

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:20-cv-01554-BAH**

OHIO VALLEY ENVIRONMENTAL COALITION v.  
UNITED STATES DEPARTMENT OF ENERGY  
Assigned to: Chief Judge Beryl A. Howell  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/12/2020  
Date Terminated: 03/30/2021  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**OHIO VALLEY ENVIRONMENTAL  
COALITION**

represented by **Megan M. Hunter**  
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**ATTORNEY TO BE NOTICED**

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**TERMINATED: 01/19/2021**

**Corinne Jacqueline Van Dalen**  
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V.

**Defendant**

**UNITED STATES DEPARTMENT OF  
ENERGY**

represented by **Joseph F. Carilli, Jr.**  
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**ATTORNEY TO BE NOTICED**

**Benton Gregory Peterson**  
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**TERMINATED: 10/15/2020**

Date Filed	#	Docket Text
06/12/2020	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF ENERGY ( Filing fee \$ 400 receipt number ADCDC-7224879) filed by OHIO VALLEY ENVIRONMENTAL COALITION. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F, # <u>9</u> Exhibit G, # <u>10</u> Exhibit H, # <u>11</u> Exhibit I, # <u>12</u> Exhibit J, # <u>13</u> Exhibit K)(Van Dalen, Corinne) (Entered: 06/12/2020)
06/12/2020	<u>2</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Megan M. Hunter, Filing fee \$ 100, receipt number ADCDC-7225013. Fee Status: Fee Paid. by OHIO VALLEY ENVIRONMENTAL COALITION (Attachments: # <u>1</u> Declaration Megan M. Hunter, # <u>2</u> Text of Proposed Order)(Van Dalen, Corinne) (Entered: 06/12/2020)
06/12/2020	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Victoria Bogdan Tejada, Filing fee \$ 100, receipt number ADCDC-7225043. Fee Status: Fee Paid. by OHIO VALLEY ENVIRONMENTAL COALITION (Attachments: # <u>1</u> Declaration Victoria Bogdan Tejada, # <u>2</u> Text of Proposed Order)(Van Dalen, Corinne) (Entered: 06/12/2020)
06/12/2020	<u>4</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by OHIO VALLEY ENVIRONMENTAL COALITION (Van Dalen, Corinne) (Entered: 06/12/2020)
06/15/2020		Case Assigned to Chief Judge Beryl A. Howell. (adh, ) (Entered: 06/15/2020)
06/15/2020	<u>5</u>	SUMMONS (1) Issued Electronically as to UNITED STATES DEPARTMENT OF ENERGY. (Attachment: # <u>1</u> Notice and Consent)(adh, ) (Entered: 06/15/2020)
06/16/2020	<u>6</u>	STANDING ORDER. Signed by Chief Judge Beryl A. Howell on June 16, 2020. (lcbah4) (Entered: 06/16/2020)
06/17/2020		MINUTE ORDER (paperless) GRANTING <u>2</u> Motion of Megan Hunter to Appear and Participate Pro Hac Vice and <u>3</u> Motion of Victoria Bogdan Tejada to Appear and Participate Pro Hac Vice. Accordingly, Megan Hunter and Victoria Bogdan Tejada may enter appearances for the purpose of representing plaintiff Ohio Valley Environmental Coalition in this matter. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions.</b> Signed by Chief Judge Beryl A. Howell on June 17, 2020. (ztnr) (Entered: 06/17/2020)
06/26/2020	<u>7</u>	NOTICE of Appearance by Megan M. Hunter on behalf of OHIO VALLEY ENVIRONMENTAL COALITION (Hunter, Megan) (Entered: 06/26/2020)
06/26/2020	<u>8</u>	NOTICE of Appearance by Victoria Bogdan Tejada on behalf of OHIO VALLEY ENVIRONMENTAL COALITION (Bogdan Tejada, Victoria) (Entered: 06/26/2020)
06/29/2020	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF ENERGY served on 6/22/2020 (Attachments: # <u>1</u> Certificate of Service Proof of Service Return Receipt)(Van Dalen, Corinne) (Entered: 06/29/2020)
06/29/2020	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney General. Date of Service Upon the United States Attorney General 6/22/2020. (Attachments: # <u>1</u> Certificate of Service Proof of Service Return Receipt)(Van Dalen, Corinne) Modified on to correct to party served 6/30/2020 (zrdj). (Entered: 06/29/2020)
06/29/2020	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/22/2020. Answer due for ALL FEDERAL DEFENDANTS by 7/22/2020. (Attachments: # <u>1</u> Certificate of Service Proof of Service Return Receipt)(Van Dalen, Corinne) (Entered: 06/29/2020)
07/22/2020	<u>12</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF ENERGY.(Peterson, Benton) (Entered: 07/22/2020)

08/05/2020	<u>13</u>	MEET AND CONFER STATEMENT. (Van Dalen, Corinne) (Entered: 08/05/2020)
08/06/2020		<p>MINUTE ORDER (paperless) ENTERING, in light of the parties' <u>13</u> Joint Meet and Confer Statement, the following SCHEDULING ORDER:</p> <p>1) by September 15, 2020, defendant shall issue its final determination on plaintiff's Freedom of Information Act ("FOIA") request at issue in this action and shall complete production of non-exempt records responsive to that request;</p> <p>2) by October 15, 2020, the parties shall jointly submit a status report apprising the Court of the status of this matter;</p> <p>3) by November 16, 2020, defendant shall file any motion for summary judgment;</p> <p>4) by December 16, 2020, plaintiff shall file its opposition to any motion for summary judgment and any cross-motion for summary judgment;</p> <p>5) by January 11, 2021, defendant shall file its reply in support of any motion for summary judgment and its opposition to any cross-motion for summary judgment; and</p> <p>6) by February 3, 2021, plaintiff shall file its reply in support of any cross-motion for summary judgment.</p> <p>Signed by Chief Judge Beryl A. Howell on August 6, 2020. (lcbah4) (Entered: 08/06/2020)</p>
08/07/2020		Set/Reset Deadlines: Defendant's final determination on plaintiff's Freedom of Information Act ("FOIA") request due by 9/15/2020. Joint Status Report due by 10/15/2020. Defendant's Motion for Summary Judgment due by 11/16/2020. Plaintiff's opposition to any motion for summary judgment and any cross-motion for summary judgment due by 12/16/2020. Defendant's reply in support of any motion for summary judgment and its opposition to any cross-motion for summary judgment due by 1/11/2021. Plaintiff's reply in support of any cross-motion due by 2/3/2021. (hmc) (Entered: 08/07/2020)
10/15/2020	<u>14</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Joseph F. Carilli, Jr on behalf of All Defendants Substituting for attorney Benton Gregory Peterson (Carilli, Joseph) (Entered: 10/15/2020)
10/15/2020	<u>15</u>	Joint STATUS REPORT by OHIO VALLEY ENVIRONMENTAL COALITION. (Attachments: # <u>1</u> Exhibit Attachment A, # <u>2</u> Exhibit Attachment B, # <u>3</u> Exhibit Attachment C)(Van Dalen, Corinne) (Entered: 10/15/2020)
10/16/2020		MINUTE ORDER (paperless) VACATING, upon consideration of the parties' <u>15</u> Joint Status Report, the Court's August 6, 2020, Scheduling Order and DIRECTING the parties to submit, by November 15, 2020, a joint status report advising the Court of the status of this matter and proposing, if necessary, a revised briefing schedule for summary judgment motions. Signed by Chief Judge Beryl A. Howell on October 16, 2020. (lcbah4) (Entered: 10/16/2020)
10/16/2020		Set/Reset Deadlines: Joint Status Report due by 11/15/2020. (ztg) (Entered: 10/16/2020)
11/16/2020	<u>16</u>	Joint STATUS REPORT by OHIO VALLEY ENVIRONMENTAL COALITION. (Attachments: # <u>1</u> Text of Proposed Order)(Van Dalen, Corinne) (Entered: 11/16/2020)
11/16/2020		MINUTE ORDER (paperless) ISSUING, upon consideration of the parties' <u>16</u> Joint Status Report, the following SCHEDULING ORDER to control further proceedings in this matter: (1) by January 15, 2021, the plaintiff shall file its Motion for Fees; (2) by February 15, 2021, the defendant shall file its opposition; and (3) by March 12, 2021, the plaintiff shall file its reply. Signed by Chief Judge Beryl A. Howell on November 16, 2020. (lcbah4) (Entered: 11/16/2020)
11/17/2020		Set/Reset Deadlines: Plaintiff's Motion for Fees due by 1/15/2021; defendant's opposition due by 2/15/2021; plaintiff's reply due by 3/12/2021. (ztg) (Entered: 11/17/2020)

		11/17/2020)
01/12/2021	<u>17</u>	Joint MOTION to Modify <i>Briefing Schedule</i> by UNITED STATES DEPARTMENT OF ENERGY (Attachments: # <u>1</u> Text of Proposed Order)(Carilli, Joseph) (Entered: 01/12/2021)
01/13/2021		MINUTE ORDER (paperless) GRANTING the parties' <u>17</u> Joint Motion to Modify Briefing Schedule, and MODIFYING the Court's November 16, 2020 Scheduling Order as follows: 1) by January 29, 2021, plaintiff shall file any motion for fees; 2) by March 1, 2021, defendant shall file its opposition to plaintiff's motion for fees; and 3) by March 26, 2021, plaintiff shall file its reply in support of any motion for fees. Signed by Chief Judge Beryl A. Howell on January 13, 2021. (lcbah4) (Entered: 01/13/2021)
01/14/2021		Set/Reset Deadlines: Motion for fees due by 1/29/2021; opposition due by 3/1/2021; reply due by 3/26/2021. (ztg) (Entered: 01/14/2021)
01/19/2021	<u>18</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to OHIO VALLEY ENVIRONMENTAL COALITION. Attorney Victoria Bogdan Tejada terminated. (Bogdan Tejada, Victoria) (Entered: 01/19/2021)
01/26/2021	<u>19</u>	Joint MOTION to Modify <i>Briefing Schedule</i> by UNITED STATES DEPARTMENT OF ENERGY. (Attachments: # <u>1</u> Text of Proposed Order)(Carilli, Joseph) (Entered: 01/26/2021)
01/26/2021		MINUTE ORDER (paperless) GRANTING the parties' <u>19</u> Joint Motion to Modify Briefing Schedule, and MODIFYING the Court's November 16, 2020 Scheduling Order as follows: 1) by March 1, 2021, plaintiff shall file any motion for fees; 2) by March 31, 2021, defendant shall file its opposition to plaintiff's motion for fees; and 3) by April 26, 2021, plaintiff shall file its reply in support of any motion for fees. Signed by Chief Judge Beryl A. Howell on January 26, 2021. (lcbah4) (Entered: 01/26/2021)
01/27/2021		Set/Reset Deadlines: Motion for fees due by 3/1/2021; opposition to motion for fees due by 3/31/2021; reply due by 4/26/2021. (ztg) (Entered: 01/27/2021)
03/01/2021	<u>20</u>	Joint MOTION to Modify <i>Briefing Schedule</i> by OHIO VALLEY ENVIRONMENTAL COALITION. (Attachments: # <u>1</u> Text of Proposed Order)(Van Dalen, Corinne) (Entered: 03/01/2021)
03/02/2021		MINUTE ORDER (paperless) GRANTING the parties' <u>20</u> Joint Motion to Modify Briefing Schedule, and MODIFYING the Court's November 16, 2020 Scheduling Order as follows: 1) by March 15, 2021, plaintiff shall file any motion for fees; 2) by April 14, 2021, defendant shall file its opposition to plaintiff's motion for fees; and 3) by May 10, 2021, plaintiff shall file its reply in support of any motion for fees. Signed by Chief Judge Beryl A. Howell on March 2, 2021. (lcbah4) (Entered: 03/02/2021)
03/02/2021		Set/Reset Deadlines: Motion for fees due by 3/15/2021; opposition due by 4/14/2021; reply due by 5/10/2021. (ztg) (Entered: 03/02/2021)
03/13/2021	<u>21</u>	Joint MOTION to Modify <i>Briefing Schedule</i> by UNITED STATES DEPARTMENT OF ENERGY. (Attachments: # <u>1</u> Text of Proposed Order)(Carilli, Joseph) (Entered: 03/13/2021)
03/15/2021		MINUTE ORDER (paperless) GRANTING the parties' <u>21</u> Joint Motion to Modify Briefing Schedule, and MODIFYING the Court's November 16, 2020 Scheduling Order as follows: 1) by March 29, 2021, plaintiff shall file any motion for fees; 2) by April 28, 2021, defendant shall file its opposition to plaintiff's motion for fees; and 3) by May 24, 2021, plaintiff shall file its reply in support of any motion for fees. Signed by Chief Judge Beryl A. Howell on March 15, 2021. (lcbah4) (Entered: 03/15/2021)
03/15/2021		Set/Reset Deadlines: Motion for fees due by 3/29/2021; opposition due by 4/28/2021; reply due by 5/24/2021. (ztg) (Entered: 03/15/2021)
03/26/2021	<u>22</u>	STIPULATION of Dismissal by UNITED STATES DEPARTMENT OF ENERGY. (Carilli, Joseph) (Entered: 03/26/2021)
03/29/2021		MINUTE ORDER (paperless) DISMISSING this case, with prejudice, in light of the parties' <u>22</u> Stipulation of Dismissal. The Clerk of Court is directed to close this case. Signed by Chief Judge Beryl A. Howell on March 29, 2021. (lcbah4) (Entered: 03/29/2021)

03/29/2021)