

U.S. District Court – District of Colorado
District of Colorado (Denver)
CIVIL DOCKET FOR CASE #: 1:21-cv-01737-WJM-NRN

Michels v. U.S. Department of Justice
Assigned to: Judge William J. Martinez
Referred to: Magistrate Judge N. Reid Neureiter
Cause: 05:552 Freedom of Information Act

Date Filed: 06/24/2021
Date Terminated: 12/16/2021
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act of 1974
Jurisdiction: U.S. Government Defendant

Plaintiff**John J. Michels**

represented by **Bradley P. Moss**
Mark S. Zaid, P.C.
1250 Connecticut Avenue, NW
Suite 700
Washington, DC 20220
202-907-7945
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ATTORNEY TO BE NOTICED

V.

Defendant**U.S. Department of Justice**

represented by **Nicholas Albert Deuschle**
U.S. Attorney's Office–Denver
District of Colorado
1801 California Street
Suite 1600
Denver, CO 80202
303-454-0128
Email: Nick.Deuschle@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/24/2021	<u>1</u>	COMPLAINT against U.S. Department of Justice Filing Fee: \$402 Receipt Number:COX099492, filed by John J. Michels. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Proposed Summons)(cpomm,) (Entered: 06/25/2021)
06/24/2021	2	Case assigned to Magistrate Judge N. Reid Neureiter. Text Only Entry (cpomm,) (Entered: 06/25/2021)
06/25/2021	<u>3</u>	SUMMONS issued by Clerk. (Attachments: # <u>1</u> Magistrate Judge Consent Form) (cpomm,) (Entered: 06/25/2021)
06/25/2021	4	ORDER SETTING STATUS CONFERENCE FOR PRO SE PLAINTIFF by Magistrate Judge N. Reid Neureiter on 25 June 2021. Consent Form due by 8/11/2021. Status Conference set for 8/25/2021 10:30 AM in Courtroom C203 before Magistrate Judge N. Reid Neureiter. The Status Conference will be conducted via telephone. The parties are directed to call the conference line as a participant at (888) 398-2342, Access Code 5755390# at the scheduled time. (cmadr,) (Entered: 06/25/2021)
06/25/2021	5	CERTIFICATE of Service by mail by Clerk of Court re <u>4</u> to John J. Michels 621 Jasmine Street Denver, CO 80220. Text Only Entry (cmadr,) (Entered: 06/25/2021)
08/04/2021	<u>6</u>	NOTICE of Entry of Appearance by Bradley P. Moss on behalf of John J. MichelsAttorney Bradley P. Moss added to party John J. Michels(pty:pla) (Moss, Bradley) (Entered: 08/04/2021)
08/11/2021	<u>7</u>	RESPONSE to Court's Order by Plaintiff John J. Michels. (Moss, Bradley) (Entered: 08/11/2021)

08/11/2021	<u>8</u>	SUMMONS REQUEST as to U.S. Attorney General, U.S. Attorney's Office for the District of Colorado by Plaintiff John J. Michels. (Attachments: # <u>1</u> Summons USACO, # <u>2</u> Summons USAG)(Moss, Bradley) (Entered: 08/11/2021)
08/11/2021	<u>9</u>	Minute ORDER by Magistrate Judge N. Reid Neureiter on 11 August 2021. This matter is before the Court on Plaintiff's Response to Court Order (Dkt. # <u>7</u>). It is hereby ORDERED that the Status Conference set for August 25, at 10:30 a.m. is VACATED and RESET to October 15, 2021 at 10:30 a.m. The consent/non-consent deadline is extended up to and including October 1, 2021. PLEASE READ ATTACHED MINUTE ORDER. (cmadr,) (Entered: 08/11/2021)
08/12/2021	<u>10</u>	SUMMONSES issued by Clerk. (cmadr,) (Entered: 08/12/2021)
09/20/2021	<u>11</u>	NOTICE of Entry of Appearance by Nicholas Albert Deuschle on behalf of U.S. Department of Justice Attorney Nicholas Albert Deuschle added to party U.S. Department of Justice(pty:dft) (Deuschle, Nicholas) (Entered: 09/20/2021)
09/20/2021	<u>12</u>	NOTICE OF CASE ASSOCIATION by Nicholas Albert Deuschle on behalf of U.S. Department of Justice (Deuschle, Nicholas) (Entered: 09/20/2021)
09/20/2021	<u>13</u>	MOTION for Extension of Time to File Answer or Otherwise Respond re <u>1</u> Complaint by Defendant U.S. Department of Justice. (Deuschle, Nicholas) (Entered: 09/20/2021)
09/20/2021	<u>14</u>	Minute ORDER by Magistrate Judge N. Reid Neureiter on 20 September 2021. It is hereby ORDERED that Defendant's Motion for Extension of Time to Respond to Complaint (Dkt. # <u>13</u>) is GRANTED finding good cause shown. Defendant shall answer or otherwise respond to Plaintiff's Complaint (Dkt. # <u>1</u>) on or before October 14, 2021. PLEASE READ ATTACHED MINUTE ORDER. (cmadr,) (Entered: 09/20/2021)
09/29/2021	<u>15</u>	MOTION to Stay <i>or for Administrative Closure</i> by Defendant U.S. Department of Justice. (Attachments: # <u>1</u> Exhibit 1 – Zaid FOIA Request, # <u>2</u> Exhibit 2 – Smith FOIA Request, # <u>3</u> Exhibit 3 – Weiser FOIA Request, # <u>4</u> Exhibit 4 – Michels FOIA Request)(Deuschle, Nicholas) (Entered: 09/29/2021)
10/01/2021	<u>16</u>	CONSENT to Jurisdiction of Magistrate Judge by Defendant U.S. Department of Justice All parties do not consent.. (Deuschle, Nicholas) (Entered: 10/01/2021)
10/01/2021	17	CASE REASSIGNED pursuant to <u>16</u> Consent to Jurisdiction of Magistrate Judge. All parties do not consent. This case is randomly reassigned to Judge William J. Martinez. All future pleadings should be designated as 21-cv-01737-WJM. (Text Only Entry) (cmadr,) (Entered: 10/01/2021)
10/07/2021	18	ORDER REFERRING CASE to Magistrate Judge N. Reid Neureiter. Magistrate Judge Neureiter, or such other Magistrate Judge who may in the future be reassigned this case, is designated to conduct NDISPO proceedings pursuant to 28 U.S.C. § 636(b)(1)(A) and (B) and Fed.R.Civ.P. 72(a) and (b). Court sponsored alternative dispute resolution is governed by D.C.COLO.LCivR 16.6. On the recommendation or informal request of the Magistrate Judge or on the request of the parties by motion, the court may direct the parties to engage in an early neutral evaluation, a settlement conference, or another alternative dispute resolution proceeding. SO ORDERED by Judge William J. Martinez on 10/7/2021. Text Only Entry (wjmssec,) (Entered: 10/07/2021)
10/07/2021	19	ORDER: Counsel for the parties and all counsel who may later enter an appearance shall review and familiarize themselves with the undersigned's Revised Practice Standards (as most recently revised effective December 1, 2020 and as they may be amended from time to time), which may be downloaded here. SO ORDERED by Judge William J. Martinez on 10 /7/2021. Text Only Entry (wjmssec,) (Entered: 10/07/2021)
10/07/2021	20	MEMORANDUM regarding <u>15</u> MOTION to Stay <i>or for Administrative Closure</i> filed by U.S. Department of Justice. Motions referred to Magistrate Judge N. Reid Neureiter by Judge William J. Martinez on 10/7/2021. Text Only Entry (wjmssec,) (Entered: 10/07/2021)
10/12/2021	<u>21</u>	MOTION for Extension of Time to File Answer or Otherwise Respond re <u>1</u> Complaint by Defendant U.S. Department of Justice. (Deuschle, Nicholas) (Entered: 10/12/2021)

10/13/2021	22	MEMORANDUM regarding <u>21</u> MOTION for Extension of Time to File Answer or Otherwise Respond re <u>1</u> Complaint filed by U.S. Department of Justice. Motions referred to Magistrate Judge N. Reid Neureiter by Judge William J. Martinez on 10/13/2021. Text Only Entry (wjmsecc,) (Entered: 10/13/2021)
10/13/2021	<u>23</u>	Minute ORDER by Magistrate Judge N. Reid Neureiter on 13 October 2021. This matter is before the Court on Defendant's Motion to Extend its Deadline to Respond to the Complaint (Dkt. # <u>21</u>). The parties should be prepared to discuss this Motion, as well as Defendant's Motion for Administrative Closure or, In the Alternative, To Stay Proceedings Pending Resolution of Related Cases (Dkt. # <u>15</u>) at the Status Conference set on October 15, 2021. PLEASE READ ATTACHED MINUTE ORDER. (cmadr,) (Entered: 10/13/2021)
10/14/2021	24	MINUTE ORDER. The upcoming Status Conference on 10/15/2021 at 10:30 a.m. in this matter shall be conducted via telephone. The parties are directed to call the conference line as a participant at (888) 398-2342, Access Code 5755390# at the scheduled time. The Court notes that the parties may hear the conclusion of a prior hearing at the time they call in, and are instructed to simply wait until their case is called. SO ORDERED, by Magistrate Judge N. Reid Neureiter on October 14, 2021. Text Only Entry. (rvill,) (Entered: 10/14/2021)
10/14/2021	<u>25</u>	NOTICE of Partial Dismissal by Plaintiff John J. Michels (Moss, Bradley) (Entered: 10/14/2021)
10/14/2021	<u>26</u>	RESPONSE to <u>15</u> MOTION to Stay or for Administrative Closure, <u>21</u> MOTION for Extension of Time to File Answer or Otherwise Respond re <u>1</u> Complaint filed by Plaintiff John J. Michels. (Attachments: # <u>1</u> Exhibit 1 – Judicial Watch ruling)(Moss, Bradley) (Entered: 10/14/2021)
10/15/2021	<u>27</u>	COURTROOM MINUTES for Telephonic Status Conference held before Magistrate Judge N. Reid Neureiter held on 10/15/2021. Plaintiff shall file supplemental briefing regarding Defendant's Motion for Administrative Closure or, in the Alternative, to Stay Proceedings pending Resolution of Related Cases (Dkt. # <u>15</u>), followed by Defendants reply. FTR: Courtroom C203. (rvill,) (Entered: 10/18/2021)
10/18/2021	28	MINUTE ORDER re: <u>27</u> Courtroom Minutes for Telephonic Status Conference, requesting expedited service of transcripts of proceedings, by Magistrate Judge N. Reid Neureiter on October 18, 2021. Text Only Entry. (rvill,) Modified on 10/18/2021 (rvill,). (Entered: 10/18/2021)
10/20/2021	29	ADVISORY NOTICE OF NONCOMPLIANCE WITH COURT RULES/PROCEDURES re: <u>26</u> Response to Motion, filed by attorney Bradley P. Moss. Attorney has used an incorrect signature format in violation of D.C.COLO.LCivR 5.1(a) and 4.3(a) of the Electronic Case Filing Procedures (Civil cases). DO NOT REFILE THE DOCUMENT. In the future, the filer must affix an electronic s/signature and s/ followed by a typed, not an inked, signature to all future documents.(Text Only Entry) (trvo,) (Entered: 10/20/2021)
10/22/2021	<u>30</u>	RESPONSE to <u>15</u> MOTION to Stay or for Administrative Closure, <u>21</u> MOTION for Extension of Time to File Answer or Otherwise Respond re <u>1</u> Complaint filed by Plaintiff John J. Michels. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Moss, Bradley) (Entered: 10/22/2021)
10/25/2021	<u>31</u>	TRANSCRIPT of TELEPHONIC STATUS CONFERENCE held on 10/15/2021 before Magistrate Judge Neureiter. Pages: 1–30. Prepared by: AB Litigation Services. NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov. Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (AB Court Reporting & Video, Inc.,) (Entered: 10/25/2021)

11/05/2021	<u>32</u>	REPLY to Response to <u>15</u> MOTION to Stay <i>or for Administrative Closure</i> , <u>21</u> MOTION for Extension of Time to File Answer or Otherwise Respond re <u>1</u> Complaint filed by Defendant U.S. Department of Justice. (Deuschle, Nicholas) (Entered: 11/05/2021)
11/30/2021	<u>33</u>	RECOMMENDATION ON DEFENDANT'S MOTION FOR ADMINISTRATIVE CLOSURE OR, IN THE ALTERNATIVE, TO STAY PROCEEDINGS PENDING RESOLUTION OF RELATED CASES (Dkt. # <u>15</u>) by Magistrate Judge N. Reid Neureiter on 30 November 2021. Accordingly, the undersigned RECOMMENDS that Defendant U.S. Department of Justice's Motion for Administrative Closure or, in the Alternative, to Stay Proceedings Pending Resolution of Related Cases (Dkt. #15) be GRANTED, and this case be ADMINISTRATIVELY CLOSED pursuant to D.C.COLO.LCivR 41.2, subject to being reopened on motion of the Parties. (cmadr,) (Entered: 11/30/2021)
12/07/2021	<u>34</u>	Minute ORDER by Magistrate Judge N. Reid Neureiter on 7 December 2021. It is hereby ORDERED that Defendant's Motion to Extend its Deadline to Respond to the Complaint (Dkt. # <u>21</u>) is GRANTED. Defendant's deadline to respond to Plaintiff's Complaint (Dkt. # <u>1</u>) is extended until 14 days after Judge Martinez issues a ruling on the Court's Report and Recommendation (Dkt. # <u>33</u>) that this case be stayed and administratively closed. PLEASE READ ATTACHED MINUTE ORDER. (cmadr,) (Entered: 12/07/2021)
12/16/2021	<u>35</u>	ORDER Adopting <u>33</u> November 30, 2021 Recommendation of United States Magistrate Judge. The Magistrate Judge's Recommendation (ECF No. <u>33</u>) is ADOPTED in its entirety. Defendant U.S. Department of Justice's Motion for Administrative Closure or, in the Alternative, to Stay Proceedings Pending Resolution of Related Cases (ECF No. <u>15</u>) is GRANTED. This case is ADMINISTRATIVELY CLOSED pursuant to D.C.COLO.LCivR 41.2, subject to being reopened on motion of the Parties for good cause. SO ORDERED by Judge William J. Martinez on 12/16/2021.(trvo,) (Entered: 12/16/2021)
12/16/2021	36	Civil Case ADMINISTRATIVELY CLOSED pursuant to the Order Adopting November 30, 2021 Recommendation of United States Magistrate Judge <u>35</u> filed in this case on 12/16/2021. Text Only Entry. (trvo,) (Entered: 12/16/2021)