

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00871-ABJ**

ARAB AMERICAN INSTITUTE v. OFFICE OF
MANAGEMENT AND BUDGET

Assigned to: Judge Amy Berman Jackson

Demand: \$0

Cause: 05:552 Freedom of Information Act

Date Filed: 04/13/2018

Date Terminated: 08/13/2020

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government
Defendant

Plaintiff

ARAB AMERICAN INSTITUTE

represented by **Allison Rochford**

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V.

Defendant

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TERMINATED: 03/12/2020

Date Filed	#	Docket Text
04/13/2018	<u>1</u>	COMPLAINT against OFFICE OF MANAGEMENT AND BUDGET (Filing fee \$ 400 receipt number 0090-5422281) filed by ARAB AMERICAN INSTITUTE. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Bailen, Mark) (Entered: 04/13/2018)
04/13/2018		Case Assigned to Judge Amy Berman Jackson. (zsth) (Entered: 04/16/2018)
04/16/2018	<u>2</u>	SUMMONS (3) Issued Electronically as to OFFICE OF MANAGEMENT AND BUDGET, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zsth) (Entered: 04/16/2018)

04/20/2018	3	NOTICE of Appearance by Scott Leeson Sroka on behalf of All Defendants (Sroka, Scott) (Entered: 04/20/2018)
04/24/2018	4	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/17/2018. (Bailen, Mark) (Entered: 04/24/2018)
04/24/2018	5	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/17/2018. Answer due for ALL FEDERAL DEFENDANTS by 5/17/2018. (Bailen, Mark) (Entered: 04/24/2018)
05/11/2018	6	NOTICE of Appearance by Allison Rochford on behalf of ARAB AMERICAN INSTITUTE (Rochford, Allison) (Entered: 05/11/2018)
05/11/2018	7	NOTICE of Appearance by Lindsay Patricia Holmes on behalf of ARAB AMERICAN INSTITUTE (Holmes, Lindsay) (Entered: 05/11/2018)
05/17/2018	8	ANSWER to Complaint by OFFICE OF MANAGEMENT AND BUDGET.(Sroka, Scott) (Entered: 05/17/2018)
05/18/2018	9	ORDER. Before the Court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure appear to be inapplicable. Defendant shall file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiff, on or before June 15, 2018. See Order for details. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/18/2018. (lcabj2) (Entered: 05/18/2018)
06/15/2018	10	STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 06/15/2018)
06/18/2018		MINUTE ORDER. Defendant must make its initial production of documents by July 13, 2018, and the parties must meet and confer and submit a joint status report and schedule for further proceedings by July 13, 2018. SO ORDERED. Signed by Judge Amy Berman Jackson on 6/18/2018. (lcabj2) (Entered: 06/18/2018)
07/13/2018	11	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 07/13/2018)

07/16/2018		MINUTE ORDER. The parties must file a joint status report by October 1, 2018 informing the Court of the status of the production of documents. SO ORDERED. Signed by Judge Amy Berman Jackson on 7/16/2018. (lcabj2) (Entered: 07/16/2018)
10/01/2018	12	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 10/01/2018)
10/01/2018		MINUTE ORDER. The parties must file another joint status report by December 3, 2018. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/01/2018. (lcabj2) (Entered: 10/01/2018)
12/03/2018	13	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 12/03/2018)
12/04/2018		MINUTE ORDER. The parties must file another status report by January 22, 2019. Signed by Judge Amy Berman Jackson on 12/4/2018. (lcabj2) (Entered: 12/04/2018)
01/11/2019	14	Unopposed MOTION to Stay , MOTION for Extension of Time to <i>in Light of Lapse of Appropriations</i> by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # 1 Text of Proposed Order)(Hudak, Brian) (Entered: 01/11/2019)
01/14/2019		MINUTE ORDER granting 14 Motion to Stay. Defendant must notify the Court within two business days of the resumption of government operations and propose a revised schedule for the production of documents and filing of a status report, if necessary. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/14/2019. (lcabj2) (Entered: 01/14/2019)
01/29/2019	15	NOTICE of <i>Restored Government Funding</i> by OFFICE OF MANAGEMENT AND BUDGET re Order on Motion to Stay,, Order on Motion for Extension of Time to, (Sroka, Scott) (Entered: 01/29/2019)
01/29/2019		MINUTE ORDER. In light of the defendant's notice 15 , the Court's January 14, 2019 minute order granting a stay in this case is hereby lifted. The parties must file a joint status report proposing a revised schedule for production by February 14, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/29/2019. (lcabj2) (Entered: 01/29/2019)
02/14/2019	16	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 02/14/2019)

02/19/2019		MINUTE ORDER. The parties must file another status report by March 7, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/19/2019. (lcabj2) (Entered: 02/19/2019)
03/07/2019	17	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 03/07/2019)
03/08/2019		MINUTE ORDER. The parties must file another status report by April 8, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 3/8/2019. (lcabj2) (Entered: 03/08/2019)
04/08/2019	18	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 04/08/2019)
04/09/2019		MINUTE ORDER. The parties must file another status report by May 8, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/9/2019. (lcabj2) (Entered: 04/09/2019)
05/08/2019	19	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 05/08/2019)
05/09/2019		MINUTE ORDER. The parties must file another status report by June 10, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/9/2019. (lcabj2) (Entered: 05/09/2019)
06/10/2019	20	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 06/10/2019)
06/11/2019		MINUTE ORDER. The parties must file another status report by July 10, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 6/11/2019. (lcabj2) (Entered: 06/11/2019)
07/10/2019	21	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 07/10/2019)
07/11/2019		MINUTE ORDER. The parties must file another status report by August 12, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 7/11/2019. (lcabj2) (Entered: 07/11/2019)
08/12/2019	22	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 08/12/2019)
08/12/2019		MINUTE ORDER. The parties must file another status report by August 20, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 8/12/2019. (lcabj2) (Entered: 08/12/2019)
08/20/2019	23	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 08/20/2019)

08/22/2019		MINUTE ORDER. The parties must file another status report by September 20, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 8/22/2019. (lcabj2) (Entered: 08/22/2019)
09/20/2019	24	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 09/20/2019)
10/01/2019		MINUTE ORDER. The parties must file another status report by October 21, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/1/2019. (lcabj2) (Entered: 10/01/2019)
10/21/2019	25	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 10/21/2019)
10/22/2019		MINUTE ORDER. The parties must file another status report by November 4, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/22/2019. (lcabj2) (Entered: 10/22/2019)
11/04/2019	26	ENTERED IN ERROR.....Joint STATUS REPORT by ARAB AMERICAN INSTITUTE. (Rochford, Allison) Modified on 11/7/2019 (znmw). (Entered: 11/04/2019)
11/06/2019		NOTICE OF ERROR re 26 Status Report; emailed to arochford@bakerlaw.com, cc'd 6 associated attorneys -- The PDF file you docketed contained errors: 1. Invalid attorney signature, 2. FYI - DO NOT REFILE - Login/Password must match attorney signature on pleading(s) (zjf,) (Entered: 11/06/2019)
11/06/2019	27	Joint STATUS REPORT by ARAB AMERICAN INSTITUTE. (Rochford, Allison) (Entered: 11/06/2019)
11/07/2019		MINUTE ORDER. The parties must file another status report by November 20, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 11/7/2019. (lcabj2) (Entered: 11/07/2019)
11/20/2019	28	Joint STATUS REPORT <i>AND PROPOSED SCHEDULING ORDER</i> by ARAB AMERICAN INSTITUTE. (Rochford, Allison) (Entered: 11/20/2019)
11/25/2019		MINUTE ORDER. In light of the parties joint status report 28 , the Court will enter the following briefing schedule: Defendant's motion for summary judgement will be due on January 21, 2020. Plaintiff's opposition and cross-motion for summary judgment, to be supported by a single memorandum of law, will be due on February 21, 2020. Defendant's reply and cross-opposition, to be supported by a single memorandum of law, will be due on March 20, 2020. Plaintiff's reply will be due on April 3, 2020. SO ORDERED.

		Signed by Judge Amy Berman Jackson on 11/25/2019. (lcabj2) (Entered: 11/25/2019)
01/21/2020	29	Consent MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by OFFICE OF MANAGEMENT AND BUDGET (Sroka, Scott) (Entered: 01/21/2020)
01/21/2020		MINUTE ORDER granting 29 Motion for Extension of Time. Defendant's motion for summary judgement will be due on February 4, 2020. Plaintiff's opposition and cross-motion for summary judgment, to be supported by a single memorandum of law, will be due on March 6, 2020. Defendant's reply and cross-opposition, to be supported by a single memorandum of law, will be due on April 3, 2020. Plaintiff's reply will be due on April 17, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/21/2020. (lcabj2) (Entered: 01/21/2020)
01/31/2020	30	MOTION for Summary Judgment <i>and Supporting Memorandum</i> by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # 1 Statement of Facts and Proposed Order)(Sroka, Scott) (Entered: 01/31/2020)
02/10/2020	31	ERRATA by OFFICE OF MANAGEMENT AND BUDGET 30 MOTION for Summary Judgment <i>and Supporting Memorandum</i> filed by OFFICE OF MANAGEMENT AND BUDGET. (Sroka, Scott) (Entered: 02/10/2020)
02/10/2020	32	MOTION for Summary Judgment by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # 1 Statement of Facts, # 2 Declaration and Exhibits)(Sroka, Scott) (Entered: 02/10/2020)
02/10/2020	33	Joint MOTION to Modify <i>the BRIEFING SCHEDULE</i> by ARAB AMERICAN INSTITUTE (Rochford, Allison) (Entered: 02/10/2020)
02/11/2020		MINUTE ORDER granting 33 joint motion to modify the briefing schedule. Plaintiff's opposition and cross-motion for summary judgment, to be supported by a single memorandum of law, will be due on March 12, 2020. Defendant's reply and cross-opposition, to be supported by a single memorandum of law, will be due on April 9, 2020. Plaintiff's reply will be due on April 23, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/11/2020. (lcabj2) (Entered: 02/11/2020)
03/12/2020	34	Cross MOTION for Summary Judgment by ARAB AMERICAN INSTITUTE (Attachments: # 1 Memorandum in Support, # 2

		Statement of Facts With Exhibit, # 3 Text of Proposed Order)(Rochford, Allison) (Entered: 03/12/2020)
03/12/2020	35	NOTICE OF SUBSTITUTION OF COUNSEL by Robert Aaron Caplen on behalf of OFFICE OF MANAGEMENT AND BUDGET Substituting for attorney Scott Leeson Sroka (Caplen, Robert) (Entered: 03/12/2020)
03/16/2020		NOTICE OF ERROR re 34 Motion for Summary Judgment; emailed to arochford@bakerlaw.com, cc'd 7 associated attorneys -- The PDF file you docketed contained errors: 1. Two-part docket entry, 2. Please refile document, 3. Under the OPPOSITION event (zjf,) (Entered: 03/16/2020)
03/16/2020	36	Memorandum in opposition to re 30 MOTION for Summary Judgment <i>and Supporting Memorandum</i> , 32 MOTION for Summary Judgment filed by ARAB AMERICAN INSTITUTE. (Attachments: # 1 Statement of Facts and Exhibit, # 2 Text of Proposed Order)(Rochford, Allison) (Entered: 03/16/2020)
03/27/2020	37	Unopposed MOTION for Extension of Time to File Response/Reply as to 34 Cross MOTION for Summary Judgment <i>and Opposition to Defendant's Motion for Summary Judgment</i> , 32 MOTION for Summary Judgment by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # 1 Text of Proposed Order)(Caplen, Robert) (Entered: 03/27/2020)
03/27/2020		MINUTE ORDER granting 37 Motion for Extension of Time. Defendant's reply and cross-opposition, to be supported by a single memorandum of law, will be due on May 13, 2020. Plaintiff's reply will be due on May 28, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 3/27/2020. (lcabj2) (Entered: 03/27/2020)
05/13/2020	38	Joint STATUS REPORT by OFFICE OF MANAGEMENT AND BUDGET. (Caplen, Robert) (Entered: 05/13/2020)
05/13/2020	39	Memorandum in opposition to re 34 Cross MOTION for Summary Judgment filed by OFFICE OF MANAGEMENT AND BUDGET. (Attachments: # 1 Statement of Facts, # 2 Supplemental Declaration of Heather V. Walsh and Revised Vaughn Index, # 3 Text of Proposed Order)(Caplen, Robert) (Entered: 05/13/2020)
05/13/2020	40	REPLY to opposition to motion re 32 MOTION for Summary Judgment (<i>same as ECF 39</i>) filed by OFFICE OF

		MANAGEMENT AND BUDGET. (Attachments: # 1 Statement of Facts, # 2 Supplemental Declaration of Heather V. Walsh and Revised Vaughn Index)(Caplen, Robert) (Entered: 05/13/2020)
05/28/2020	41	REPLY to opposition to motion re 34 Cross MOTION for Summary Judgment <i>Plaintiff's Reply in further support of Motion for Summary Judgment (and Opposition to Defendant's Motion for Summary Judgment)</i> filed by ARAB AMERICAN INSTITUTE. (Rochford, Allison) (Entered: 05/28/2020)
05/28/2020	42	Memorandum in opposition to re 32 MOTION for Summary Judgment (<i>re Cross-Motion: same as ECF No. 41</i>) filed by ARAB AMERICAN INSTITUTE. (Rochford, Allison) (Entered: 05/28/2020)
07/24/2020		MINUTE ORDER. In order to assist the Court in making a responsible de novo determination, defendant is directed to deliver to chambers for in camera inspection, by July 31, 2020, the five documents at issue that have been withheld pursuant to FOIA Exemption 5: (1) OMB183FY18176_000000702; (2) OMB183FY18176_000000752; (3) OMB183FY18176_000000321; (4) OMB183FY8176_000000764; and (5) OMB183FY18176_0000003026. See Ray v. Turner, 587 F.2d 1187, 1195 (D.C. Cir. 1978). SO ORDERED. Signed by Judge Amy Berman Jackson on 7/24/2020. (lcabj2) (Entered: 07/24/2020)
07/31/2020	43	NOTICE <i>re July 24, 2020, Minute Order</i> by OFFICE OF MANAGEMENT AND BUDGET (Caplen, Robert) (Entered: 07/31/2020)
08/13/2020	44	ORDER. Pursuant to Federal Rules of Civil Procedure 56 and 58, and the accompanying Memorandum Opinion, it is hereby ORDERED that defendant's motion for summary judgment 30 is GRANTED and plaintiff's cross-motion for summary judgment 34 is DENIED. This is a final, appealable order. SO ORDERED. Signed by Judge Amy Berman Jackson on 8/13/2020. (lcabj2) (Entered: 08/13/2020)
08/13/2020	45	MEMORANDUM OPINION. Signed by Judge Amy Berman Jackson on 8/13/2020. (lcabj2) (Entered: 08/13/2020)

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