

CLOSED

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:17-cv-00330-jdp**

Freedom From Religion Foundation, Inc. et al v. Trump, Donald
et al
Assigned to: District Judge James D. Peterson
Referred to: Magistrate Judge Stephen L. Crocker
Cause: 42:1983 Civil Rights Act
Date Filed: 05/04/2017
Date Terminated: 12/14/2017
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

**Freedom From Religion Foundation,
Inc.**

represented by **Richard L. Bolton**
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LEAD ATTORNEY
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Plaintiff

Dan Barker
Co-President of FFRF

represented by **Richard L. Bolton**
(See above for address)
LEAD ATTORNEY
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Plaintiff

Annie Laurie Gaylor
Co-President of FFRF

represented by **Richard L. Bolton**
(See above for address)
LEAD ATTORNEY
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V.

Defendant

Donald Trump
President of the United States

represented by **James C. Luh**
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Defendant

John Koskinen
*Commissioner of the Internal Revenue
Service*

represented by **James C. Luh**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Intervenor Defendant

Pastor Charles Moodie

represented by **Daniel Howard Blomberg**
Becket Fund for Religious Liberty

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Intervenor Defendant

Pastor Koua Vang

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Diana Verm
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LEAD ATTORNEY
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Eric Christopher Rassbach
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Intervenor Defendant

Father Patrick Malone

represented by **Daniel Howard Blomberg**
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LEAD ATTORNEY
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Diana Verm
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Eric Christopher Rassbach
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Intervenor Defendant

Holy Cross Anglican Church

represented by **Daniel Howard Blomberg**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Diana Verm
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Eric Christopher Rassbach
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Date Filed	#	Docket Text
05/04/2017	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0758-2019068.), filed by All Plaintiffs, (Attachments: # <u>1</u> JS-44 Civil Cover Sheet, # <u>2</u> Summons - Donald Trump, # <u>3</u> Summons - John Koskinen) (Bolton, Richard) (Entered: 05/04/2017)
05/05/2017		Case randomly assigned to District Judge James D. Peterson and Magistrate Judge Stephen L. Crocker. (kwf) (Entered: 05/05/2017)
05/05/2017		Standard attachments for District Judge James D. Peterson required to be served on all parties with summons or waiver of service: <u>NORTC</u> , <u>Corporate Disclosure Statement</u> . (kwf) (Entered: 05/05/2017)
05/05/2017	<u>2</u>	Summons Issued as to Donald Trump. (Attachments: # <u>1</u> Summons Issued as to John Koskinen) (kwf) (Entered: 05/05/2017)
06/20/2017		Action Requested: Counsel for plaintiff requested to promptly file proof of service. (kwf) (Entered: 06/20/2017)
06/26/2017	<u>3</u>	Certificate of Service by Plaintiffs Dan Barker, Freedom From Religion Foundation, Inc., Annie Laurie Gaylor as to <u>1</u> Complaint, <u>2</u> Summons Issued. (Bolton, Richard) (Entered: 06/26/2017)
06/28/2017	<u>4</u>	Notice of Appearance filed by James C. Luh for Defendants John Koskinen, Donald Trump. (Luh, James) (Entered: 06/28/2017)
06/29/2017	<u>5</u>	Motion to Intervene by Intervenor Defendants Charles Moodie, Koua Vang, Patrick Malone, Holy Cross Anglican Church. Response due 7/6/2017. (Attachments: # <u>1</u> Proposed Answer, # <u>2</u> Proposed Order) (Verm, Diana) Modified on 6/30/2017: Added the Attorney To Be Noticed designation and regenerated NEFs to counsel. (lak) (Entered: 06/29/2017)
06/29/2017	<u>6</u>	Brief in Support of <u>5</u> Motion to Intervene by Intervenor Defendants Holy Cross Anglican Church, Patrick Malone, Charles Moodie, Koua Vang. (Verm, Diana) (Entered: 06/29/2017)
06/29/2017	<u>7</u>	Declaration of Pastor Charles Moodie filed by Intervenor Defendants Holy Cross Anglican Church, Patrick Malone, Charles Moodie, Koua Vang re: <u>5</u> Motion to Intervene. (Verm, Diana) (Entered: 06/29/2017)
06/29/2017	<u>8</u>	Declaration of Pastor Koua Vang filed by Intervenor Defendants Holy Cross Anglican Church, Patrick Malone, Charles Moodie, Koua Vang re: <u>5</u> Motion to Intervene. (Verm, Diana) (Entered: 06/29/2017)
06/29/2017	<u>9</u>	Declaration of Father Patrick Malone filed by Intervenor Defendants Holy Cross Anglican Church, Patrick Malone, Charles Moodie, Koua Vang re: <u>5</u> Motion to Intervene. (Verm, Diana) (Entered: 06/29/2017)
06/29/2017	<u>10</u>	Corporate Disclosure Statement by Intervenor Defendant Holy Cross Anglican Church. (Verm, Diana) (Entered: 06/29/2017)

06/29/2017	<u>11</u>	Notice of Appearance filed by Daniel Howard Blomberg for Intervenor Defendants Holy Cross Anglican Church, Patrick Malone, Charles Moodie, Koua Vang. (Blomberg, Daniel) Modified on 6/30/2017: Added the Attorney To Be Noticed designation and regenerated NEFs to counsel. (lak) (Entered: 06/29/2017)
06/29/2017	<u>12</u>	Notice of Appearance filed by Eric Christopher Rassbach for Intervenor Defendants Holy Cross Anglican Church, Patrick Malone, Charles Moodie, Koua Vang. (Rassbach, Eric) Modified on 6/30/2017: Added the Attorney To Be Noticed designation and regenerated NEFs to counsel. (lak) (Entered: 06/29/2017)
06/30/2017	<u>13</u>	Motion for Extension of Time to Respond to Motion to Intervene by Defendants John Koskinen, Donald Trump. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 7/7/2017. (Luh, James) (Entered: 06/30/2017)
07/03/2017	<u>14</u>	Brief in Opposition by Intervenor Defendants Holy Cross Anglican Church, Patrick Malone, Charles Moodie, Koua Vang re: <u>13</u> MOTION for Extension of Time filed by Donald Trump, John Koskinen. (Blomberg, Daniel) (Entered: 07/03/2017)
07/05/2017	<u>15</u>	** TEXT ONLY ORDER ** Defendants' motion for an extension of time (dkt. <u>13</u>) is GRANTED over the opposition of the proposed intervenors (dkt. <u>14</u>). Brief in Opposition due 8/22/2017. Signed by Magistrate Judge Stephen L. Crocker on 7/5/2017. (kwf) (Entered: 07/05/2017)
08/22/2017	<u>16</u>	MOTION TO DISMISS for Lack of Subject Matter Jurisdiction or for Failure to State a Claim by Defendants John Koskinen, Donald Trump. Brief in Opposition due 9/12/2017. Brief in Reply due 9/22/2017. (Luh, James) Modified on 8/22/2017. (lak) (Entered: 08/22/2017)
08/22/2017	<u>17</u>	Brief in Support of <u>16</u> Motion to Dismiss for Lack of Subject Matter Jurisdiction or for Failure to State a Claim by Defendants John Koskinen, Donald Trump. (Luh, James) Modified on 8/22/2017. (lak) (Entered: 08/22/2017)
08/22/2017	<u>18</u>	Brief in Opposition by Defendants John Koskinen, Donald Trump re: <u>5</u> Motion to Intervene, filed by Koua Vang, Charles Moodie, Holy Cross Anglican Church, Patrick Malone. (Luh, James) Modified on 8/23/2017. (lak) (Entered: 08/22/2017)
08/22/2017	<u>19</u>	MOTION TO DISMISS by Intervenor Defendants Holy Cross Anglican Church, Patrick Malone, Charles Moodie, Koua Vang. Brief in Opposition due 9/12/2017. Brief in Reply due 9/22/2017. (Blomberg, Daniel) (Entered: 08/22/2017)
08/22/2017	<u>20</u>	Brief in Support of <u>19</u> Motion to Dismiss by Intervenor Defendants Holy Cross Anglican Church, Patrick Malone, Charles Moodie, Koua Vang. (Blomberg, Daniel) (Entered: 08/22/2017)
08/28/2017		Set Telephone Pretrial Conference: Telephone Pretrial Conference set for 10/4/2017 at 01:00 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. [Standing Order Governing Preliminary Pretrial Conference attached] (voc) (Entered: 08/28/2017)
08/31/2017	<u>21</u>	Brief in Reply by Intervenor Defendants Holy Cross Anglican Church, Patrick Malone, Charles Moodie, Koua Vang in Support of <u>5</u> Motion to Intervene. (Blomberg, Daniel) (Entered: 08/31/2017)
09/05/2017	<u>22</u>	Unopposed Motion to Stay Pretrial Conference by Defendants John Koskinen, Donald Trump. (Luh, James) Modified on 9/6/2017. (lak) (Entered: 09/05/2017)
09/06/2017	<u>23</u>	** TEXT ONLY ORDER ** ORDER granting <u>22</u> Unopposed Motion to Stay Pretrial Conference. Signed by Magistrate Judge Stephen L. Crocker on 9/6/2017. (kwf) (Entered: 09/06/2017)
09/06/2017	<u>24</u>	Unopposed Motion for Extension of Time by Plaintiffs Dan Barker, Freedom From Religion Foundation, Inc., Annie Laurie Gaylor. Motions referred to Magistrate Judge Stephen L. Crocker. (Bolton, Richard) (Entered: 09/06/2017)
09/07/2017	<u>25</u>	** TEXT ONLY ORDER ** ORDER granting <u>24</u> Motion for Extension of Time. Brief in Opposition due 9/19/2017. Brief in Reply due 9/29/2017. Signed by Magistrate Judge Stephen L. Crocker on 9/7/2017. (kwf) (Entered: 09/07/2017)

09/19/2017	<u>26</u>	AMENDED COMPLAINT <i>for Declaratory and Injunctive Relief</i> against All Defendants, filed by All Plaintiffs. (Bolton, Richard) (Entered: 09/19/2017)
09/20/2017	27	** TEXT ONLY ORDER ** Plaintiff Freedom From Religion Foundation, Inc., has filed an amended complaint, Dkt. <u>26</u> , which appears to address some of the issues in defendants' pending motions to dismiss, Dkt. <u>16</u> and Dkt. <u>19</u> . Accordingly, the court will DENY defendants' motions to dismiss as moot. Defendants may file new motions directed to the amended complaint. Signed by District Judge James D. Peterson on 9/20/2017. (kwf) (Entered: 09/20/2017)
09/21/2017	<u>28</u>	Unopposed Motion for Extension of Time <i>to Respond to Amended Complaint</i> by Defendants John Koskinen, Donald Trump. Motions referred to Magistrate Judge Stephen L. Crocker. (Luh, James) (Entered: 09/21/2017)
09/26/2017	<u>29</u>	Notice of Supplemental Authority by Intervenor Defendants Holy Cross Anglican Church, Patrick Malone, Charles Moodie, Koua Vang re: <u>5</u> Motion to Intervene. (Blomberg, Daniel) (Entered: 09/26/2017)
09/27/2017	30	** TEXT ONLY ORDER ** ORDER granting <u>28</u> Motion for Extension of Time to Respond to Amended Complaint. Donald Trump and John Koskinen Answer due 11/2/2017. Signed by Magistrate Judge Stephen L. Crocker on 9/27/17. (kwf) (Entered: 09/27/2017)
11/01/2017	<u>31</u>	Unopposed Motion for Extension of Time <i>to Respond to Amended Complaint</i> by Defendants John Koskinen, Donald Trump. Motions referred to Magistrate Judge Stephen L. Crocker. (Luh, James) (Entered: 11/01/2017)
11/01/2017	32	** TEXT ONLY ORDER ** ORDER granting <u>31</u> Motion for Extension of Time to Respond to Amended Complaint. Answer due 11/9/2017. Signed by Magistrate Judge Stephen L. Crocker on 11/1/2017. (kwf) (Entered: 11/01/2017)
11/09/2017	<u>33</u>	MOTION TO DISMISS <i>for Lack of Subject Matter Jurisdiction or for Failure to State a Claim</i> by Defendants John Koskinen, Donald Trump. Brief in Opposition due 11/30/2017. Brief in Reply due 12/11/2017. (Luh, James) (Entered: 11/09/2017)
11/09/2017	<u>34</u>	Brief in Support of <u>33</u> Motion to Dismiss <i>for Lack of Subject Matter Jurisdiction or for Failure to State a Claim</i> by Defendants John Koskinen, Donald Trump. (Luh, James) (Entered: 11/09/2017)
11/09/2017	<u>35</u>	MOTION TO DISMISS <i>Plaintiffs' Amended Complaint</i> by Intervenor Defendants Holy Cross Anglican Church, Patrick Malone, Charles Moodie, Koua Vang. Brief in Opposition due 11/30/2017. Brief in Reply due 12/11/2017. (Blomberg, Daniel) (Entered: 11/09/2017)
11/09/2017	<u>36</u>	Brief in Support of <u>35</u> Motion to Dismiss, by Intervenor Defendants Holy Cross Anglican Church, Patrick Malone, Charles Moodie, Koua Vang. (Blomberg, Daniel) (Entered: 11/09/2017)
11/28/2017	<u>37</u>	Unopposed Motion for Extension of Time by Plaintiffs Dan Barker, Freedom From Religion Foundation, Inc., Annie Laurie Gaylor. Motions referred to Magistrate Judge Stephen L. Crocker. (Bolton, Richard) (Entered: 11/28/2017)
11/28/2017	38	** TEXT ONLY ORDER ** ORDER granting <u>37</u> Motion for Extension of Time by Plaintiffs. Brief in Opposition due 12/11/2017. Brief in Reply due 12/21/2017. Signed by Magistrate Judge Stephen L. Crocker on 11/28/2017. (voc) (Entered: 11/28/2017)
12/13/2017	<u>39</u>	Notice of Voluntary Dismissal by Plaintiffs Dan Barker, Freedom From Religion Foundation, Inc., Annie Laurie Gaylor (Bolton, Richard) (Entered: 12/13/2017)
12/14/2017		Pursuant to Fed. R. Civ. P. 41(a)(1), this case is closed without further order of the court. (kwf) (Entered: 12/14/2017)