

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:20-cv-01841-RDM**

NEXT GENERATION PET FOOD MANUFACTURERS
ASSOCIATION v. FOOD AND DRUG ADMINISTRATION et
al
Assigned to: Judge Randolph D. Moss
Cause: 05:552 Freedom of Information Act

Date Filed: 07/08/2020
Date Terminated: 03/04/2022
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**NEXT GENERATION PET FOOD
MANUFACTURERS ASSOCIATION**

represented by **Matthew Topic**
LOEVY & LOEVY
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ATTORNEY TO BE NOTICED

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V.

Defendant

**FOOD AND DRUG
ADMINISTRATION**

represented by **Thomas Anthony Quinn**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Katherine Boyd Palmer-Ball
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
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TERMINATED: 07/30/2021

Defendant

**U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES**

represented by **Thomas Anthony Quinn**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Katherine Boyd Palmer–Ball

(See above for address)

TERMINATED: 07/30/2021

Date Filed	#	Docket Text
07/08/2020	<u>1</u>	COMPLAINT against FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Filing fee \$ 400 receipt number ADCDC–7314899) filed by NEXT GENERATION PET FOOD MANUFACTURERS ASSOCIATION. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Civil Cover Sheet, # <u>5</u> Summons)(Wayne, Merrick) (Entered: 07/08/2020)
07/08/2020	<u>2</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of NEXT GENERATION PET FOOD MANUFACTURERS ASSOCIATION (Wayne, Merrick) (Entered: 07/08/2020)
07/08/2020	<u>3</u>	NOTICE of Appearance by Matthew Topic on behalf of NEXT GENERATION PET FOOD MANUFACTURERS ASSOCIATION (Topic, Matthew) (Entered: 07/08/2020)
07/09/2020		Case Assigned to Judge Randolph D. Moss. (adh,) (Entered: 07/09/2020)
07/09/2020	<u>4</u>	SUMMONS (4) Issued Electronically as to FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(adh,) (Entered: 07/09/2020)
07/09/2020	<u>5</u>	STANDING ORDER: It is hereby ORDERED that the parties shall comply with the directives set forth in the Standing Order. See document for details. Signed by Judge Randolph D. Moss on 7/9/2020. (lcrdm1) (Entered: 07/09/2020)
07/27/2020	<u>6</u>	NOTICE of Appearance by Katherine Boyd Palmer–Ball on behalf of All Defendants (Palmer–Ball, Katherine) (Entered: 07/27/2020)
08/21/2020	<u>7</u>	ANSWER to Complaint by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Palmer–Ball, Katherine) (Entered: 08/21/2020)
08/25/2020		MINUTE ORDER: It is ORDERED that, on or before September 15, 2020, the parties shall confer and file a joint status report addressing (1) any documents still to be produced pursuant to FOIA; (2) an anticipated schedule for processing and producing any such documents; and (3) any substantive areas of disagreement between the parties. It is FURTHER ORDERED that the parties shall appear telephonically for an Initial Scheduling Conference on September 22, 2020, at 2:00 p.m, before Judge Randolph D. Moss. The parties can obtain a teleconference number and access code from the deputy clerk prior to the conference. Signed by Judge Randolph D. Moss on 08/25/2020. (lcrdm1) (Entered: 08/25/2020)
09/15/2020	<u>8</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Palmer–Ball, Katherine) (Entered: 09/15/2020)
09/16/2020		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>8</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before November 16, 2020. Signed by Judge Randolph D. Moss on 09/16/2020. (lcrdm1) (Entered: 09/16/2020)
09/22/2020		Minute Entry for proceedings held before Judge Randolph D. Moss: Telephonic Initial Scheduling Conference held on 9/22/2020. Joint Status Report remains due by 11/16/2020. (Court Reporter: Jeff Hook.) (kt) (Entered: 09/22/2020)
09/24/2020	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FOOD AND DRUG ADMINISTRATION served on 7/22/2020 (Wayne, Merrick) (Entered: 09/24/2020)

09/24/2020	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 7/22/2020 (Wayne, Merrick) (Entered: 09/24/2020)
09/24/2020	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 7/23/2020. (Wayne, Merrick) (Entered: 09/24/2020)
09/24/2020	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/23/2020. Answer due for ALL FEDERAL DEFENDANTS by 8/22/2020. (Wayne, Merrick) (Entered: 09/24/2020)
11/16/2020	<u>13</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Palmer-Ball, Katherine) (Entered: 11/16/2020)
11/19/2020		MINUTE ORDER: Upon consideration of Parties' joint status report, Dkt. <u>13</u> , it is hereby ORDERED that Parties shall file a further joint status report on or before January 15, 2021. Signed by Judge Randolph D. Moss on 11/19/2020. (lcrdm1) (Entered: 11/19/2020)
01/15/2021	<u>14</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Palmer-Ball, Katherine) (Entered: 01/15/2021)
01/15/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>14</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before February 16, 2021. Signed by Judge Randolph D. Moss on 01/15/2021. (lcrdm1) (Entered: 01/15/2021)
02/16/2021	<u>15</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Palmer-Ball, Katherine) (Entered: 02/16/2021)
02/17/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>15</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before March 18, 2021. Signed by Judge Randolph D. Moss on 02/17/2021. (lcrdm1) (Entered: 02/17/2021)
03/18/2021	<u>16</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Palmer-Ball, Katherine) (Entered: 03/18/2021)
03/18/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>16</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before April 19, 2021. Signed by Judge Randolph D. Moss on 03/18/2021. (lcrdm1) (Entered: 03/18/2021)
04/19/2021	<u>17</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Palmer-Ball, Katherine) (Entered: 04/19/2021)
04/19/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>17</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before May 19, 2021. Signed by Judge Randolph D. Moss on 04/19/2021. (lcrdm1) (Entered: 04/19/2021)
05/19/2021	<u>18</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Palmer-Ball, Katherine) (Entered: 05/19/2021)
05/19/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>18</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before June 18, 2021. Signed by Judge Randolph D. Moss on 05/19/2021. (lcrdm1) (Entered: 05/19/2021)
06/18/2021	<u>19</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Palmer-Ball, Katherine)

		(Entered: 06/18/2021)
06/20/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>19</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before July 19, 2021. Signed by Judge Randolph D. Moss on 06/20/2021. (lcrdm1) (Entered: 06/20/2021)
07/19/2021	<u>20</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Palmer-Ball, Katherine) (Entered: 07/19/2021)
07/19/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>20</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before August 18, 2021. Signed by Judge Randolph D. Moss on 07/19/2021. (lcrdm1) (Entered: 07/19/2021)
07/30/2021	<u>21</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Thomas Anthony Quinn on behalf of All Defendants Substituting for attorney AUSA Katherine Palmer-Ball (Quinn, Thomas) (Entered: 07/30/2021)
08/18/2021	<u>22</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Quinn, Thomas) (Entered: 08/18/2021)
08/19/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>22</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before September 17, 2021. Signed by Judge Randolph D. Moss on 08/19/2021. (lcrdm1) (Entered: 08/19/2021)
09/17/2021	<u>23</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Quinn, Thomas) (Entered: 09/17/2021)
09/20/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>23</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before October 22, 2021. Signed by Judge Randolph D. Moss on 09/20/2021. (lcrdm1) (Entered: 09/20/2021)
10/22/2021	<u>24</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Quinn, Thomas) (Entered: 10/22/2021)
10/24/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>24</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before December 17, 2021. Signed by Judge Randolph D. Moss on 10/24/2021. (lcrdm1) (Entered: 10/24/2021)
12/17/2021	<u>25</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Quinn, Thomas) (Entered: 12/17/2021)
12/19/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>25</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before January 14, 2022. Signed by Judge Randolph D. Moss on 12/19/2021. (lcrdm1) (Entered: 12/19/2021)
01/14/2022	<u>26</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Quinn, Thomas) (Entered: 01/14/2022)
01/14/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>26</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before February 14, 2022. Signed by Judge Randolph D. Moss on 1/14/2022. (lcrdm1) (Entered: 01/14/2022)
02/14/2022	<u>27</u>	Joint STATUS REPORT by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Quinn, Thomas) (Entered: 02/14/2022)

02/16/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>27</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before March 14, 2022. Signed by Judge Randolph D. Moss on 2/16/2022. (lcrdm1) (Entered: 02/16/2022)
03/03/2022	<u>28</u>	STIPULATION of Dismissal by FOOD AND DRUG ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Quinn, Thomas) (Entered: 03/03/2022)
03/04/2022		MINUTE ORDER: Upon consideration of the parties' stipulation of dismissal, Dkt. <u>28</u> , it is hereby ORDERED that the case is DISMISSED with prejudice. The Clerk of Court is directed to terminate the case. Signed by Judge Randolph D. Moss on 3/4/2022. (lcrdm1) (Entered: 03/04/2022)