

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:21-cv-00702-ALC**

The New York Times Company v. Centers for Medicare and Medicaid Services
Assigned to: Judge Andrew L. Carter, Jr
Cause: 05:552 Freedom of Information Act

Date Filed: 01/26/2021
Date Terminated: 08/04/2021
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**The New York Times Company**

represented by **Alexandra Settelmayer**
The New York Times
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ATTORNEY TO BE NOTICED

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V.

Defendant

Centers for Medicare and Medicaid Services
TERMINATED: 08/04/2021

represented by **Danielle Judith Levine**
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Date Filed	#	Docket Text
01/26/2021	<u>1</u>	COMPLAINT against Centers for Medicare and Medicaid Services. (Filing Fee \$ 402.00, Receipt Number ANYSDC-23691337) Document filed by The New York Times Company..(McCraw, David) (Entered: 01/26/2021)
01/26/2021	<u>2</u>	CIVIL COVER SHEET filed..(McCraw, David) (Entered: 01/26/2021)
01/26/2021	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by The New York Times Company..(McCraw, David) (Entered: 01/26/2021)

01/26/2021	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Centers for Medicare and Medicaid Services, re: <u>1</u> Complaint. Document filed by The New York Times Company..(McCraw, David) (Entered: 01/26/2021)
01/26/2021	<u>5</u>	NOTICE OF APPEARANCE by Alexandra Settlemayer on behalf of The New York Times Company..(Settlemayer, Alexandra) (Entered: 01/26/2021)
01/27/2021		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Andrew L. Carter, Jr. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district-judges . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at https://nysd.uscourts.gov/rules/ecf-related-instructions ..(pc) (Entered: 01/27/2021)
01/27/2021		Magistrate Judge Sarah Netburn is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (pc) (Entered: 01/27/2021)
01/27/2021		Case Designated ECF. (pc) (Entered: 01/27/2021)
01/27/2021	<u>6</u>	ELECTRONIC SUMMONS ISSUED as to Centers for Medicare and Medicaid Services..(pc) (Entered: 01/27/2021)
01/28/2021	<u>7</u>	NOTICE OF APPEARANCE by Samuel Hilliard Dolinger on behalf of Centers for Medicare and Medicaid Services..(Dolinger, Samuel) (Entered: 01/28/2021)
02/26/2021	<u>8</u>	ANSWER to <u>1</u> Complaint. Document filed by Centers for Medicare and Medicaid Services..(Dolinger, Samuel) (Entered: 02/26/2021)
03/03/2021	<u>9</u>	ORDER: The parties are hereby ORDERED to file a joint status report, including how they would like to proceed in the litigation, by no later than April 2, 2021. SO ORDERED. (Signed by Judge Andrew L. Carter, Jr on 3/3/2021) (rj) (Entered: 03/03/2021)
04/02/2021	<u>10</u>	LETTER addressed to Judge Andrew L. Carter, Jr. from Samuel Dolinger dated 4/2/2021 re: joint status update. Document filed by Centers for Medicare and Medicaid Services..(Dolinger, Samuel) (Entered: 04/02/2021)
04/02/2021	<u>11</u>	MEMO ENDORSEMENT on re: <u>10</u> Letter filed by Centers for Medicare and Medicaid Services. ENDORSEMENT: SO ORDERED. (Signed by Judge Andrew L. Carter, Jr on 4/2/2021) (jca) (Entered: 04/02/2021)
04/29/2021	<u>12</u>	LETTER addressed to Judge Andrew L. Carter, Jr. from Samuel Dolinger dated 4/29/2021 re: joint status report and proposed production schedule. Document filed by Centers for Medicare and Medicaid Services..(Dolinger, Samuel) (Entered: 04/29/2021)
04/30/2021	<u>13</u>	MEMO ENDORSEMENT on re: <u>12</u> LETTER addressed to Judge Andrew L. Carter, Jr. from Samuel Dolinger dated 4/29/2021 re: joint status report and proposed production schedule. Document filed by Centers for Medicare and Medicaid Services. ENDORSEMENT: So ordered. (Signed by Judge Andrew L. Carter, Jr on 4/30/2021) (rjm) (Entered: 04/30/2021)
07/29/2021	<u>14</u>	NOTICE OF APPEARANCE by Danielle Judith Levine on behalf of Centers for Medicare and Medicaid Services..(Levine, Danielle) (Entered: 07/29/2021)
07/29/2021	<u>15</u>	LETTER addressed to Judge Andrew L. Carter, Jr. from Danielle J. Levine dated July 29, 2021 re: joint status report. Document filed by Centers for Medicare and Medicaid Services..(Levine, Danielle) (Entered: 07/29/2021)
07/30/2021	<u>16</u>	MEMO ENDORSEMENT on re: <u>15</u> Letter re: joint status report. filed by Centers for Medicare and Medicaid Services. ENDORSEMENT: Plaintiff is hereby ORDERED to file a notice of voluntary dismissal by no later than August 30, 2021. SO ORDERED. (Signed by Judge Andrew L. Carter, Jr on 7/30/2021) (rj) (Entered: 07/30/2021)

08/03/2021	<u>17</u>	PROPOSED STIPULATION AND ORDER. Document filed by Centers for Medicare and Medicaid Services..(Levine, Danielle) (Entered: 08/03/2021)
08/04/2021	<u>18</u>	STIPULATION AND ORDER OF DISMISSAL: IT IS HEREBY STIPULATED AND AGREED, by and between The New York Times Company and CMS, as follows: 1. CMS's productions resolve any and all claims that The New York Times Company now has or may hereinafter acquire against CMS or the United States of America (the "United States"), or any department, agency, officer, or employee of CMS and/or the United States, related to or arising out of the FOIA Request. 2. This action is hereby dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), with each party to bear its own costs and fees. 3. The New York Times Company and CMS understand and agree that this Stipulation and Order contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect. SO ORDERED. Centers for Medicare and Medicaid Services terminated. (Signed by Judge Andrew L. Carter, Jr on 8/4/2021) (kv) (Entered: 08/04/2021)