

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-00586-APM

SWALWELL v. TRUMP et al
Assigned to: Judge Amit P. Mehta
Cases: [1:21-cv-00400-APM](#)
[1:21-cv-00858-APM](#)

Cause: 48:1985 Conspiracy/Deprivation Civil Rights

Date Filed: 03/05/2021
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Non-Party Respondent

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FOR THE U.S. HOUSE OF
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Representative, in his personal capacity

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Date Filed	#	Docket Text
07/28/2021		MINUTE ORDER granting 27 Motion for Leave to File Amicus Brief by Campaign Legal Center Action. Signed by Judge Amit P. Mehta on 7/28/2021. (lcapm3) (Entered: 07/28/2021)
07/28/2021		MINUTE ORDER granting 22 Motion for Leave to File Brief of Amici Curiae In Support of Plaintiffs by Floyd Abrams, Erwin Chemerinsky, Martha Minow, and Laurence H. Tribe. Signed by Judge Amit P. Mehta on 7/28/2021. (lcapm3) (Entered: 07/28/2021)
07/28/2021	35	MOTION for Leave to File <i>an Amicus Curiae Brief in Support of the Plaintiffs</i> by JARED HOLT. (Attachments: # 1 Proposed Amicus Curiae Brief, # 2 Text of Proposed Order) (Williams, Jonathan) (Entered: 07/28/2021)
07/27/2021	34	RESPONSE re 20 MOTION to Certify Defendant Mo Brooks was Acting Within the Scope of his Office or Employment filed by ERIC SWALWELL. (Fink, Sarah) (Entered: 07/27/2021)
07/27/2021	33	RESPONSE TO ORDER OF THE COURT re Order, filed by UNITED STATES. (Attachments: # 1 Text of Proposed Order)(El-Amin, Taheerah) (Entered: 07/27/2021)
07/27/2021	32	RESPONSE TO ORDER OF THE COURT re Order, filed by OFFICE OF GENERAL COUNSEL FOR THE U.S. HOUSE OF REPRESENTATIVES. (Attachments: # 1 Exhibit)(Letter, Douglas) (Entered: 07/27/2021)
07/18/2021		MINUTE ORDER granting in part and denying in part 31 Motion to Set Briefing Schedule. Defendants may file their reply briefs up to and until August 16, 2021. Those reply briefs may also incorporate replies to amicus briefs. However, the replies shall not to exceed 35 pages in length. Signed by Judge Amit P. Mehta on 7/18/2021. (lcapm3) (Entered: 07/18/2021)
07/17/2021	31	Unopposed MOTION for Extension of Time to File Response/Reply as to 14 MOTION to Dismiss <i>for lack of jurisdiction and failure to state a claim</i> , 13 MOTION to Dismiss

		<i>pursuant to FED. R. CIV. P. 12(b)(6) (Joint Motion with Trump Defendants)</i> by RUDOLPH W. GIULIANI. (Attachments: # 1 Text of Proposed Order)(Sibley, Joseph) (Entered: 07/17/2021)
07/15/2021	30	AMICUS BRIEF by EVAN H. CAMINKER, ANDREW KENT, SHELDON NAHMOD, DAPHNA RENAN, PETER M. SHANE. (eg) (Entered: 07/16/2021)
07/15/2021		MINUTE ORDER granting 29 Motion for Leave to File Amici Curiae Brief in Support of Plaintiff. Signed by Judge Amit P. Mehta on 7/15/2021. (lcapm3) (Entered: 07/15/2021)
07/15/2021	29	MOTION for Leave to File <i>Amici Curiae Brief in Support of Plaintiff</i> by Evan H. Caminker, Andrew Kent, Sheldon Nahmod, Daphna Renan, PETER M. SHANE. (Attachments: # 1 Exhibit Brief of Law Professors as Amici Curiae in Support of Plaintiff, # 2 Text of Proposed Order)(Gorod, Brianne) (Entered: 07/15/2021)
07/13/2021		MINUTE ORDER granting 28 Motion for Leave to Appear Pro Hac Vice. Attorney Hayden S. Johnson is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Amit P. Mehta on 7/13/2021. (lcapm3) (Entered: 07/13/2021)
07/12/2021	28	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Hayden S. Johnson, Filing fee \$ 100, receipt number ADCDC-8593379. Fee Status: Fee Paid. by CAMPAIGN LEGAL CENTER ACTION. (Attachments: # 1 Declaration)(Smith, Paul) (Entered: 07/12/2021)
07/08/2021	27	MOTION for Leave to File <i>Amicus Brief</i> by Campaign Legal Center Action. (Attachments: # 1 Proposed Order, # 2 Proposed Amicus Brief, # 3 Appendix A, # 4 Appendix B)(Smith, Paul) (Entered: 07/08/2021)
07/08/2021	26	NOTICE of Appearance by Adav Noti on behalf of Campaign Legal Center Action (Noti, Adav) (Entered: 07/08/2021)
07/08/2021	25	NOTICE of Appearance by Mark P. Gaber on behalf of Campaign Legal Center Action (Gaber, Mark) (Entered: 07/08/2021)
07/08/2021	24	NOTICE of Appearance by Paul March Smith on behalf of Campaign Legal Center Action (Smith, Paul) (Entered: 07/08/2021)
07/08/2021	23	Memorandum in opposition to re 14 MOTION to Dismiss <i>for lack of jurisdiction and failure to state a claim</i> , 13 MOTION to Dismiss <i>pursuant to FED. R. CIV. P. 12(b)(6)</i> filed by ERIC SWALWELL. (Andonian, Philip) (Entered: 07/08/2021)
07/08/2021	22	MOTION for Leave to File <i>Brief of Amici Curiae In Support of Plaintiffs</i> by Floyd Abrams, ERWIN CHEMERINSKY, MARTHA MINOW, LAURENCE H. TRIBE. (Attachments: # 1 Brief of Amici Curiae, # 2 Text of Proposed Order [Proposed] Order Granting Motion For Leave To File Brief of Amici Curiae)(Marais, Nicholas) (Entered: 07/08/2021)
07/07/2021		MINUTE ORDER. The General Counsel for the U.S. House of Representatives shall respond by July 27, 2021, to 20 Defendant Mo Brooks' Petition to Certify He Was Acting Within the Scope of his Office or Employment. The clerk of court shall serve a copy of this Minute Order and a copy of Defendant's Motion on the House General Counsel. Signed by Judge Amit P. Mehta on 7/7/2021. (lcapm3) (Entered: 07/07/2021)
07/05/2021		MINUTE ORDER denying 19 Plaintiff's Motion for Default Judgment Against Defendant Mo Brooks. By virtue of filing his Petition to Certify, Defendant Brooks cannot be considered "an essentially unresponsive party," and strong policy reasons favor resolution of disputes on their merits. See Jackson v. Beech, 636 F.2d 831, 836 (D.C. Cir. 1980)

		(quoting <i>H. F. Livermore Corp. v. Aktiengesellschaft Gebruder Loepfe</i> , 432 F.2d 689, 691 (D.C. Cir. 1970) (per curiam)). Accordingly, Plaintiff's motion is denied without prejudice. Signed by Judge Amit P. Mehta on 7/5/2021. (lcapm3) (Entered: 07/05/2021)
07/05/2021		MINUTE ORDER. The United States and Plaintiffs shall respond by July 27, 2021, to 20 Defendant Mo Brooks' Petition to Certify He Was Acting Within the Scope of his Office or Employment. Defendant Brooks may file a reply by August 10, 2021. The clerk of court shall serve a copy of this Minute Order and a copy of Defendant's Motion on the head of the Civil Division for the U.S. Attorney's Office for the District of Columbia. Signed by Judge Amit P. Mehta on 7/5/2021. (lcapm3) (Entered: 07/05/2021)
07/04/2021	21	REPLY re 19 MOTION for Default Judgment as to <i>Defendant MO BROOKS</i> filed by MO BROOKS. (eg) (Entered: 07/07/2021)
07/02/2021	20	MOTION to Certify Defendant Mo Brooks was Acting Within the Scope of his Office or Employment by MO BROOKS. "Let this be filed" Signed by Judge Amit P. Mehta on 7/2/2021. (eg) (Main Document 20 replaced on 7/7/2021) (zeg). (Entered: 07/02/2021)
07/01/2021	19	MOTION for Default Judgment as to <i>Defendant MO BROOKS</i> by ERIC SWALWELL. (Andonian, Philip) (Entered: 07/01/2021)
06/08/2021	18	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. MO BROOKS served on 6/6/2021, answer due 6/27/2021 (Andonian, Philip) (Entered: 06/08/2021)
06/05/2021	17	NOTICE of Appearance by Barry Coburn on behalf of ERIC SWALWELL (Coburn, Barry) (Entered: 06/05/2021)
06/02/2021		MINUTE ORDER granting in part and denying in part 16 Plaintiff's Motion for Additional Time to Serve the Complaint on Defendant Mo Brooks. Plaintiff shall have an additional sixty (60) days to serve Defendant Brooks. Due to separation of powers concerns, however, the court declines Plaintiff's request to order the United States Marshals Service to assist Plaintiff in effecting service. Signed by Judge Amit P. Mehta on 6/2/2021. (lcapm3) (Entered: 06/02/2021)
06/02/2021	16	MOTION for Extension of Time to <i>Serve the Complaint and Other Relief as to Defendant Mo Brooks</i> by ERIC SWALWELL. (Attachments: # 1 Exhibit Exhibit A, # 2 Text of Proposed Order Proposed Order)(Andonian, Philip) (Entered: 06/02/2021)
05/31/2021		MINUTE ORDER granting 15 Motion for Briefing Schedule. Plaintiff's oppositions to motions to dismiss shall be filed on or before July 8, 2021. Defendants' replies to Plaintiff's oppositions shall be filed on or before July 22, 2021. Signed by Judge Amit P. Mehta on 5/31/2021. (lcapm3) (Entered: 05/31/2021)
05/29/2021	15	Joint MOTION for Briefing Schedule by ERIC SWALWELL. (Attachments: # 1 Text of Proposed Order)(Fink, Sarah) (Entered: 05/29/2021)
05/24/2021	14	MOTION to Dismiss <i>for lack of jurisdiction and failure to state a claim</i> by DONALD J. TRUMP, JR, DONALD J. TRUMP. (Attachments: # 1 Memorandum in Support, # 2 Text of Proposed Order)(Binnall, Jesse) (Entered: 05/24/2021)
05/17/2021	13	MOTION to Dismiss <i>pursuant to FED. R. CIV. P. 12(b)(6)</i> by RUDOLPH W. GIULIANI. (Attachments: # 1 Memorandum in Support, # 2 Text of Proposed Order)(Sibley, Joseph) (Entered: 05/17/2021)
04/15/2021	12	NOTICE of Appearance by Philip C. Andonian on behalf of ERIC SWALWELL (Andonian, Philip) (Entered: 04/15/2021)
04/02/2021	11	WAIVER OF SERVICE. RUDOLPH W. GIULIANI waiver sent on 3/18/2021, answer due

		5/17/2021. (Caleb, Joseph) (Entered: 04/02/2021)
03/25/2021	10	WAIVER OF SERVICE. DONALD J. TRUMP, JR waiver sent on 3/24/2021, answer due 5/23/2021. (Fink, Sarah) (Entered: 03/25/2021)
03/25/2021	9	WAIVER OF SERVICE. DONALD J. TRUMP waiver sent on 3/24/2021, answer due 5/23/2021. (Fink, Sarah) (Entered: 03/25/2021)
03/24/2021	8	NOTICE of Appearance by Jesse R Binnall on behalf of DONALD J. TRUMP, JR, DONALD J. TRUMP (Binnall, Jesse) (Entered: 03/24/2021)
03/17/2021	7	NOTICE of Appearance by Matthew G. Kaiser on behalf of ERIC SWALWELL (Kaiser, Matthew) (Entered: 03/17/2021)
03/17/2021	6	NOTICE of Appearance by Sarah Renee Fink on behalf of ERIC SWALWELL (Fink, Sarah) (Entered: 03/17/2021)
03/10/2021	5	SUMMONS (4) Issued Electronically as to MO BROOKS, RUDOLPH W. GIULIANI, DONALD J. TRUMP, JR, DONALD J. TRUMP. (Attachment: # 1 Notice and Consent) (adh,) (Entered: 03/10/2021)
03/09/2021		Case Assigned to Judge Amit P. Mehta. (adh,) (Entered: 03/09/2021)
03/09/2021	4	NOTICE OF RELATED CASE by ERIC SWALWELL. Case related to Case No. 1:21-cv-00400. (Caleb, Joseph) (Entered: 03/09/2021)
03/09/2021	3	CIVIL COVER SHEET by ERIC SWALWELL filed by ERIC SWALWELL.(Caleb, Joseph) (Entered: 03/09/2021)
03/05/2021		NOTICE OF ERROR re 2 Notice of Related Case; emailed to joe@calebandonian.com, cc'd 3 associated attorneys -- The PDF file you docketed contained errors: 1. Form filed as fillable PDF. Please file form in a non-fillable PDF format., 2. COMPLIANCE DEADLINE is by close of business today. This case will not proceed any further until all errors are satisfied. (zsb,) (Entered: 03/05/2021)
03/05/2021		NOTICE OF ERROR re 1 Complaint; emailed to joe@calebandonian.com, cc'd 3 associated attorneys -- The PDF file you docketed contained errors: 1. Blank or missing coversheet. Please use the cover sheet at https://www.dcd.uscourts.gov/new-case-forms & file using the event Civil Cover Sheet., 2. Form filed as fillable PDF. Please file form in a non-fillable PDF format., 3. COMPLIANCE DEADLINE is by close of business today. This case will not proceed any further until all errors are satisfied. (zsb,) (Entered: 03/05/2021)
03/05/2021	2	NOTICE OF RELATED CASE by ERIC SWALWELL. Case related to Case No. 21-cv-400. (Caleb, Joseph) (Entered: 03/05/2021)
03/05/2021	1	COMPLAINT against All Defendants with Jury Demand (Filing fee \$ 402 receipt number ADCDC-8280044) filed by ERIC SWALWELL. (Attachments: # 1 Civil Cover Sheet, # 2 Summons, # 3 Summons, # 4 Summons, # 5 Summons)(Caleb, Joseph) (Entered: 03/05/2021)

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