## General Docket Court of Appeals, 2nd Circuit

Court of Appeals Docket #: 21-1338 Nature of Suit: 2890 STATUTES-Other Lawyers Committee for 9/11 Inq v. Garland Appeal From: SDNY (NEW YORK CITY)

Fee Status: Paid

**Case Type Information:** 

1) Civil

2) United States

3) -

**Originating Court Information:** 

**District:** 0208-1 : <u>19-cv-8312</u>

Trial Judge: Paul G. Gardephe, U.S. District Judge

**Date Filed:** 09/06/2019

Date Order/Judgment: Date NOA Filed: Date Rec'd COA:

03/24/2021 05/24/2021 05/25/2021

**Prior Cases:** 

None

**Current Cases:** 

None

Panel Assignment: Not available

Lawyers Committee for 9/11 Inquiry, Inc. Mick G. Harrison, Esq., -

Plaintiff - Appellant Direct: 812-361-6220 [COR NTC Appointed] Mick G. Harrison, Esq.

520 South Walnut Street, #1147

Bloomington, IN 47402

John L. O'Kelly, -Direct: 516-248-3338 [COR NTC Retained] Law Office of John L. O'Kelly 127 Bengeyfield Drive East Williston, NY 10022

Richard Gage Mick G. Harrison, Esq., Plaintiff - Appellant Direct: 812-361-6220

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Diana Hetzel Mick G. Harrison, Esq., -

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(see above)

Plaintiff - Appellant

Plaintiff - Appellant

**Docketed:** 05/25/2021

Termed: 08/05/2022

John L. O'Kelly, -Direct: 516-248-3338 [COR NTC Retained]

(see above)

Architects & Engineers for 9/11 Truth

Plaintiff - Appellant

Mick G. Harrison, Esq., -Direct: 812-361-6220 [COR NTC Appointed] (see above)

John L. O'Kelly, -Direct: 516-248-3338 [COR NTC Retained] (see above)

Michael O'Kelly

Plaintiff - Appellant

Mick G. Harrison, Esq., -Direct: 812-361-6220 [COR NTC Appointed] (see above)

John L. O'Kelly, -Direct: 516-248-3338 [COR NTC Retained] (see above)

Jeanne Evans

Plaintiff - Appellant

Mick G. Harrison, Esq., -Direct: 812-361-6220 [COR NTC Appointed] (see above)

John L. O'Kelly, -Direct: 516-248-3338 [COR NTC Retained] (see above)

Robert McIlvaine

Plaintiff - Appellant

Mick G. Harrison, Esq., -Direct: 812-361-6220 [COR NTC Appointed] (see above)

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(see above)

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Merrick B. Garland, Attorney General of the United States

Defendant - Appellee

Benjamin H. Torrance, Assistant U.S. Attorney

[COR LD NTC US Attorney]

United States Attorney's Office for the Southern District of New

York

86 Chambers Street New York, NY 10007

Geoffrey Berman, United States Attorney for the Southern District

of New York

Terminated: 06/08/2021

Defendant - Appellee

Audrey Strauss, United States Attorney for the Southern District of

New York

Defendant - Appellee

Benjamin H. Torrance, Assistant U.S. Attorney [COR LD NTC US Attorney]

(see above)

Mick G. Harrison, Esq., -Direct: 812-361-6220 [COR NTC Appointed]

(see above)

United States Department of Justice Defendant - Appellee Benjamin H. Torrance, Assistant U.S. Attorney [COR LD NTC US Attorney] (see above)

Lawyers Committee for 9/11 Inquiry, Inc., Richard Gage, Christopher Gioia, Diana Hetzel, Architects & Engineers for 9/11 Truth, Michael O'Kelly, Jeanne Evans, Robert McIlvaine,

Plaintiffs - Appellants,

٧.

Merrick B. Garland, Attorney General of the United States, Damian Williams, United States Attorney for the Southern District of New York, United States Department of Justice,

Defendants - Appellees.

05/25/2021	11 pg, 233.5 KB	NOTICE OF CIVIL APPEAL, with district court docket, on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc. and Robert McIlvaine, FILED. [3107627] [21-1338] [Entered: 05/25/2021 11:56 AM]
05/25/2021	2 24 pg, 245.04 KB	DISTRICT COURT ORDER, dated 03/24/2021, RECEIVED.[3107638] [21-1338] [Entered: 05/25/2021 12:02 PM]
05/25/2021	3 1 pg, 29.16 KB	DISTRICT COURT JUDGMENT, dated 03/24/2021, RECEIVED.[3107640] [21-1338] [Entered: 05/25/2021 12:04 PM]
05/25/2021	□ 4	PAYMENT OF DOCKETING FEE, on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, district court receipt # ANYSDC24576310, FILED.[3107641] [21-1338] [Entered: 05/25/2021 12:05 PM]
05/25/2021	5 9 pg, 300.75 KB	ELECTRONIC INDEX, in lieu of record, FILED.[3107644] [21-1338] [Entered: 05/25/2021 12:06 PM]
05/25/2021	9	NON-ADMITTED ATTORNEY, Attorney Mick G. Harrison, Esq. for Appellant Lawyers Committee for 9/11 Inquiry, Inc., Richard Gage, Christopher Gioia, Diana Hetzel, Architects & Engineers for 9/11 Truth, Michael O'Kelly, Jeanne Evans and Robert McIlvaine, orally informed to apply for admission forthwith and submit Addendum A to Notice of Appearance, NOTIFIED.[3107900] [21-1338] [Entered: 05/25/2021 03:12 PM]
06/01/2021	1 pg, 61.61 KB	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellee Geoffrey Berman, Merrick B. Garland and United States Department of Justice, FILED. Service date 06/01/2021 by CM/ECF. [3110866] [21-1338] [Entered: 06/01/2021 09:37 AM]
06/01/2021	□ 11	ATTORNEY, Alexander Hogan for Appellees Merrick B. Garland, United States Department of Justice, Geoffrey Berman, in case 21-1338, [10], ADDED.[3111899] [21-1338] [Entered: 06/01/2021 04:44 PM]
06/07/2021	2 pg, 144.48 KB	ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Appellee Geoffrey Berman, Merrick B. Garland and United States Department of Justice, FILED. Service date 06/07/2021 by CM/ECF. [3115468] [21-1338] [Entered: 06/07/2021 05:54 PM]
06/08/2021	□ 13	GEOFFREY BERMAN replaced by Audrey Strauss, Pursuant to FRAP 43(c)(2), SUBSTITUTED.[3115692] [21-1338] [3115692] [21-1338] [Entered: 06/08/2021 10:22 AM]
06/08/2021	1 pg, 91.4 KB	CAPTION, reflecting Audrey Strauss as the current U.S. Attorney for the Southern District of New York, AMENDED.[3115703] [21-1338] [Entered: 06/08/2021 10:32 AM]
06/08/2021	15 9 pg, 969.99 KB	MOTION, for admission pro hac vice, on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, FILED. Service date 06/08/2021 by US mail.[3115985] [21-1338] [Entered: 06/08/2021 01:31 PM]
06/10/2021	1 pg, 119.55 KB	MOTION ORDER, Mick G. Harrison seeks to be admitted pro hac vice for the purpose of representing the Plaintiffs-Appellants. IT IS HEREBY ORDERED that the motion is GRANTED. Counsel is directed to register as a Filing User under Local Rule 25.1 to file documents electronically in this case within three (3) days of the date of this order, [15], by SJM, FILED. [3117691][19] [21-1338] [Entered: 06/10/2021 03:16 PM]
06/10/2021	20 2 pg, 417.99 KB	ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, FILED. Service date 06/10/2021 by CM/ECF.[3117744] [21-1338] [Entered: 06/10/2021 03:47 PM]
06/10/2021	21 41 pg, 3.05 MB	FORM C, on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, FILED. Service date 06/10/2021 by CM/ECF.[3117750] [21-1338] [Entered: 06/10/2021 03:52 PM]
06/10/2021	22 2 pg, 587.84 KB	FORM D, on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, FILED. Service date 06/10/2021 by CM/ECF.[3117755] [21-1338] [Entered: 06/10/2021 03:57 PM]
06/11/2021	29 2 pg, 168.56 KB	NEW CASE MANAGER, Tynetta Wilder, ASSIGNED.[3118741] [21-1338] [Entered: 06/11/2021 05:44 PM]
06/11/2021	30 1 pg, 94.42 KB	LOCAL RULE 31.2 NOTICE, placing this appeal on the Court's Expedited Calendar, setting appellant's brief due date as 7/16/2021, appellee's brief due date as 8/20/2021, TRANSMITTED.[3118770] [21-1338] [Entered: 06/11/2021 07:06 PM]
07/13/2021	31 5 pg, 876.22 KB	MOTION, to extend time, on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine

		and Michael O'Kelly, FILED. Service date 07/13/2021 by CM/ECF, email. [3136342] [21-1338] [Entered: 07/13/2021 04:09 AM]
07/15/2021	<u>35</u>	MOTION ORDER, granting motion to extend time [31] filed by Appellant Lawyers Committee for 9/11 Inquiry, Inc., Richard Gage, Christopher Gioia, Diana Hetzel, Architects & Engineers for 9/11 Truth, Michael O'Kelly, Jeanne Evans and Robert McIlvaine, Appellants brief and appendix due 7/23/2021, Appellees brief due 8/27/2021, Appellants reply brief due 9/10/2021 by JAC, Circuit Judge, FILED. [3138834][35] [21-1338] [Entered: 07/15/2021 03:58 PM]
07/23/2021	□ 39	BRIEF & APPENDIX, on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, FILED. Service date 07/23/2021 by CM/ECF, email, US mail. [3143737] [21-1338] [Entered: 07/23/2021 08:59 PM]
07/28/2021	40 2 pg, 133.46 KB	DEFECTIVE DOCUMENT, brief & appendix, [39], on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, FILED.[3145889] [21-1338] [Entered: 07/28/2021 10:10 AM]
07/29/2021	□ 41	BRIEF, on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, FILED. Service date 07/29/2021 by CM/ECF, email.[3147451] [21-1338] [Entered: 07/29/2021 07:55 PM]
07/29/2021	☐ <b>42</b>	JOINT APPENDIX, volume 1 of 2, (pp. 1-75), on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine, Michael O'Kelly and Appellee Audrey Strauss, FILED. Service date 07/29/2021 by CM/ECF, email.[3147452] [21-1338] [Entered: 07/29/2021 08:03 PM]
07/29/2021	☐ <b>43</b>	JOINT APPENDIX, volume 2 of 2, (pp. 76-156), on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine, Michael O'Kelly and Appellee Audrey Strauss, FILED. Service date 07/29/2021 by CM/ECF, email.[3147453] [21-1338] [Entered: 07/29/2021 08:07 PM]
08/04/2021	<u>44</u> 2 pg, 131.14 KB	DEFECTIVE DOCUMENT, brief, joint appendix vol. 1, joint appendix vol. 2, [41], [42], [43], on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, FILED.[3150317] [21-1338] [Entered: 08/04/2021 01:32 PM]
08/05/2021	<u>45</u> 58 pg, 1.81 MB	BRIEF, on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, FILED. Service date 08/05/2021 by CM/ECF, email.[3151106] [21-1338] [Entered: 08/05/2021 02:24 PM]
08/05/2021	<u>46</u> 75 pg, 1.86 MB	JOINT APPENDIX, volume 1 of 2, (pp. 1-75), on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine, Michael O'Kelly and Appellee Audrey Strauss, FILED. Service date 08/05/2021 by CM/ECF, email.[3151110] [21-1338] [Entered: 08/05/2021 02:27 PM]
08/05/2021	47 81 pg, 6.94 MB	JOINT APPENDIX, volume 2 of 2, (pp. 76-156), on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine, Michael O'Kelly and Appellee Audrey Strauss, FILED. Service date 08/05/2021 by CM/ECF, email.[3151118] [21-1338] [Entered: 08/05/2021 02:32 PM]
08/11/2021	☐ 48	CURED DEFECTIVE: BRIEF, APPENDICES [45], [46], [47], on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, FILED.[3154624] [21-1338] [Entered: 08/11/2021 02:49 PM]
08/19/2021	54 48 pg, 412.5 KB	BRIEF, on behalf of Appellee Merrick B. Garland, Audrey Strauss and United States Department of Justice, FILED. Service date 08/19/2021 by CM/ECF, US mail. [3158748] [21-1338] [Entered: 08/19/2021 09:40 AM]
09/02/2021	<u>58</u> 1 pg, 79.54 KB	ORAL ARGUMENT STATEMENT LR 34.1 (a), on behalf of filer Attorney Alexander Hogan, Esq. for Appellee Merrick B. Garland, Audrey Strauss and United States Department of Justice, FILED. Service date 09/02/2021 by CM/ECF. [3166906] [21-1338] [Entered: 09/02/2021 11:49 AM]
09/02/2021	□ 60	ORAL ARGUMENT STATEMENT LR 34.1 (a), on behalf of filer Attorney Mr. Mick G. Harrison, Esq. for Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine, Michael O'Kelly and Appellee Audrey Strauss, FILED. Service date 09/02/2021 by CM/ECF, email. [3167106] [21-1338] [Entered: 09/02/2021 02:25 PM]
09/02/2021	61 2 pg, 127.32 KB	DEFECTIVE DOCUMENT, oral argument, [60], on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly. FILED.[3167393] [21-1338] [Entered: 09/02/2021 11:16 PM]

09/02/2021	62 1 pg, 1.29 MB	ORAL ARGUMENT STATEMENT LR 34.1 (a), on behalf of filer Attorney Mr. Mick G. Harrison, Esq. for Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine, Michael O'Kelly and Appellee Audrey Strauss, FILED. Service date 09/02/2021 by CM/ECF, email. [3167396] [21-1338] [Entered: 09/02/2021 11:51 PM]
09/08/2021	□ 63	CURED DEFECTIVE FORM, [62], on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine, Michael O'Kelly and Appellee Audrey Strauss, FILED.[3169154] [21-1338] [Entered: 09/08/2021 02:12 AM]
09/10/2021	64 20 pg, 1.02 MB	REPLY BRIEF, on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, FILED. Service date 09/10/2021 by CM/ECF, email. [3172145] [21-1338] [Entered: 09/10/2021 07:59 PM]
10/08/2021	□ 67	CASE CALENDARING, for the week of 01/17/2022, PROPOSED.[3189252] [21-1338] [Entered: 10/08/2021 10:01 AM]
11/16/2021	□ 68	CASE CALENDARING, for argument on 01/21/2022, SET.[3212562] [21-1338] [Entered: 11/16/2021 04:44 PM]
12/17/2021	69 0 pg, 0 KB	ARGUMENT NOTICE, to attorneys/parties, TRANSMITTED. Note: Listed counsel must log on to CM/ECF in order to view the attachment. [3230568] [21-1338] [Entered: 12/17/2021 08:26 PM]
12/23/2021	70 2 pg, 175.2 KB	NOTICE OF HEARING DATE ACKNOWLEDGMENT, on behalf of Appellee Merrick B. Garland, Audrey Strauss and United States Department of Justice, FILED. Service date 12/23/2021 by CM/ECF. [3232797] [21-1338] [Entered: 12/23/2021 09:16 AM]
12/23/2021	71 2 pg, 84.19 KB	NOTICE OF HEARING DATE ACKNOWLEDGMENT, on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, FILED. Service date 12/23/2021 by CM/ECF. [3232859] [21-1338] [Entered: 12/23/2021 09:59 PM]
01/06/2022	72 0 pg, 0 KB	REVISED ARGUMENT NOTICE, to attorneys/parties, TRANSMITTED. Note: Listed counsel must log on to CM/ECF in order to view the attachment. [3238923] [21-1338] [Entered: 01/06/2022 11:56 AM]
01/06/2022	73 0 pg, 0 KB	NOTICE OF HEARING DATE ACKNOWLEDGMENT, on behalf of Appellant Architects & Engineers for 9/11 Truth, Jeanne Evans, Richard Gage, Christopher Gioia, Diana Hetzel, Lawyers Committee for 9/11 Inquiry, Inc., Robert McIlvaine and Michael O'Kelly, FILED. Service date 01/06/2022 by CM/ECF. Note: Listed counsel must log on to CM/ECF in order to view the attachment. [3239029] [21-1338] [Entered: 01/06/2022 01:04 PM]
01/07/2022	75 0 pg, 0 KB	NOTICE OF HEARING DATE ACKNOWLEDGMENT, on behalf of Appellee Merrick B. Garland, Audrey Strauss and United States Department of Justice, FILED. Service date 01/07/2022 by CM/ECF. Note: Listed counsel must log on to CM/ECF in order to view the attachment. [3240069] [21-1338] [Entered: 01/07/2022 04:02 PM]
01/21/2022	□ 76	CASE, before JMW, RJS, ECL, HEARD.[3247480] [21-1338] [Entered: 01/21/2022 10:58 AM]
08/05/2022	77 18 pg, 525.14 KB	OPINION, affirming the judgment of the district court, by JMW, RJS, ECL, FILED.[3360508] [21-1338] [Entered: 08/05/2022 09:25 AM]
08/05/2022	80 1 pg, 90.17 KB	NEW CASE MANAGER, Ralph Obas, ASSIGNED.[3360533] [21-1338] [Entered: 08/05/2022 09:33 AM]
08/05/2022	□ 81	CAPTION, as per opinion dated 08/05/2022, AMENDED.[3360552] [21-1338] [Entered: 08/05/2022 09:39 AM]
08/05/2022	84 1 pg, 165.2 KB	JUDGMENT, FILED.[3360922] [21-1338] [Entered: 08/05/2022 02:25 PM]
09/28/2022	85 17 pg, 1.04 MB	JUDGMENT MANDATE, ISSUED.[3389910] [21-1338] [Entered: 09/28/2022 11:06 AM]
09/29/2022	87 1 pg, 155.28 KB	LETTER, on behalf of Appellee Merrick B. Garland, Audrey Strauss and United States Department of Justice, stating that attorney Alexander Hogan, who is listed as counsel of record, is no longer an Assistant United States Attorney, RECEIVED. Service date 09/29/2022 by CM/ECF.[3390814] [21-1338][Edited 09/29/2022 by RO] [Entered: 09/29/2022 01:01 PM]
09/29/2022	□ 88	ATTORNEY, Alexander Hogan, for Merrick B. Garland and Audrey Strauss, TERMINATED.[3390827] [21-1338] [Entered: 09/29/2022 01:07 PM]
09/29/2022	□ 89	ATTORNEY,Alexander Hogan, for Merrick B. Garland , TERMINATED.[3390893] [21-1338] [Entered: 09/29/2022 02:23 PM]

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Documents and Docket Summary

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