & Block, LLP (DC)  
1099 New York Avenue, N.W.  
Suite 900  
Washington, DC 20001-4412  
(202)-637-6303  
Fax: (202)-639-6066  
Email: [tjohnson@jenner.com](mailto:tjohnson@jenner.com)  
**ATTORNEY TO BE NOTICED**

**Jameel Jaffer**  
American Civil Liberties Union (NYC)  
125 Broad Street, 18th Floor  
New York, NY 10004  
(212) 549-7814  
Fax: (212) 549-2629  
Email: [jameel.jaffer@knightcolumbia.org](mailto:jameel.jaffer@knightcolumbia.org)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Rebecca Buckwalter**

represented by **Alexander Abraham Abdo**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Katherine Amy Fallow**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jameel Jaffer**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Philip Cohen**

represented by **Alexander Abraham Abdo**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Katherine Amy Fallow**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jameel Jaffer**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Holly Figueroa**

represented by **Alexander Abraham Abdo**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Katherine Amy Fallow**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jameel Jaffer**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Eugene Gu**

represented by **Alexander Abraham Abdo**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Katherine Amy Fallow**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jameel Jaffer**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Brandon Neely**

represented by **Alexander Abraham Abdo**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Katherine Amy Fallow**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jameel Jaffer**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Joseph Papp**

represented by **Alexander Abraham Abdo**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Katherine Amy Fallow**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jameel Jaffer**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Nicholas Pappas**

represented by **Alexander Abraham Abdo**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Katherine Amy Fallow**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jameel Jaffer**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Donald J. Trump**  
*President of the United States*

represented by **Michael Hendry Baer**  
U.S. Department of Justice, Civil Division  
Federal Programs Branch  
20 Massachusetts Ave., N.W.  
Washington, DC 20530  
(202) 305-8573  
Email: [michael.h.baer@usdoj.gov](mailto:michael.h.baer@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Daniel Halainen**  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Avenue, N.W.  
Washington, DC 20530  
(202)-616-8101  
Email: [daniel.j.halainen@usdoj.gov](mailto:daniel.j.halainen@usdoj.gov)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Sean M Spicer**  
*White House Press Secretary*

represented by **Michael Hendry Baer**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Daniel Halainen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Daniel Scavino**  
*White House Director of Social Media  
and Assistant to the President*

represented by **Michael Hendry Baer**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Daniel Halainen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Amicus**

**Amici First Amendment Scholars**

represented by **Joshua Alexander Geltzer**  
Institute For Constitutional Advocacy and  
Protection  
600 New Jersey Ave NW  
Washington, DC 20001  
(202)–661–6728  
Email: [jg1861@georgetown.edu](mailto:jg1861@georgetown.edu)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Amicus**

**Electronic Frontier Foundation**

represented by **Mitchell L. Stoltz**  
Electronic Frontier Foundation  
18 Eddy Street  
San Francisco, CA 94109  
415–436–9333  
Fax: 415–436–9993  
Email: [mitch@eff.org](mailto:mitch@eff.org)  
*ATTORNEY TO BE NOTICED*

**Amicus**

**Amici Curiae Federal Courts Scholars**

represented by **Brian Timothy Burgess**  
Goodwin Procter, LLP (DC)  
901 New York Avenue, N.W.  
Washington, DC 20001  
(202)–346–4215  
Email: [burgess@goodwinlaw.com](mailto:burgess@goodwinlaw.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Kim**  
Goodwin Procter, LLP (DC)  
901 New York Avenue, N.W.  
Washington, DC 20001  
1 202 346 4165  
Fax: 1 202 204 7341  
Email: [andrewkim@goodwinlaw.com](mailto:andrewkim@goodwinlaw.com)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
07/11/2017	<u>1</u>	COMPLAINT against Daniel Scavino, Sean M Spicer, Donald J. Trump. (Filing Fee \$ 400.00, Receipt Number 0208–13881127)Document filed by Brandon Neely, Philip Cohen, Joseph Papp, Rebecca Buckwalter, Nicholas Pappas, Holly Figueroa, Knight First Amendment Institute at Columbia University, Eugene Gu.(Jaffer, Jameel) (Entered: 07/11/2017)
07/11/2017	<u>2</u>	CIVIL COVER SHEET filed. (Jaffer, Jameel) (Entered: 07/11/2017)
07/11/2017	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Knight First Amendment Institute at Columbia University.(Jaffer, Jameel) (Entered: 07/11/2017)
07/11/2017	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Donald J. Trump, re: <u>1</u> Complaint,. Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas. (Jaffer, Jameel) (Entered: 07/11/2017)

07/11/2017	<u>5</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Daniel Scavino, re: <u>1</u> Complaint,. Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas. (Jaffer, Jameel) (Entered: 07/11/2017)
07/11/2017	<u>6</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Sean M. Spicer, re: <u>1</u> Complaint,. Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas. (Jaffer, Jameel) (Entered: 07/11/2017)
07/12/2017		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Naomi Reice Buchwald. Please download and review the Individual Practices of the assigned District Judge, located at <a href="http://nysd.uscourts.gov/judges/District">http://nysd.uscourts.gov/judges/District</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at <a href="http://nysd.uscourts.gov/ecf_filing.php">http://nysd.uscourts.gov/ecf_filing.php</a> . (kl) (Entered: 07/12/2017)
07/12/2017		Magistrate Judge Debra C. Freeman is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: <a href="http://nysd.uscourts.gov/forms.php">http://nysd.uscourts.gov/forms.php</a> . (kl) (Entered: 07/12/2017)
07/12/2017		Case Designated ECF. (kl) (Entered: 07/12/2017)
07/12/2017	<u>7</u>	ELECTRONIC SUMMONS ISSUED as to Donald J. Trump. (kl) (Main Document 7 replaced on 7/12/2017) (kl). (Entered: 07/12/2017)
07/12/2017	<u>8</u>	ELECTRONIC SUMMONS ISSUED as to Daniel Scavino. (kl) (Entered: 07/12/2017)
07/12/2017	<u>9</u>	ELECTRONIC SUMMONS ISSUED as to Sean M Spicer. (kl) (Entered: 07/12/2017)
07/27/2017	<u>10</u>	AFFIDAVIT OF SERVICE. Donald J. Trump served on 7/14/2017, answer due 8/4/2017. Service was made by Mail. Document filed by Brandon Neely; Philip Cohen; Joseph Papp; Rebecca Buckwalter; Nicholas Pappas; Holly Figueroa; Knight First Amendment Institute at Columbia University; Eugene Gu. (Jaffer, Jameel) (Entered: 07/27/2017)
07/27/2017	<u>11</u>	AFFIDAVIT OF SERVICE. Sean M Spicer served on 7/14/2017, answer due 8/4/2017. Service was made by Mail. Document filed by Brandon Neely; Philip Cohen; Joseph Papp; Rebecca Buckwalter; Nicholas Pappas; Holly Figueroa; Knight First Amendment Institute at Columbia University; Eugene Gu. (Jaffer, Jameel) (Entered: 07/27/2017)
07/27/2017	<u>12</u>	AFFIDAVIT OF SERVICE. Daniel Scavino served on 7/14/2017, answer due 8/4/2017. Service was made by Mail. Document filed by Brandon Neely; Philip Cohen; Joseph Papp; Rebecca Buckwalter; Nicholas Pappas; Holly Figueroa; Knight First Amendment Institute at Columbia University; Eugene Gu. (Attachments: # <u>1</u> Supplement Delivery Confirmation)(Jaffer, Jameel) (Entered: 07/27/2017)
08/08/2017	<u>13</u>	LETTER MOTION for Conference re: <i>Motion for a Preliminary Injunction</i> addressed to Judge Naomi Reice Buchwald from Jameel Jaffer dated 8/8/2017. Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas.(Jaffer, Jameel) (Entered: 08/08/2017)
08/08/2017	<u>14</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY –</b> MOTION for Jessica Ring Amunson to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–13992015. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Knight First Amendment Institute at Columbia University. (Attachments: # <u>1</u> Certificate of Good Standing (District of Columbia), # <u>2</u> Certificate of Good Standing (Maryland), # <u>3</u> Text of Proposed Order)(Amunson, Jessica) Modified on 8/8/2017 (jc). (Entered: 08/08/2017)
08/08/2017	<u>15</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY –</b> MOTION for Tassity S. Johnson to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–13992063. <b>Motion and supporting papers to be reviewed by Clerk's Office</b>

		<b>staff.</b> Document filed by Knight First Amendment Institute at Columbia University. (Attachments: # <u>1</u> Certificate of Good Standing (Connecticut), # <u>2</u> Text of Proposed Order)(Johnson, Tassity) Modified on 8/8/2017 (jc). (Entered: 08/08/2017)
08/08/2017		<b>&gt;&gt;&gt;NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE-FILE Document No. <u>14</u> MOTION for Jessica Ring Amunson to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-13992015. Motion and supporting papers to be reviewed by Clerk's Office staff... The filing is deficient for the following reason(s): missing Attorney Affidavit or Declaration – see Local Rule 1.3. Re-file the motion as a Motion to Appear Pro Hac Vice – attach the correct signed PDF – select the correct named filer/filers – attach valid Certificates of Good Standing issued within the past 30 days – attach Attorney Affidavit or Declaration – attach Proposed Order. (jc)</b> (Entered: 08/08/2017)
08/08/2017		<b>&gt;&gt;&gt;NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE-FILE Document No. <u>15</u> MOTION for Tassity S. Johnson to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-13992063. Motion and supporting papers to be reviewed by Clerk's Office staff... The filing is deficient for the following reasons: 1) missing Attorney Affidavit or Declaration – see Local Rule 1.3; and 2) missing Certificate of Good Standing from Maryland Court of Appeals. Re-file the motion as a Motion to Appear Pro Hac Vice – attach the correct signed PDF – select the correct named filer/filers – attach valid Certificates of Good Standing issued within the past 30 days – attach Attorney Affidavit or Declaration – attach Proposed Order. (jc)</b> (Entered: 08/08/2017)
08/08/2017	<u>16</u>	NOTICE OF APPEARANCE by Michael Hendry Baer on behalf of Daniel Scavino, Sean M Spicer, Donald J. Trump. (Baer, Michael) (Entered: 08/08/2017)
08/08/2017	<u>17</u>	MOTION for Jessica Ring Amunson to Appear Pro Hac Vice . <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Knight First Amendment Institute at Columbia University. (Attachments: # <u>1</u> Declaration in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Certificate of Good Standing (District of Columbia), # <u>3</u> Certificate of Good Standing (Maryland), # <u>4</u> Text of Proposed Order)(Amunson, Jessica) (Entered: 08/08/2017)
08/08/2017	<u>18</u>	MOTION for Tassity S. Johnson to Appear Pro Hac Vice . <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Knight First Amendment Institute at Columbia University. (Attachments: # <u>1</u> Declaration in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Certificate of Good Standing (Connecticut), # <u>3</u> Text of Proposed Order)(Johnson, Tassity) (Entered: 08/08/2017)
08/09/2017		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>18</u> MOTION for Tassity S. Johnson to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff., <u>17</u> MOTION for Jessica Ring Amunson to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb)</b> (Entered: 08/09/2017)
08/09/2017	<u>19</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>18</u> Motion for Tassity S. Johnson to Appear Pro Hac Vice. (As further set forth in this Order.) (Signed by Judge Naomi Reice Buchwald on 8/9/2017) (cf) (Entered: 08/10/2017)
08/09/2017	<u>20</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>17</u> Motion for Jessica Ring Amunson to Appear Pro Hac Vice. (Signed by Judge Naomi Reice Buchwald on 8/9/2017) (ap) (Entered: 08/10/2017)
08/11/2017	<u>21</u>	LETTER RESPONSE to Motion addressed to Judge Naomi Reice Buchwald from Michael Baer dated 08/11/2017 re: <u>13</u> LETTER MOTION for Conference <i>re: Motion for a Preliminary Injunction</i> addressed to Judge Naomi Reice Buchwald from Jameel Jaffer dated 8/8/2017. . Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump. (Baer, Michael) (Entered: 08/11/2017)
08/14/2017	<u>22</u>	NOTICE OF APPEARANCE by Alexander Abraham Abdo on behalf of Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas. (Abdo, Alexander) (Entered: 08/14/2017)

08/15/2017		Minute Entry for proceedings held before Judge Naomi Reice Buchwald: Telephone Conference held on 8/15/2017. (ade) (Entered: 08/31/2017)
08/31/2017	<u>23</u>	JOINT LETTER addressed to Judge Naomi Reice Buchwald from Jameel Jaffer dated 08/31/2017 re: Knight First Amendment Institute, et al. v. Trump, et al., Case No. 17-CV-5205 (NRB). Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas.(Jaffer, Jameel) (Entered: 08/31/2017)
09/07/2017	<u>24</u>	NOTICE OF APPEARANCE by Daniel Halainen on behalf of Daniel Scavino, Sean M Spicer, Donald J. Trump. (Halainen, Daniel) (Entered: 09/07/2017)
09/08/2017	<u>25</u>	JOINT LETTER addressed to Judge Naomi Reice Buchwald from Daniel Halainen dated 09/08/2017 re: Knight First Amendment Institute, et al. v. Trump, et al., Case No. 17-cv-5205 (NRB). Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump.(Halainen, Daniel) (Entered: 09/08/2017)
09/11/2017	<u>26</u>	MEMO ENDORSEMENT: on re: <u>25</u> Letter filed by Daniel Scavino, Sean M Spicer, Donald J. Trump. ENDORSEMENT: Application Granted., Daniel Scavino answer due 9/29/2017; Sean M Spicer answer due 9/29/2017; Donald J. Trump answer due 9/29/2017. (Signed by Judge Naomi Reice Buchwald on 9/11/2017) (ama) (Entered: 09/12/2017)
09/15/2017	<u>27</u>	JOINT LETTER addressed to Judge Naomi Reice Buchwald from Jameel Jaffer dated September 15, 2017 re: an update on the status of negotiations as to a joint stipulation of facts. Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas.(Jaffer, Jameel) (Entered: 09/15/2017)
09/25/2017	<u>28</u>	JOINT LETTER MOTION for Conference <i>re: proposed summary judgment briefing schedule</i> addressed to Judge Naomi Reice Buchwald from Michael H. Baer dated 09/25/2017. Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump. (Attachments: # 1 Stipulation)(Baer, Michael) (Entered: 09/25/2017)
09/25/2017		<b>***DELETED DOCUMENT. Deleted document number [28-1] Stipulation Attachment pursuant to Order <u>32</u> filed on 10/3/2017. (mro)</b> (Entered: 10/03/2017)
09/26/2017	<u>29</u>	ORDER: terminating <u>28</u> Letter Motion for Conference. The parties proposed schedule and page limits are acceptable to the Court. Motion due by 10/13/2017. Response due by 11/13/2017. Cross Motion due by 11/3/2017. Reply due by 11/22/2017. (Signed by Judge Naomi Reice Buchwald on 9/26/2017) (ap) (Entered: 09/26/2017)
09/26/2017		Set/Reset Deadlines: Cross Motions due by 11/3/2017. Motions due by 10/13/2017. Responses due by 11/13/2017. Replies due by 11/22/2017. (ap) (Entered: 09/26/2017)
09/28/2017	<u>30</u>	JOINT LETTER MOTION for Leave to File Stipulation addressed to Judge Naomi Reice Buchwald from Michael H. Baer dated 09/28/2017. Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump. (Attachments: # <u>1</u> Stipulation)(Baer, Michael) (Entered: 09/28/2017)
10/02/2017	<u>31</u>	NOTICE OF APPEARANCE by Katherine Amy Fallow on behalf of Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas. (Fallow, Katherine) (Entered: 10/02/2017)
10/03/2017	<u>32</u>	ORDER granting <u>30</u> Letter Motion for Leave to File Document. So ordered. (Signed by Judge Naomi Reice Buchwald on 10/3/2017) (mro) (Entered: 10/03/2017)
10/13/2017	<u>33</u>	NOTICE of Filing Exhibits to Stipulation. Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Baer, Michael) (Entered: 10/13/2017)
10/13/2017	<u>34</u>	MOTION for Summary Judgment . Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump.(Baer, Michael) (Entered: 10/13/2017)
10/13/2017	<u>35</u>	MEMORANDUM OF LAW in Support re: <u>34</u> MOTION for Summary Judgment . . Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump. (Baer, Michael) (Entered: 10/13/2017)

10/13/2017	<u>36</u>	RULE 56.1 STATEMENT. Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump. (Baer, Michael) (Entered: 10/13/2017)
10/13/2017	<u>37</u>	LETTER addressed to Judge Naomi Reice Buchwald from Michael H. Baer dated October 13, 2017 re: Motion for Summary Judgment. Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump.(Baer, Michael) (Entered: 10/13/2017)
10/27/2017	<u>38</u>	MOTION for Joshua Geltzer to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-14294232. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Amici First Amendment Scholars. (Attachments: # <u>1</u> Exhibit Certificate of Good Standing, # <u>2</u> Text of Proposed Order, # <u>3</u> Affidavit)(Geltzer, Joshua) (Entered: 10/27/2017)
10/27/2017		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>38</u> MOTION for Joshua Geltzer to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-14294232. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu)</b> (Entered: 10/27/2017)
10/27/2017	<u>39</u>	JOINT LETTER MOTION for Extension of Time <i>to include a date for any amicus briefs to be filed, adjusting the remaining deadlines.</i> addressed to Judge Naomi Reice Buchwald from Jameel Jaffer dated October 27, 2017. Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas.(Jaffer, Jameel) (Entered: 10/27/2017)
10/30/2017	<u>40</u>	ORDER granting <u>39</u> Letter Motion for Extension of Time. So Ordered. Motions due by 10/13/2017.. (Signed by Judge Naomi Reice Buchwald on 10/30/2017) (js) (Entered: 10/31/2017)
10/30/2017		Set/Reset Deadlines: Cross Motions due by 11/3/2017. Responses due by 11/17/2017 Replies due by 12/1/2017. (js) (Entered: 10/31/2017)
10/30/2017	<u>41</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>38</u> Motion for Joshua Geltzer to Appear Pro Hac Vice. IT IS HEREBY ORDERED that Applicant is admitted to practice pro hac vice in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. (Signed by Judge Naomi Reice Buchwald on 10/30/2017) (js) (Entered: 10/31/2017)
11/03/2017	<u>42</u>	CROSS MOTION for Summary Judgment . Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas.(Jaffer, Jameel) (Entered: 11/03/2017)
11/03/2017	<u>43</u>	MEMORANDUM OF LAW in Support re: <u>42</u> CROSS MOTION for Summary Judgment . <i>Plaintiffs' Memorandum In Support of Cross-Motion for Summary Judgment and In Opposition to Defendants' Motion for Summary Judgment.</i> Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas. (Jaffer, Jameel) (Entered: 11/03/2017)
11/03/2017	<u>44</u>	LETTER addressed to Judge Naomi Reice Buchwald from Jameel Jaffer dated November 3, 2017 re: Cross-Motion For Summary Judgment. Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas.(Jaffer, Jameel) (Entered: 11/03/2017)
11/03/2017	<u>45</u>	RULE 56.1 STATEMENT. Document filed by Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas. (Jaffer, Jameel) (Entered: 11/03/2017)
11/03/2017	<u>46</u>	RESPONSE re: <u>36</u> Rule 56.1 Statement . Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas. (Jaffer, Jameel) (Entered: 11/03/2017)



11/06/2017	<u>47</u>	BRIEF . Document filed by Amici First Amendment Scholars.(Geltzer, Joshua) (Entered: 11/06/2017)
11/06/2017	<u>48</u>	Amicus Curiae APPEARANCE entered by Mitchell L. Stoltz on behalf of Electronic Frontier Foundation.(Stoltz, Mitchell) (Entered: 11/06/2017)
11/06/2017	<u>49</u>	BRIEF <i>of Amicus Curiae</i> . Document filed by Electronic Frontier Foundation.(Stoltz, Mitchell) (Entered: 11/06/2017)
11/06/2017	<u>50</u>	NOTICE OF APPEARANCE by Brian Timothy Burgess on behalf of Amici Curiae Federal Courts Scholars. (Burgess, Brian) (Entered: 11/06/2017)
11/06/2017	<u>51</u>	BRIEF <i>AMICI CURIAE</i> . Document filed by Amici Curiae Federal Courts Scholars.(Burgess, Brian) (Entered: 11/06/2017)
11/09/2017	<u>52</u>	MOTION for Andrew Kim to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-14347628. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Amici Curiae Federal Courts Scholars. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit 1, # <u>3</u> Text of Proposed Order)(Kim, Andrew) (Entered: 11/09/2017)
11/09/2017		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>52</u> MOTION for Andrew Kim to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-14347628. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (ma)</b> (Entered: 11/09/2017)
11/09/2017	<u>53</u>	ORDER ADMITTING COUNSEL PRO HAC VICE granting <u>52</u> Motion for Andrew Kim to Appear Pro Hac Vice. (Signed by Judge Naomi Reice Buchwald on 11/9/2017) (kgo) (Entered: 11/09/2017)
11/17/2017	<u>54</u>	MEMORANDUM OF LAW in Opposition re: <u>42</u> CROSS MOTION for Summary Judgment . <i>Defendants' Memorandum of Law in Opposition to Plaintiffs' Cross-Motion for Summary Judgment and Reply Memorandum in Further Support of Defendants' Motion for Summary Judgment.</i> Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump. (Baer, Michael) (Entered: 11/17/2017)
11/17/2017	<u>55</u>	RESPONSE re: <u>45</u> Rule 56.1 Statement . Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump. (Baer, Michael) (Entered: 11/17/2017)
12/01/2017	<u>56</u>	REPLY MEMORANDUM OF LAW in Support re: <u>42</u> CROSS MOTION for Summary Judgment . . Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas. (Jaffer, Jameel) (Entered: 12/01/2017)
12/21/2017	<u>57</u>	LETTER addressed to Judge Naomi Reice Buchwald from Jameel Jaffer dated December 21, 2017 re: the government's concession concerning the President's tweets. Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas.(Jaffer, Jameel) (Entered: 12/21/2017)
12/26/2017	<u>58</u>	LETTER addressed to Judge Naomi Reice Buchwald from Michael Baer dated December 26, 2017 re: Plaintiffs' December 21, 2017 Letter. Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump.(Baer, Michael) (Entered: 12/26/2017)
01/08/2018	<u>59</u>	ORDER: Oral argument on the pending cross-motions for summary judgment shall be held on March 8, 2018, at 11:00 A.M., at the United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 21A. SO ORDERED., ( Oral Argument set for 3/8/2018 at 11:00 AM in Courtroom 21A, 500 Pearl Street, New York, NY 10007 before Judge Naomi Reice Buchwald.) (Signed by Judge Naomi Reice Buchwald on 1/08/2018) (ama) (Entered: 01/08/2018)
01/23/2018	<u>60</u>	LETTER addressed to Judge Naomi Reice Buchwald from Jameel Jaffer dated January 23, 2018 re: Notice of Supplemental Authority. Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas. (Attachments: # <u>1</u> Exhibit A)(Jaffer, Jameel) (Entered: 01/23/2018)

01/26/2018	<u>61</u>	LETTER addressed to Judge Naomi Reice Buchwald from Daniel Halainen dated January 26, 2018 re: Plaintiffs' January 23, 2018 Letter. Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump.(Halainen, Daniel) (Entered: 01/26/2018)
01/30/2018	<u>62</u>	NOTICE OF CHANGE OF ADDRESS by Alexander Abraham Abdo on behalf of Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas. New Address: Knight First Amendment Institute at Columbia University, 475 Riverside Drive, Suite 302, New York, NY, United States 10115, (646) 745-8500. (Abdo, Alexander) (Entered: 01/30/2018)
02/26/2018	<u>63</u>	LETTER addressed to Judge Naomi Reice Buchwald from Jameel Jaffer dated February 26, 2018 re: Counsel for Plaintiffs division of time during the March 8, 2018 oral argument on the pending cross-motions for summary judgment. Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas.(Jaffer, Jameel) (Entered: 02/26/2018)
03/01/2018	<u>64</u>	MEMO ENDORSEMENT: on re: <u>63</u> Letter, filed by Joseph Papp, Brandon Neely, Knight First Amendment Institute at Columbia University, Eugene Gu, Philip Cohen, Nicholas Pappas, Holly Figueroa, Rebecca Buckwalter. ENDORSEMENT: Application granted. (Signed by Judge Naomi Reice Buchwald on 3/1/2018) (ap) (Entered: 03/01/2018)
03/06/2018	<u>65</u>	LETTER addressed to Judge Naomi Reice Buchwald from Michael H. Baer dated March 6, 2018 re: Defendants' summary judgment briefing. Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump.(Baer, Michael) (Entered: 03/06/2018)
03/08/2018		Minute Entry for proceedings held before Judge Naomi Reice Buchwald: Oral Argument held on 3/8/2018 re: <u>42</u> CROSS MOTION for Summary Judgment <u>34</u> MOTION for Summary Judgment. (ade) (Entered: 03/08/2018)
03/13/2018	<u>66</u>	LETTER addressed to Jameel Jaffer, Esq., Katherine Fallow, Esq., Michel Baer, Esq., from Hon. Naomi Reice Buchwald, United States District Judge dated 3/13/2018 re: At oral argument, the government stated that the blocking of Twitter users on the @POTUS and @WhiteHouse accounts would "likely would run afoul of the First Amendment but not because of public forum doctrine" and that "it is probably true that government cannot block individuals purely on the basis of viewpoint from a government account like the @POTUS account," Hr'g Tr. 26:19-20, 29:16-18. We understood the totality of the government's position to be that the First Amendment prohibits the blocking of users from those accounts. We neglected, however, to address the impact of this position on the question currently before the Court-whether such blocking may occur on the @realDonaldTrump account. Accordingly, we request that the government submit, by March 28, a letter brief of no more than five pages clarifying its position. If the government continues to take the position that users may not be blocked from the @POTUS and @WhiteHouse accounts, it should explain all of the ways in which the First Amendment analysis differs for those two accounts on the one hand and the @realDonaldTrump account on the other. If the government no longer takes the position that such blocking is unconstitutional, it should explain why such blocking is in fact permissible. The plaintiffs may submit a responsive letter within seven days of the government's letter. (ama) (Entered: 03/13/2018)
03/16/2018	<u>67</u>	LETTER addressed to Judge Naomi Reice Buchwald from Jameel Jaffer dated March 16, 2018 re: the relevance of the D.C. Circuit's decision in Swan v. Clinton. Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas.(Jaffer, Jameel) (Entered: 03/16/2018)
03/23/2018	<u>68</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 3/8/2018 before Judge Naomi Reice Buchwald. Court Reporter/Transcriber: Kelly Surina, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/13/2018. Redacted Transcript Deadline set for 4/23/2018. Release of Transcript Restriction set for 6/21/2018.(McGuirk, Kelly) (Entered: 03/23/2018)

03/23/2018	<u>69</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 3/8/18 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 03/23/2018)
03/28/2018	<u>70</u>	LETTER addressed to Judge Naomi Reice Buchwald from Michael H. Baer dated March 28, 2018 re: the Court's March 13, 2018 letter. Document filed by Daniel Scavino, Sean M Spicer, Donald J. Trump.(Baer, Michael) (Entered: 03/28/2018)
04/04/2018	<u>71</u>	LETTER addressed to Judge Naomi Reice Buchwald from Jameel Jaffer dated April 4, 2018 re: the Court's March 13, 2018 letter and Defendants' March 28, 2018 response. Document filed by Rebecca Buckwalter, Philip Cohen, Holly Figueroa, Eugene Gu, Knight First Amendment Institute at Columbia University, Brandon Neely, Joseph Papp, Nicholas Pappas.(Jaffer, Jameel) (Entered: 04/04/2018)
05/23/2018	<u>72</u>	MEMORANDUM AND ORDER: granting in part and denying in part <u>34</u> Motion for Summary Judgment; granting in part and denying in part <u>42</u> Motion for Summary Judgment. We conclude that we have jurisdiction to entertain this dispute. Plaintiffs have established legal injuries that are traceable to the conduct of the President and Daniel Scavino and, despite defendants' suggestions to the contrary, their injuries are redressable by a favorable judicial declaration. Plaintiffs lack standing, however, to sue Sarah Huckabee Sanders, who is dismissed as a defendant. Hope Hicks is also dismissed as a defendant, in light of her resignation as White House Communications Director. Turning to the merits of plaintiffs' First Amendment claim, we hold that the speech in which they seek to engage is protected by the First Amendment and that the President and Scavino exert governmental control over certain aspects of the @realDonaldTrump account, including the interactive space of the tweets sent from the account. That interactive space is susceptible to analysis under the Supreme Court's forum doctrines, and is properly characterized as a designated public forum. The viewpoint-based exclusion of the individual plaintiffs from that designated public forum is proscribed by the First Amendment and cannot be justified by the President's personal First Amendment interests. In sum, defendants' motion for summary judgment is granted in part and denied in part, and plaintiffs' cross-motion for summary judgment is granted in part and denied in part. The Clerk of the Court is directed to terminate the motions pending at docket entries 34 and 42. SO ORDERED. (Signed by Judge Naomi Reice Buchwald on 5/23/2018) (ama) (Entered: 05/23/2018)
06/04/2018	<u>73</u>	NOTICE OF APPEAL from <u>72</u> Order on Motion for Summary Judgment,,,,,,,,,,,,, Document filed by Daniel Scavino, Donald J. Trump. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Baer, Michael) (Entered: 06/04/2018)
06/04/2018		<b>FILING ERROR – DEFICIENT DOCKET ENTRY</b> – Appeal Fee Due: for <u>73</u> Notice of Appeal. Appeal fee due by 6/18/2018. (tp) Modified on 6/5/2018 (tp). (Entered: 06/05/2018)
06/04/2018		Appeal Fee Not Required for <u>73</u> Notice of Appeal. Appeal filed by U.S. Government. (tp) (Entered: 06/05/2018)
06/05/2018		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>73</u> Notice of Appeal. (tp) (Entered: 06/05/2018)
06/05/2018		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>73</u> Notice of Appeal filed by Daniel Scavino, Donald J. Trump were transmitted to the U.S. Court of Appeals. (tp) (Entered: 06/05/2018)
06/26/2018		<b>***DELETED DOCUMENT. Deleted document number 74 LETTER. The document was incorrectly filed in this case. (tro)</b> (Entered: 07/02/2018)