

Researching the Law: Finding Cases and Judicial Documents

Webinar brought
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Part 2 – An Introduction to Judicial Dockets, Oral Argument, and Court Records and Briefs



Jennifer Morgan,
Government Documents
Librarian,
Jerome Hall Law Library,
Indiana University Maurer
School of Law in Bloomington

We'll learn about

Court dockets, records, and pleadings

Court briefs and oral argument

How to research court dockets online

Sources for dockets, briefs, & oral arguments



What is a court docket?

A record of documents filed in a court proceeding

Pleadings

Briefs

Declarations

Exhibits

Orders

Judgments

Court
Notations

Civil



Summons and
complaint

Criminal



Indictment

Why Research Dockets?



To find information about:

- Judges
- Parties
- Attorneys
- Facts and Events
- Trial court documents (pleadings, motions, testimony transcripts, jury instructions and worksheets, judge rulings, expert witness names, etc.)

Pleadings & Motions

Complaint

Memoranda of points and
authorities

Answers

Replies

Motions

Complaint:

Sets out the plaintiff's version of the facts and specifies damages. Includes counts – statements of the plaintiff's cause of action.

FEDERAL RESERVE SYSTEM,
20th Street and Constitution Ave., N.W.
Washington, DC 20551

Defendant.

COMPLAINT FOR DECLARATORY RELIEF

Plaintiffs NACS (formerly, the National Association of Convenience Stores), National Retail Federation, Food Marketing Institute, Miller Oil Co., Inc., and Boscov's Department Store, LLC (collectively, "Plaintiffs"), by and through their attorneys, Steptoe & Johnson LLP, file this Complaint for Declaratory Relief against Defendant Board of Governors of the Federal Reserve System ("Federal Reserve" or "Board").

PRELIMINARY STATEMENT

1. This action challenges components of a final rule ("Final Rule") adopted by the Board, 12 C.F.R. §§ 235.1-235.10 (2011), establishing debit "interchange transaction fees," *i.e.*, the transaction fee charged by debit card issuing banks to merchants that accept those debit cards. *See* Debit Card Interchange Fees and Routing, 76 Fed. Reg. 43,394 (July 20, 2011). The Final Rule seeks to implement Section 920 of the Electronic Fund Transfer Act ("EFTA"),

Pleadings & Motions

Complaint

Memoranda of points and
authorities

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Memorandum of Points and Authorities:

Cites legal authorities, such as statutes and court cases, and explains how those authorities support the position advocated by the party who wrote the memorandum.

**DEFENDANT'S COMBINED MEMORANDUM OF POINTS AND AUTHORITIES
IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT AND IN OPPOSITION
TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

Katherine H. Wheatley
Associate General Counsel
Yvonne F. Mizusawa
Senior Counsel
Yvonne.f.mizusawa@frb.gov
Joshua P. Chadwick
Senior Attorney
Board of Governors of the Federal Reserve System
20th & C Streets N.W.
Washington, D.C. 20551
(PH) (202) 452-3436
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Attorneys for the Board of Governors of the
Federal Reserve System

April 13, 2012

Pleadings & Motions

Complaint

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authorities

Answers

Replies

Motions

Case 1:11-cv-02075-RJL Document 23 Filed 04/13/12 Page 1 of 68

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NACS, NATIONAL RETAIL FEDERATION,
FOOD MARKETING INSTITUTE, MILLER
OIL CO., INC., BOSCOV'S
DEPARTMENT STORE, LLC, and
NATIONAL RESTAURANT ASSOCIATION

Plaintiffs,

v.

BOARD OF GOVERNORS OF
THE FEDERAL RESERVE
SYSTEM,
Defendant.

Case No. 1:11-cv-02075 (RJL)

DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Answer:
Defendant's statement, explaining
why plaintiff should not prevail.
May offer additional facts or plead
an excuse.

Pleadings & Motions

Complaint

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authorities

Answers

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Motions

Reply:
Filed by any party in the
case to answer new
allegations raised in
pleadings.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NACS, NATIONAL RETAIL FEDERATION,
FOOD MARKETING INSTITUTE, MILLER
OIL CO., INC., BOSCOV'S
DEPARTMENT STORE, LLC, and
NATIONAL RESTAURANT ASSOCIATION,

Plaintiffs,

v.

BOARD OF GOVERNORS OF
THE FEDERAL RESERVE
SYSTEM,

Defendant.

Case No. 1:11-cv-02075 (RJL)

**DEFENDANT'S REPLY TO PLAINTIFFS' COMBINED REPLY
MEMORANDUM IN SUPPORT OF PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT AND IN OPPOSITION
TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Katherine H. Wheatley

General Counsel

F. Mizusawa

Counsel

f.mizusawa@frb.gov

Chadwick

Attorney

Governors of the Federal Reserve System

Streets N.W.

ton, D.C. 20551

(2) 452-3436

(02) 736-5615

s for the Board of Governors of the
Reserve System

Pleadings & Motions

Complaint

Memoranda of points and
authorities

Answers

Replies

Motions

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NACS, NATIONAL RETAIL FEDERATION,
FOOD MARKETING INSTITUTE, MILLER
OIL CO., INC., BOSCOV'S
DEPARTMENT STORE, LLC, and
NATIONAL RESTAURANT ASSOCIATION,

Plaintiffs,

v.

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,

Defendant.

Case No. 1:11-cv-02075-RJL

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56, Plaintiffs NACS, National Retail

Motions:

Requests for the judge to make a
legal ruling:

- motion to discover
- motion to dismiss
- motion for summary judgment

Court Briefs & Oral Arguments

Briefs

- Written documents that contain legal arguments designed to persuade the court

Oral Argument

- Advocates' oral presentations and judges' questions



Types of Briefs

Certiorari-stage brief

- Certiorari-stage briefs are the efforts by parties to tell the court why it should or should not take a case.
- Once the Supreme Court has granted certiorari in a case, each party has the opportunity to file merits briefs.

Merits briefs

- Unlike the certiorari-stage briefs, which tell the court why it should or should not take the case, the merits briefs tell the court why each party thinks it deserves to win.

Amicus Curiae brief

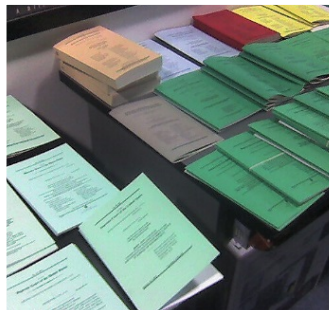
- “Friend of the court” brief; a brief filed by a person, group or entity that is not a party to the case but nonetheless wishes to provide the court with its perspective on the issue before it.
- The person or entity is called an “amicus”; the plural is “amici.”

Court Filings are Public Records



Availability varies by jurisdiction

Electronic filing has improved access to recent materials



Historical records and briefs more difficult to obtain – contact office of court clerk

Docket Sheet

A chronological list noting the date and description of each document filed in the action:

- Parties
- Attorneys
- Nature of suit code
- Filings
- Events

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:17-cv-00866-VC**

Swift v. Central Marin Police Authority et al
Assigned to: Judge Vince Chhabria
Referred to: Magistrate Judge Jacqueline Scott Corley (Settlement)
Cause: 42:1983 Civil Rights Act

Date Filed: 02/22/2017
Date Terminated: 07/23/2019
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Taylor Swift

represented by **John Houston Scott**
Scott Law Firm
1388 Sutter Street, Suite 715
San Francisco, CA 94109
(415) 561-9601
Fax: (415) 561-9609
Email: john@scottlawfirm.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Central Marin Police Authority
TERMINATED: 05/23/2017

represented by **Richard William Osman**
Bertrand, Fox, Elliot, Osman & Wenzel
2749 Hyde Street
San Francisco, CA 94109
415-353-0999x104
Fax: 415-353-0990
Email: rosman@bfesf.com
ATTORNEY TO BE NOTICED

Defendant

David Woo

represented by **Thomas F. Bertrand**
Bertrand, Fox, Elliot, Osman & Wenzel
The Waterfront Building
2749 Hyde Street
San Francisco, CA 94109
(415) 353-0999
Fax: (415) 353-0990
Email: tbertrand@bfesf.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Docket Sheet

A chronological list noting the date and description of each document filed in the action:

- Parties
- Attorneys
- Nature of suit code
- Filings
- Events

Date Filed	#	Docket Text
02/22/2017	<u>1</u>	COMPLAINT <i>Complaint for Damages and Injunctive Relief</i> against All Defendants (Filing fee \$ 400, receipt number 0971-11174161.). Filed byTaylor Swift. (Attachments: # <u>1</u> Civil Cover Sheet)(Scott, John) (Filed on 2/22/2017) (Entered: 02/22/2017)
02/22/2017	<u>2</u>	Proposed Summons. (Scott, John) (Filed on 2/22/2017) (Entered: 02/22/2017)
02/22/2017	3	Case assigned to Hon. Vince Chhabria. Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening . Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. (as, COURT STAFF) (Filed on 2/22/2017) (Entered: 02/22/2017)
02/23/2017	<u>4</u>	Initial Case Management Scheduling Order with ADR Deadlines: This case is assigned to a judge who participates in the Cameras in the Courtroom Pilot Project. See General Order 65 and http://cand.uscourts.gov/cameras Case Management Statement due by 5/16/2017. Case Management Conference set for 5/23/2017 01:30 PM in Courtroom 4, 17th Floor, San Francisco. (Attachments: # <u>1</u> Notice of Eligibility for Video Recording)(farS, COURT STAFF) (Filed on 2/23/2017) (Entered: 02/23/2017)
02/23/2017	<u>5</u>	Summons Issued as to Central Marin Police Authority, Vera Hicks, David Woo. (farS, COURT STAFF) (Filed on 2/23/2017) (Entered: 02/23/2017)
03/21/2017	<u>6</u>	CERTIFICATE OF SERVICE by Taylor Swift re <u>1</u> Complaint, <u>5</u> Summons Issued, <u>2</u> Proposed Summons <i>Proof of Service of Summons for Central marin Police Authority</i> (Attachments: # <u>1</u> Certificate/Proof of Service Summons for David Woo, # <u>2</u> Certificate/Proof of Service Summons for Vera Hicks)(Scott, John) (Filed on 3/21/2017) (Entered: 03/21/2017)
03/22/2017	<u>7</u>	MOTION to Dismiss <i>Plaintiff's Complaint</i> filed by Central Marin Police Authority, Vera Hicks, David Woo. Motion Hearing set for 5/18/2017 10:00 AM in Courtroom 4, 17th Floor, San Francisco before Hon. Vince Chhabria. Responses due by 4/5/2017. Replies due by 4/12/2017. (Attachments: # <u>1</u> Proposed Order) (Osman, Richard) (Filed on 3/22/2017) (Entered: 03/22/2017)
04/05/2017	<u>8</u>	OPPOSITION/RESPONSE (re <u>7</u> MOTION to Dismiss <i>Plaintiff's Complaint</i>) <i>Plaintiff's Opposition to Defendants' Motion to Dismiss Complaint</i> filed byTaylor Swift. (Scott, John) (Filed on 4/5/2017) (Entered: 04/05/2017)
04/10/2017	<u>9</u>	REPLY (re <u>7</u> MOTION to Dismiss <i>Plaintiff's Complaint</i>) filed byCentral Marin Police Authority, Vera Hicks, David Woo. (Osman, Richard) (Filed on 4/10/2017) (Entered: 04/10/2017)

Docket Number

(or case number)

Court of Appeals Docket #: 18-16612

Nature of Suit: 3440 Other Civil Rights

Taylor Swift v. David Woo, et al

Appeal From: U.S. District Court for Northern California, San Francisco

Fee Status: Paid

Case Type Information:

- 1) civil
- 2) private
- 3) null

Originating Court Information:

District: 0971-3 : 3:17-cv-00866-VC

Court Reporter: Sarah L. Goekler

Court Reporter: Debra Pas, Official Court Reporter

Trial Judge: Vince Chhabria, District Judge

Date Filed: 02/22/2017

Date Order/Judgment:

08/10/2018

Date Order/Judgment EOD:

08/10/2018

18-16612

| |

year case individual
was filed case
 number

office where the judge's
case was filed initials

| |

3:17-cv-00866-VC

| | |

year case case individual
was filed type case
 code number

To begin your research, you should first identify:

The full names of the parties.

The docket or case numbers of the original case, as well as any appeals.

The location of the court in which the case was filed, as well as the courts of any appeals.

The date (exact or approximate) of the case and any appeals.

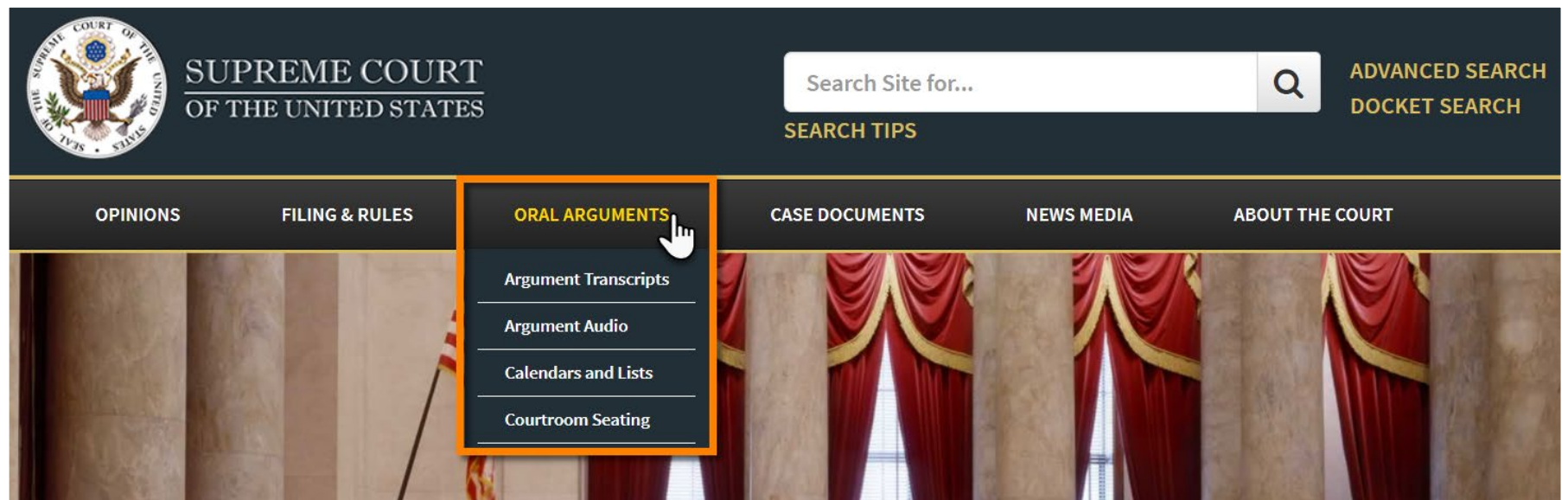
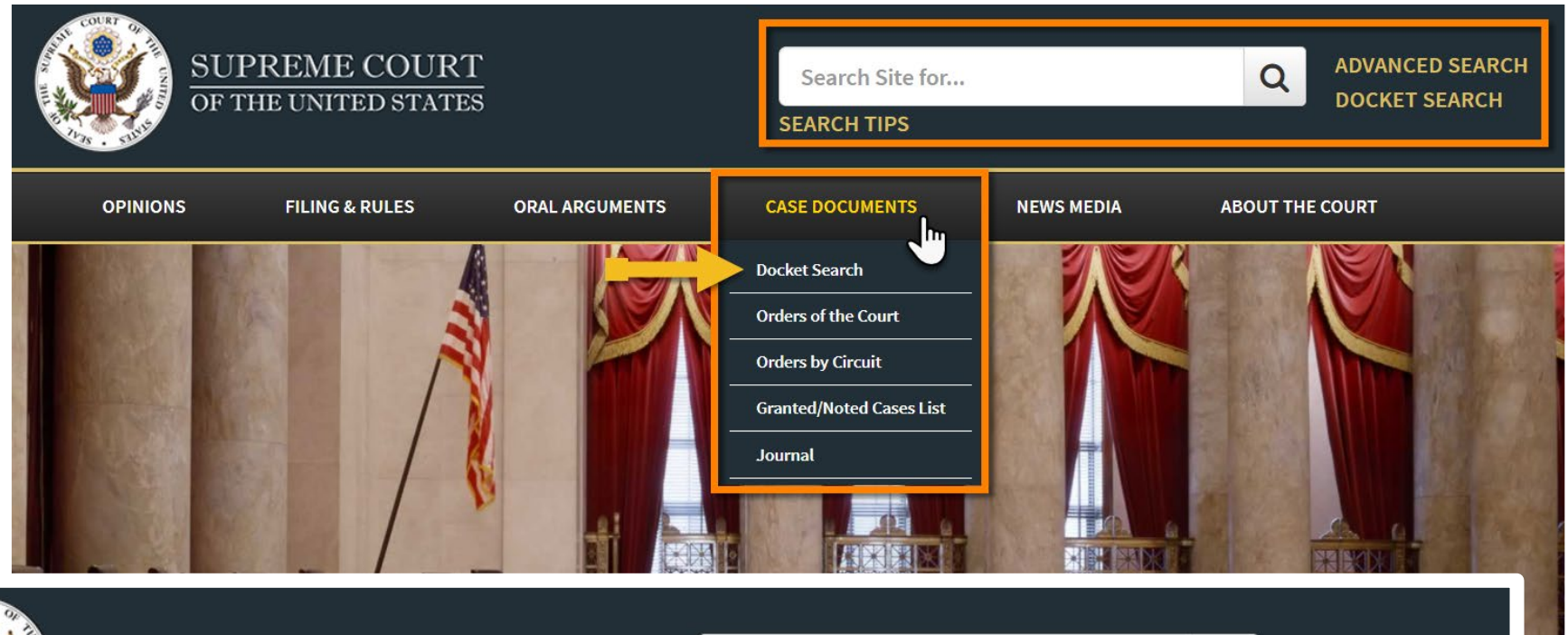
The names of judges and/or attorneys involved in the case.

Dockets Online

U.S. Supreme Court

www.supremecourt.gov

- Full text of opinions
- Docket sheets and filings
- Oral argument transcripts and audio files
- Briefs (decided since 2017)



Timbs v. Indiana

139 S. Ct. 682 (2019)

Docket number 17-1091

- Cert granted 6/18/18
- Argued 11/28/18
- Decided 2/20/19

[Docket](#)

Oral Argument [Audio](#) & [Transcript](#)

[Opinion](#) (U.S.)



PACER

Public Access to Court Electronic Records

- Case and docket information from all U.S. courts of appeals, district courts, and bankruptcy courts
- Fee-based
- www.pacer.gov

**PACER**
PUBLIC ACCESS TO COURT ELECTRONIC RECORDS



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Public Access to Court Electronic Records (PACER) is an electronic public access service that allows users to obtain case and docket information online from federal appellate, district, and bankruptcy courts, and the PACER Case Locator. PACER is provided by the Federal Judiciary in keeping with its commitment to providing public access to court information via a centralized service.

ELECTRONIC PUBLIC ACCESS PUBLIC USER GROUP MEMBERS NAMED

Twelve people from diverse backgrounds in the law, media, government, and academia have been selected for a new public user group to provide advice and feedback on ways to improve the Public Access to Court Electronic Records (PACER) service and other electronic public access services provided by the Judiciary. The group is expected to hold its inaugural meeting in February. [Learn more.](#)

FREE ACCESS TO COURT RECORDS INCREASES IN 2020

Beginning Jan. 1, 2020, if a PACER user quarterly usage is \$30 or less, the bill will be waived. This is an increase from the existing \$15 or less quarterly fee waiver. Users will see this reflected in the April 2020 billing statement. This will result in more than 75 percent of users accessing court records paying no fee in a given quarter. The Judicial Conference approved this action at their [September 17, 2019, meeting](#).

NEXTGEN CM/ECF

The Federal Judiciary has developed a Next Generation (NextGen) Case Management/ Electronic Case Files (CM/ECF) system that will allow you to use the same account for both PACER and electronic filing access.

[More information](#) on the improvements to PACER and CM/ECF is available. Check back for updates as courts go live on the new system.

[Click here](#) if you received a notice about NextGen CM/ECF from a federal court or just have questions about NextGen CM/ECF.

PACER ANNOUNCEMENTS

- PACER Maintenance 02/09/2020 (02/05/2020)
- CORRECTED January 2020 Newsletter  (01/24/2020)
- Members of PACER User Group Selected (01/09/2020)
- PACER Fee Waiver Doubled (09/17/2019)
- Judiciary Creates Public User Group (06/27/2019)
- New PACER Service Center Remittance Address (06/20/2019)
- Multi-Court PACER Fee Exemption Request Form for Researchers (10/19/2017)
- Data Scraping Scripts Time Change to Alleviate Slowness (8/10/2017)
- New Limit for Credit Card Payments Effective June 1, 2015 (07/23/2015)
- Training on Changes to PACER (12/08/2014)
- Restoration of Access to Legacy Case Information (10/31/2014)

[More »](#)

WHO CAN ACCESS PACER?

PACER is available to anyone who [registers](#) for an account.

The more than one million PACER users include attorneys, pro se filers, government agencies, trustees, data collectors, researchers, educational and financial institutions, commercial enterprises, the media, and the general public.

HOW DO I ACCESS PACER?

WHEN CAN I ACCESS PACER?

WHAT INFORMATION IS AVAILABLE ON PACER?

IS ALL CASE INFORMATION AVAILABLE TO THE PUBLIC?

FREQUENTLY USED

PACER CASE LOCATOR

PACER

Public Access to Court Electronic Records

- Case and docket information from all U.S. courts of appeals, district courts, and bankruptcy courts
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- www.pacer.gov

PACER Fees: How, When Users Are Charged

Access to case information through PACER costs \$.10 per page for all users. If you accrue \$30 or less in a quarter, your fees will be waived.

Fees are \$.10 per page, with a cap of \$3.00 (30 pages) for:

- Case documents (excluding transcripts)
- Docket sheets
- Case-specific reports

The fee cap does not apply to:

- Transcripts
- Non-case-specific reports

Court hearing audio files via PACER cost \$2.40 per file.



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If you know the location of a case, click on an individual court's PACER website from the Court Links page. [More](#)



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No saved searches

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PCL Statistics

Case Counts

Appellate	1,373,841
Bankruptcy	34,217,320
Civil	8,106,443
Criminal	9,301,882

Party Count 314,430,681



Quick Links



PACER



U.S. Courts



Court Links



PCL Help



PACER FAQ



Statistics

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Filter:



(1 of 6)



1

2

3

4

5

6



50



Court	Court Code	Court Type	Earliest Cases	Most Recent Cases
Alabama Middle Bankruptcy Court	almbk	Bankruptcy	01/02/1989	02/11/2020
Alabama Middle District Court	almdc	Criminal	09/08/1966	02/11/2020
Alabama Middle District Court	almdc	Civil	09/08/1966	02/11/2020
Alabama Northern Bankruptcy Court	alnbk	Bankruptcy	01/02/1989	02/11/2020
Alabama Northern District Court	alndc	Criminal	03/10/1963	02/11/2020
Alabama Northern District Court	alndc	Civil	03/10/1963	02/11/2020
Alabama Southern Bankruptcy Court	alsbk	Bankruptcy	01/01/1991	02/11/2020
Alabama Southern District Court	alsdc	Criminal	03/26/1963	02/10/2020
Alabama Southern District Court	alsdc	Civil	03/26/1963	02/10/2020
Alaska Bankruptcy Court	akbk	Bankruptcy	01/01/1991	02/11/2020
Alaska District Court	akdc	Criminal	02/26/1960	02/11/2020
Alaska District Court	akdc	Civil	02/26/1960	02/11/2020
Arizona Bankruptcy Court	azbk	Bankruptcy	01/04/1987	02/11/2020
Arizona District Court	azdc	Criminal	07/31/1958	02/11/2020
Arizona District Court	azdc	Civil	07/31/1958	02/11/2020
Arkansas Eastern Bankruptcy Court	arebk	Bankruptcy	01/01/1986	02/11/2020
Arkansas Eastern District Court	aredc	Criminal	07/07/1966	02/11/2020
Arkansas Eastern District Court	aredc	Civil	07/07/1966	02/11/2020
Arkansas Western Bankruptcy Court	arwbk	Bankruptcy	01/01/1986	02/11/2020
Arkansas Western District Court	arwdc	Criminal	11/04/1969	02/11/2020
Arkansas Western District Court	arwdc	Civil	11/04/1969	02/11/2020
California Central Bankruptcy Court	cacbk	Bankruptcy	01/01/1985	02/11/2020
California Central District Court	cacdc	Criminal	10/25/1954	02/11/2020
California Central District Court	cacdc	Civil	10/25/1954	02/11/2020
California Eastern Bankruptcy Court	caebk	Bankruptcy	01/06/1985	02/11/2020

Case Search

Party Search

Basic

Advanced

Bankruptcy Search

Home > Party Search > Advanced Party Search

Party Information

* At least one is required.

** To use this field, you must also enter a last name or entity name.

Party

Last Name or Entity Name *

First Name **

Middle Name **



☐ Exact Matches Only



Party Role



Case Information

Court Type



Region



[Map](#)

Date Range

Date Filed *



to



[Prior Month](#) [Prior Six Months](#) [Prior Year](#)

Date Closed *



to



[Prior Month](#) [Prior Six Months](#) [Prior Year](#)

NOTE: Newly filed cases will typically appear on this system within 24 hours. Check the [Court Information](#) page for data that is currently available on the PCL. The most recent data is available directly from the court.

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Court Links page



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- Court Information

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U.S. Supreme Court

U.S. Supreme Court

National Locator

Pacer Case Locator

U.S. Courts of Appeals

First Circuit - NextGen
First Circuit - BAP - NextGen

Second Circuit - NextGen

Third Circuit - NextGen

Fourth Circuit - NextGen

Fifth Circuit - NextGen **NEW**

Sixth Circuit - NextGen

Seventh Circuit - NextGen **NEW**

Eighth Circuit - NextGen

Ninth Circuit - NextGen
Ninth Circuit - BAP - NextGen

Tenth Circuit - NextGen
Tenth Circuit - BAP - NextGen

Eleventh Circuit - NextGen **NEW**

D.C. Circuit - NextGen

Federal Circuit - NextGen

U.S. District Courts

Alabama Middle - ECF
Alabama Northern - ECF
Alabama Southern - ECF

Alaska - ECF

Arizona - ECF

Arkansas Eastern - ECF
Arkansas Western - NextGen

California Central - ECF
California Eastern - ECF
California Northern - ECF
California Southern - ECF

Colorado - ECF

Connecticut - NextGen

Delaware - ECF

District Of Columbia - ECF

Florida Middle - ECF
Florida Northern - NextGen
Florida Southern - ECF

Georgia Middle - ECF
Georgia Northern - ECF
Georgia Southern - ECF

Guam - ECF

Hawaii - ECF

U.S. Bankruptcy Courts

Alabama Middle - ECF
Alabama Northern - ECF
Alabama Southern - ECF

Alaska - NextGen

Arizona - ECF

Arkansas Eastern - ECF
Arkansas Western - ECF

California Central - ECF
California Eastern - ECF
California Northern - ECF
California Southern - NextGen

Colorado - ECF

Connecticut - ECF

Delaware - ECF

District Of Columbia - NextGen

Florida Middle - ECF
Florida Northern - ECF
Florida Southern - ECF

Georgia Middle - ECF
Georgia Northern - ECF
Georgia Southern - ECF

Guam - ECF

Hawaii - ECF



United States Court of Appeals DISTRICT OF COLUMBIA CIRCUIT

HELP & SUPPORT

If you need help, please call our ECF Help Desk at (202) 216-7259.

Please be prepared to provide relevant information such as case numbers, filer's name, and any other information that can assist us in answering your question.

[CM/ECF Court Information](#)

[Release Notes](#)

CM/ECF and PACER Login Links

[Log in to CM/ECF Document Filing System
\(File Documents and Other Case Activities\)](#)

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\(View Docket Sheets and Documents\)](#)

CLERK'S OFFICE

Room 5205
9:00 a.m. to 4:00 p.m.
Monday - Friday
202-216-7000

Important NextGen Information for Public Filers

On November 20, 2017, the U.S. Court of Appeals for the District of Columbia Circuit completed its transition to NextGen CM/ECF, the latest iteration of the national case management and electronic case filing system.

If you have a legacy CM/ECF filer account, you will need to complete a two-step process in order to continue e-filing documents in the NextGen system.

STEP 1: Upgrade your existing individual PACER account or register for a new individual PACER account if you don't already have one (this step may have been completed previously).

PACER

District of Columbia

Case Search – Advanced Search

Case Search - Advanced

Warning: you will be billed for the total number of pages (this query is not subject to the 30-page limit on PACER charges).

Case Number / Range: 13-5270 (yy-nnnn or yy-nnnnn)

Party / Attorney: (Last, First)

☒ Party ☐ Attorney ☐ Exact Matches Only

Case Type:
28 U.S.C. Sec. 2255
Agency Notice of Appeal

Origin:
Alcohol and Tobacco Tax and Trade Bureau
Benefits Review Board

Originating Case Number:

Nature of Suit:
-
1110 Insurance

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Case Number Title	Opening Date	Last Docket Entry	Originating Case Number Origin
13-5270 NACS, et al v. FRS	08/23/2013	01/20/2015 20:09:59	0090-1 : 1:11-cv-02075-RJL United States District Court for the District of Columbia

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General Docket
United States Court of Appeals for District of Columbia Circuit

Court of Appeals Docket #: 13-5270

Docketed: 08/23/2013

Nature of Suit: 2890 Other Statutory Actions

Termed: 03/21/2014

NACS, et al v. FRS

Appeal From: United States District Court for the District of Columbia

Fee Status: Fee Waived

Case Type Information:

- 1) Civil US
- 2) United States
- 3)

Originating Court Information:

District: 0090-1 : [1:11-cv-02075-RJL](#)

Lead: [1:11-cv-02075-RJL](#)

Motions Judge: Richard J. Leon, U.S. District Judge





Date Filed: 11/22/2011

Date Order/Judgment:

07/31/2013

Date NOA Filed:

08/21/2013

- 01/17/2014  ORAL ARGUMENT HELD before Judges Tatel, Edwards and Williams. [13-5270]
- 01/27/2014 TRANSCRIPT [1476903] of oral argument [13-5270]
- 03/21/2014  PER CURIAM JUDGMENT filed [1484751] that the District Court's grant of summary judgment to the merchants appealed from in this cause is hereby reversed and the case is remanded for further proceedings for the reasons in the accompanying opinion . Before Judges: Tatel, Edwards and Williams. [13-5270]
- 03/21/2014  OPINION filed [1484753] (Pages: 38) for the Court by Judge Tatel [13-5270]
- 03/21/2014  CLERK'S ORDER filed [1484754] withholding issuance of the mandate. [13-5270]
- 05/14/2014 MANDATE ISSUED to Clerk, District Court [13-5270]
- 06/06/2014  LETTER filed [1496736] by the Clerk of the Supreme Court of the United States notifying this court that the time for filing a petition for writ of certiorari has been extended to: 07/21/2014. [13-5270]
- 07/09/2014  LETTER filed [1496736] by the Clerk of the Supreme Court of the United States notifying this court that the time for filing a petition for writ of certiorari has been extended to: 08/18/2014. [13-5270]
- 08/20/2014  LETTER filed [1496736] by the Clerk of the Supreme Court of the United States notifying this court of the following activity in the case before it: A petition for writ of certiorari was filed and placed on the docket on 08/20/2014 as No. 14-200. [13-5270]

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**NACS, NATIONAL RETAIL FEDERATION,
FOOD MARKETING INSTITUTE, MILLER
OIL CO., INC., and BOSCOV'S
DEPARTMENT STORE, LLC,**

Plaintiffs,

v.

Case No. _____

**BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,
20th Street and Constitution Ave., N.W.
Washington, DC 20551**

Defendant.

COMPLAINT FOR DECLARATORY RELIEF

Plaintiffs NACS (formerly, the National Association of Convenience Stores), National Retail Federation, Food Marketing Institute, Miller Oil Co., Inc., and Boscov's Department Store, LLC (collectively, "Plaintiffs"), by and through their attorneys, Steptoe & Johnson LLP, file this Complaint for Declaratory Relief against Defendant Board of Governors of the Federal Reserve System ("Federal Reserve" or "Board").

PRELIMINARY STATEMENT

1. This action challenges components of a final rule ("Final Rule") adopted by the Board, 12 C.F.R. §§ 235.1-235.10 (2011), establishing debit "interchange transaction fees," *i.e.*, the transaction fee charged by debit card issuing banks to merchants that accept those debit cards. *See* Debit Card Interchange Fees and Routing, 76 Fed. Reg. 43,394 (July 20, 2011). The Final Rule seeks to implement Section 920 of the Electronic Fund Transfer Act ("EFTA"),

General Docket
United States Court of Appeals for District of Columbia Circuit

Court of Appeals Docket #: 13-5270
Nature of Suit: 2890 Other Statutory Actions
NACS, et al v. FRS
Appeal From: United States District Court for the District of Columbia
Fee Status: Fee Waived

Case Type Information:

- 1) Civil US
- 2) United States
- 3)

Originating Court Information:

District: 0090-1 : [1:11-cv-02075-RJL](#)
Motions Judge: Richard J. Leon, U.S. District Judge
Date Filed: 11/22/2011
Date Order/Judgment: 07/31/2013
Date NOA Filed: 08/21/2013

Prior Cases:

None

Current Cases:

None

Panel Assignment:

Panel: DST HTE SFW
Date of Hearing: 01/17/2014 **Date of Decision:** 03/21/2014 **Date Completed:** 03/21/2014

NACS, formerly known as National Association of Convenience Stores

Plaintiff - Appellee

Linda Bailey
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[COR LD NTC Retained]
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Fax: 202-429-3902
[COR LD NTC Retained]
Step toe & Johnson LLP

08/23/2013		US CIVIL CASE docketed. [13-5270]
08/23/2013		NOTICE OF APPEAL filed [1453328] by FRS seeking review of a decision by the U.S. District Court in 1:11-cv-02075-RJL. Assigned USCA Case Number [13-5270]
08/27/2013		CLERK'S ORDER filed [1453660] directing party to file initial submissions: APPELLANT docketing statement due 09/26/2013. APPELLANT certificate as to parties, etc. due 09/26/2013. APPELLANT statement of issues due 09/26/2013. APPELLANT underlying decision due 09/26/2013. APPELLANT deferred appendix statement due 09/26/2013. APPELLANT notice of appearance due 09/26/2013. APPELLANT transcript status report due 09/26/2013. APPELLANT procedural motions due 09/26/2013. APPELLANT dispositive motions due 10/11/2013; directing party to file initial submissions: APPELLEE certificate as to parties, etc. due 09/26/2013. APPELLEE entry of appearance due 09/26/2013. APPELLEE procedural motions due 09/26/2013. APPELLEE dispositive motions due 10/11/2013 [13-5270]
09/11/2013		ENTRY OF APPEARANCE filed [1455881] by Katherine H. Wheatley and co-counsel Yvonne F. Mizusawa Joshua P. Chadwick on behalf of Appellant FRS. [13-5270] (Chadwick, Joshua)
09/19/2013		ENTRY OF APPEARANCE filed [1457312] by Shannen W. Coffin and co-counsel Linda C. Bailey Douglas S. Kantor on behalf of Appellees Boscov's Department Store, LLC, Food Marketing Institute, Miller Oil Co., Inc., NACS, National Restaurant Association and National Retail Federation. [13-5270] (Bailey, Linda)
09/19/2013		CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES FILED [1457321] by Boscov's Department Store, LLC, Food Marketing Institute, Miller Oil Co., Inc., NACS, National Restaurant Association and National Retail Federation [Service Date: 09/19/2013] [13-5270] (Bailey, Linda)
09/19/2013		STATEMENT FILED [1457327] by Boscov's Department Store, LLC, Food Marketing Institute, Miller Oil Co., Inc., NACS, National Restaurant Association and National Retail Federation with Disclosure Listing [Service Date: 09/19/2013] [13-5270] (Bailey, Linda)
09/19/2013		EMERGENCY UNOPPOSED MOTION filed [1457348] by Boscov's Department Store, LLC, Food Marketing Institute, Miller Oil Co., Inc., NACS, National Restaurant Association and National Retail Federation to expedite case. [Service Date: 09/19/2013] Pages: 11-15. [13-5270] (Bailey, Linda)
09/19/2013		CLERK'S ORDER filed [1457473] considering joint emergency motion to expedite briefing and consideration of appeal [1457348-2] ; setting briefing schedule and format: APPELLANT Brief due 10/21/2013. Joint Appendix due 10/21/2013. Amici in Support of Appellants Brief due on 10/21/2013. APPELLEES' Joint Brief due on 11/20/2013. Amici in Support of Appellees Brief due on 11/20/2013. APPELLANT Reply Brief due 12/04/2013. The Clerk is directed to calendar this case for oral argument on an appropriate date following the completion of briefing. The parties are directed to hand deliver the paper copies of their briefs to the Clerk's office on the date due. [13-5270]
09/26/2013		DOCKETING STATEMENT FILED [1458306] by FRS [Service Date: 09/26/2013] [13-5270] (Chadwick, Joshua)
09/26/2013		CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES FILED [1458307] by FRS [Service Date: 09/26/2013] [13-5270] (Chadwick, Joshua)
09/26/2013		STATEMENT OF INTENT REGARDING APPENDIX DEFERRAL FILED [1458308] by FRS [Service Date: 09/26/2013] Intent: AppxNotDeferred [13-5270] (Chadwick, Joshua)

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12/05/2013 08:06:26	12/03/2013	13-5270		Lodged Brief Filed (Ct)
12/04/2013 14:48:40	12/04/2013	13-5270		Appellant/Petitioner Reply Brief Filed
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11/20/2013 10:27:20	11/20/2013	13-5270		Appellee/Respondent Brief Filed
10/21/2013 15:29:24	10/21/2013	13-5270		Amicus for Appellant/Petitioner Brief Filed
10/21/2013 14:48:02	10/21/2013	13-5270		Appellant/Petitioner Brief Filed
10/21/2013 14:37:34	10/21/2013	13-5270		Appendix Filed

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(C.D. Cal. 2017)

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Questions?

Jennifer Morgan

jlbryan@indiana.edu

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