

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-00644-JEB**

PETTI v. U.S. DEPARTMENT OF DEFENSE
Assigned to: Judge James E. Boasberg
Cause: 05:552 Freedom of Information Act

Date Filed: 03/10/2021
Date Terminated: 11/17/2021
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**MATTHEW PETTI**

represented by **Matthew Topic**
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: matt@loevy.com
ATTORNEY TO BE NOTICED

Joshua Hart Burday
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: joshb@loevy.com
ATTORNEY TO BE NOTICED

V.

Defendant**U.S. DEPARTMENT OF DEFENSE**

represented by **Stephanie R. Johnson**
UNITED STATES ATTORNEY'S
OFFICE
555 Fourth Street, NW
Washington, DC 20530
(202) 252-7874
Email: Stephanie.Johnson5@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian J. Field
SCHAERR JAFFE LLP
1717 K Street, NW
Suite 900
Washington, DC 20006
202-787-1060
Email: bfield@schaerr-jaffe.com
TERMINATED: 05/01/2021

Date Filed	#	Docket Text
03/10/2021	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF DEFENSE (Filing fee \$ 402 receipt number ADCDC-8294459) filed by MATTHEW PETTI. (Attachments: # <u>1</u> Exhibit 1-10, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons)(Burday, Joshua) (Entered: 03/10/2021)

03/10/2021	<u>2</u>	NOTICE of Appearance by Joshua Hart Burday on behalf of MATTHEW PETTI (Burday, Joshua) (Entered: 03/10/2021)
03/10/2021	<u>3</u>	NOTICE of Appearance by Matthew Topic on behalf of MATTHEW PETTI (Topic, Matthew) (Entered: 03/10/2021)
03/11/2021		Case Assigned to Judge James E. Boasberg. (adh,) (Entered: 03/11/2021)
03/11/2021	<u>4</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF DEFENSE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(adh,) (Entered: 03/11/2021)
04/06/2021	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF DEFENSE served on 3/25/2021 (Burday, Joshua) (Entered: 04/06/2021)
04/06/2021	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 3/26/2021. (Burday, Joshua) (Entered: 04/06/2021)
04/06/2021	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/26/2021. Answer due for ALL FEDERAL DEFENDANTS by 4/25/2021. (Burday, Joshua) (Entered: 04/06/2021)
04/26/2021	<u>8</u>	ANSWER to Complaint by U.S. DEPARTMENT OF DEFENSE.(Field, Brian) (Entered: 04/26/2021)
04/27/2021		MINUTE ORDER: The Court ORDERS that the parties shall confer and submit a proposed briefing schedule by May 11, 2021. So ORDERED by Judge James E. Boasberg on 4/27/2021. (lcjeb1) (Entered: 04/27/2021)
04/27/2021		Set/Reset Deadlines: Proposed Briefing Schedule due by 5/11/2021. (nbn) (Entered: 04/29/2021)
05/01/2021	<u>9</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Stephanie R. Johnson on behalf of U.S. DEPARTMENT OF DEFENSE Substituting for attorney Brian J. Field (Johnson, Stephanie) (Entered: 05/01/2021)
05/18/2021	<u>10</u>	Consent MOTION for Extension of Time to <i>FILE A PROPOSED BRIEFING SCHEDULE OR JOINT STATUS REPORT NUNC PRO TUNC</i> by U.S. DEPARTMENT OF DEFENSE. (Johnson, Stephanie) (Entered: 05/18/2021)
05/19/2021		MINUTE ORDER GRANTING Consent <u>10</u> Motion for Extension of Time. The Court ORDERS that the parties shall confer and submit a proposed briefing schedule by June 7, 2021. So ORDERED by Judge James E. Boasberg on 5/19/2021. (lcjeb1) (Entered: 05/19/2021)
05/19/2021		Set/Reset Deadlines: Proposed Briefing Schedule due by 6/7/2021. (znbn) (Entered: 05/20/2021)
06/07/2021	<u>11</u>	Joint STATUS REPORT <i>AND PROPOSED BRIEFING SCHEDULE</i> by U.S. DEPARTMENT OF DEFENSE. (Johnson, Stephanie) (Entered: 06/07/2021)
06/07/2021		MINUTE ORDER: The Court ADOPTS the parties' <u>11</u> Joint Proposed Briefing Schedule and ORDERS that: 1) Defendant shall file its motion for summary judgment by August 2, 2021; 2) Plaintiff shall file his cross-motion for summary judgment and opposition to Defendant's motion by September 1, 2021; 3) Defendant shall file its reply in support of its motion and opposition to Plaintiff's cross-motion by October 1, 2021; and 4) Plaintiff shall file his reply in support of his cross-motion by November 1, 2021. So ORDERED by Judge James E. Boasberg on 6/7/2021. (lcjeb1) (Entered: 06/07/2021)
08/25/2021	<u>12</u>	Consent MOTION for Extension of Time to <i>FILE DEFENDANTS MOTION FOR SUMMARY JUDGMENT</i> , Consent MOTION to Modify <i>BRIEFING SCHEDULE</i> by U.S. DEPARTMENT OF DEFENSE. (Johnson, Stephanie) (Entered: 08/25/2021)
08/25/2021		MINUTE ORDER granting Consent <u>12</u> Motion for Extension of Time. The Court ORDERS that: 1) Defendant shall file its motion for summary judgment by September 27, 2021; 2) Plaintiff shall file his cross-motion for summary judgment and opposition

		to Defendant's motion by October 27, 2021; 3) Defendant shall file its reply in support of its motion and opposition to Plaintiff's cross-motion by November 26, 2021; and 4) Plaintiff shall file his reply in support of his cross-motion by December 27, 2021. So ORDERED by Judge James E. Boasberg on 8/25/2021. (lcjeb1) (Entered: 08/25/2021)
08/25/2021		Set/Reset Deadlines: Summary Judgment motions due by 9/27/2021. Response to Motion for Summary Judgment due by 10/27/2021. Cross Motions due by 10/27/2021. Reply to Motion for Summary Judgment due by 11/26/2021. Response to Cross Motions due by 11/26/2021. Reply to Cross Motions due by 12/27/2021. (znbn) (Entered: 08/26/2021)
09/22/2021	<u>13</u>	Consent MOTION for Extension of Time to <i>File Defendants Motion for Summary Judgement</i> , Consent MOTION to Modify <i>the Briefing Schedule</i> by U.S. DEPARTMENT OF DEFENSE. (Johnson, Stephanie) (Entered: 09/22/2021)
09/22/2021		MINUTE ORDER granting Consent <u>13</u> Motion for Extension of Time. The Court ORDERS that: 1) Defendant shall file its motion for summary judgment by October 27, 2021; 2) Plaintiff shall file his cross-motion for summary judgment and opposition to Defendant's motion by November 26, 2021; 3) Defendant shall file its reply in support of its motion and opposition to Plaintiff's cross-motion by December 27, 2021; and 4) Plaintiff shall file his reply in support of his cross-motion by January 26, 2022. So ORDERED by Judge James E. Boasberg on 9/22/2021. (lcjeb1) (Entered: 09/22/2021)
09/22/2021		Set/Reset Deadlines: Summary Judgment motions due by 10/27/2021. Response to Motion for Summary Judgment due by 11/26/2021. Cross Motions due by 11/26/2021. Reply to Motion for Summary Judgment due by 12/27/2021. Response to Cross Motions due by 12/27/2021. Reply to Cross Motions due by 1/26/2022. (znbn) (Entered: 09/23/2021)
10/26/2021	<u>14</u>	Consent MOTION for Extension of Time to <i>MOTION FOR SUMMARY JUDGMENT AND MODIFY BREIFING SCHEDULE</i> by U.S. DEPARTMENT OF DEFENSE. (Johnson, Stephanie). Added MOTION to Modify on 10/28/2021 (znmw). (Entered: 10/26/2021)
10/26/2021		MINUTE ORDER granting Consent <u>14</u> Motion for Extension of Time. The Court ORDERS that: 1) Defendant shall file its motion for summary judgment by November 10, 2021; 2) Plaintiff shall file his cross-motion for summary judgment and opposition to Defendant's motion by December 10, 2021; 3) Defendant shall file its reply in support of its motion and opposition to Plaintiff's cross-motion by January 10, 2022; and 4) Plaintiff shall file his reply in support of his cross-motion by February 9, 2022. So ORDERED by Judge James E. Boasberg on 10/26/2021. (lcjeb1) (Entered: 10/26/2021)
10/26/2021		Set/Reset Deadlines: Summary Judgment motions due by 11/10/2021. Response to Motion for Summary Judgment due by 12/10/2021. Cross Motions due by 12/10/2021. Reply to Motion for Summary Judgment due by 1/10/2022. Response to Cross Motions due by 1/10/2022. Reply to Cross Motions due by 2/9/2022. (nbn) (Entered: 11/02/2021)
11/08/2021	<u>15</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF DEFENSE. (Attachments: # <u>1</u> Declaration of Mark H. Herrington)(Johnson, Stephanie) (Entered: 11/08/2021)
11/17/2021	<u>16</u>	STIPULATION of Dismissal by MATTHEW PETTI. (Burday, Joshua) (Entered: 11/17/2021)
11/17/2021		MINUTE ORDER: Per the parties' <u>16</u> Stipulation, the Court ORDERS that the case is DISMISSED WITH PREJUDICE. So ORDERED by Judge James E. Boasberg on 11/17/2021. (lcjeb1) (Entered: 11/17/2021)