

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:20-cv-01843-CKK

CASTRO v. INTERNAL REVENUE SERVICE
Assigned to: Judge Colleen Kollar-Kotelly
Cause: 05:552 Freedom of Information Act

Date Filed: 07/08/2020
Date Terminated: 03/22/2022
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**JOHN ANTHONY CASTRO**

represented by **C. Peter Sorenson**
SORENSEN LAW OFFICE
P.O. Box 10836
Eugene, OR 97440
541-606-9173
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ATTORNEY TO BE NOTICED

V.

Defendant**INTERNAL REVENUE SERVICE**

represented by **Joseph E. Hunsader**
U.S. DEPARTMENT OF JUSTICE
Tax Division
P.O. Box 227
Ben Franklin Station
Washington, DC 20044
(202) 514-0472
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/08/2020	<u>1</u>	COMPLAINT against INTERNAL REVENUE SERVICE (Filing fee \$ 400 receipt number ADCDC-7315451) filed by JOHN ANTHONY CASTRO. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons IRS, # <u>3</u> Summons USAG, # <u>4</u> Summons USAO)(Sorenson, C.) (Entered: 07/08/2020)
07/09/2020		Case Assigned to Judge Colleen Kollar-Kotelly. (adh,) (Entered: 07/09/2020)
07/10/2020	<u>2</u>	SUMMONS (3) Issued Electronically as to INTERNAL REVENUE SERVICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(adh,) (Entered: 07/10/2020)
07/10/2020	<u>3</u>	ORDER ESTABLISHING PROCEDURES FOR CASES ASSIGNED TO JUDGE COLLEEN KOLLAR-KOTELLY. Signed by Judge Colleen Kollar-Kotelly on 7/10/2020. (DM) (Entered: 07/10/2020)
08/10/2020	<u>4</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by INTERNAL REVENUE SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Hunsader, Joseph) (Entered: 08/10/2020)
08/11/2020		MINUTE ORDER. The court is in receipt of Defendant's <u>4</u> Unopposed Motion to Extend Deadline to Answer or Otherwise Respond to the Complaint. Defendant's Response is currently due August 19, 2020. Defendant requests an extension due to the need to further investigate certain files and due to other litigation obligations. Defendant's Motion is GRANTED. Defendant's Response is due SEPTEMBER 18, 2020. Signed by Judge Colleen Kollar-Kotelly on 8-11-2020. (lcckk3) (Entered: 08/11/2020)

		08/11/2020)
08/11/2020		Set/Reset Deadlines: Answer/Response due by 9/18/2020. (kt) (Entered: 08/11/2020)
09/18/2020	<u>5</u>	ANSWER to Complaint by INTERNAL REVENUE SERVICE.(Hunsader, Joseph) (Entered: 09/18/2020)
09/18/2020	<u>6</u>	ORDER for meet and confer and joint status report. Signed by Judge Colleen Kollar-Kotelly on 9-18-2020. (lcckk3) (Entered: 09/18/2020)
09/18/2020		Set/Reset Deadlines: Joint Meet & Confer Statement due by 11/9/2020. (dot) (Entered: 09/21/2020)
11/06/2020	<u>7</u>	Joint STATUS REPORT by INTERNAL REVENUE SERVICE. (Hunsader, Joseph) (Entered: 11/06/2020)
11/06/2020		MINUTE ORDER. The Court is in receipt of the parties' <u>7</u> Joint Status Report. The Court ORDERS the parties to file by no later than JANUARY 22, 2021 a Joint Status Report addressing the status of Defendant's document production, the parties' positions regarding whether a <i>Vaughn</i> index will be required, and, if necessary, a proposed briefing schedule. Signed by Judge Colleen Kollar-Kotelly on 11/6/2020. (lcckk3) (Entered: 11/06/2020)
11/06/2020		Set/Reset Deadlines: Joint Status Report due by 1/22/2021. (dot) (Entered: 11/06/2020)
01/22/2021	<u>8</u>	Joint STATUS REPORT by INTERNAL REVENUE SERVICE. (Hunsader, Joseph) (Entered: 01/22/2021)
01/22/2021		MINUTE ORDER. The Court is in receipt of the parties' <u>8</u> Joint Status Report. The parties indicate that Defendant has completed its release of responsive records. The parties are now conferring about whether Defendant conducted a reasonable search. As proposed in the joint status report, the Court ORDERS the parties to file by MARCH 19, 2021 a joint status report addressing whether Defendant will conduct any further search, whether summary judgment will be required, and, if so, the parties' proposed briefing schedule, and the parties positions regarding a Vaughn index. Signed by Judge Colleen Kollar-Kotelly on 1/22/21. (lcckk3) (Entered: 01/22/2021)
01/22/2021		Set/Reset Deadlines: Joint Status Report due by 3/19/2021, addressing whether Defendant will conduct any further search, whether summary judgment will be required, and, if so, the parties' proposed briefing schedule, and the parties positions regarding a Vaughn index. (dot) (Entered: 01/25/2021)
03/19/2021	<u>9</u>	Joint STATUS REPORT by INTERNAL REVENUE SERVICE. (Hunsader, Joseph) (Entered: 03/19/2021)
03/19/2021	<u>10</u>	SCHEDULING & PROCEDURES ORDER. Signed by Judge Colleen Kollar-Kotelly on 3/19/21. (lcckk3) (Entered: 03/19/2021)
03/19/2021		Set/Reset Deadlines: Defendant's Summary Judgment Motion due by 5/19/2021. Response to Motion for Summary Judgment due by 6/24/2021. Reply to Motion for Summary Judgment due by 7/16/2021. Plaintiff's Cross Motion for Summary Judgment due by 6/24/2021. Response to Cross Motion for Summary Judgment due by 7/16/2021. Reply to Cross Motion for Summary Judgment due by 8/6/2021. (dot) (Entered: 03/19/2021)
05/05/2021	<u>11</u>	Joint MOTION to Modify <i>briefing schedule for summary judgment in FOIA matter</i> by INTERNAL REVENUE SERVICE. (Attachments: # <u>1</u> Text of Proposed Order)(Hunsader, Joseph) (Entered: 05/05/2021)
05/05/2021	<u>12</u>	ORDER granting <u>11</u> Joint Motion to Modify Summary Judgment Briefing Schedule as follows: Defendant's motion for summary judgment due JUNE 23, 2021; Plaintiff's opposition to Defendant's motion and cross-motion for summary judgment due JULY 23, 2021; Defendant's reply in support of its motion and opposition to Plaintiff's cross-motion due AUGUST 13, 2021; and Plaintiff's reply in support of cross-motion due SEPTEMBER 13, 2021. Signed by Judge Colleen Kollar-Kotelly on 5/5/21. (lcckk3) (Entered: 05/05/2021)

05/05/2021		Set/Reset Deadlines: Defendant's Summary Judgment Motion due by 6/23/2021. Response to Motion for Summary Judgment due by 7/23/2021. Reply to Motion for Summary Judgment due by 8/13/2021. Plaintiff's Cross Motion for Summary Judgment due by 7/23/2021. Response to Cross Motion for Summary Judgment due by 8/13/2021. Reply to Cross Motion for Summary Judgment due by 9/13/2021. (dot) (Entered: 05/06/2021)
06/21/2021	<u>13</u>	MOTION for Summary Judgment by INTERNAL REVENUE SERVICE. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit Declaration of Timothy Ritter, # <u>3</u> Exhibit Ritter Declaration Exhibits 1-6, # <u>4</u> Affidavit Declaration of Vikramsing Barad, # <u>5</u> Statement of Facts (Undisputed Material Facts in support of Summary Judgment), # <u>6</u> Text of Proposed Order)(Hunsader, Joseph) (Entered: 06/21/2021)
06/22/2021	<u>14</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/20/2020. Answer due for ALL FEDERAL DEFENDANTS by 8/19/2020. (Sorenson, C.) (Main Document 14 replaced on 6/22/2021) (znmw). (Entered: 06/22/2021)
06/22/2021	15	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 7/20/2020., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. INTERNAL REVENUE SERVICE served on 7/20/2020 (ztd); (SEE DOCKET ENTRY NO. <u>14</u> TO VIEW.) (Entered: 06/22/2021)
07/23/2021	<u>16</u>	Memorandum in opposition to re <u>13</u> MOTION for Summary Judgment filed by JOHN ANTHONY CASTRO. (Attachments: # <u>1</u> Declaration Castro, # <u>2</u> Exhibit 101, # <u>3</u> Exhibit 102, # <u>4</u> Exhibit 103, # <u>5</u> Exhibit 104, # <u>6</u> Exhibit 105, # <u>7</u> Exhibit 106, # <u>8</u> Exhibit 107, # <u>9</u> Exhibit 108, # <u>10</u> Memorandum in Support, # <u>11</u> Statement of Facts, # <u>12</u> Text of Proposed Order)(Sorenson, C.) (Entered: 07/23/2021)
07/23/2021	<u>17</u>	Cross MOTION for Summary Judgment by JOHN ANTHONY CASTRO. (Attachments: # <u>1</u> Declaration Castro, # <u>2</u> Exhibit 101, # <u>3</u> Exhibit 102, # <u>4</u> Exhibit 103, # <u>5</u> Exhibit 104, # <u>6</u> Exhibit 105, # <u>7</u> Exhibit 106, # <u>8</u> Exhibit 107, # <u>9</u> Exhibit 108, # <u>10</u> Memorandum in Support, # <u>11</u> Statement of Facts, # <u>12</u> Text of Proposed Order)(Sorenson, C.) (Entered: 07/23/2021)
08/09/2021	<u>18</u>	Unopposed MOTION for Extension of Time to File Response/Reply <i>Extend time to file final summary judgment briefs</i> by INTERNAL REVENUE SERVICE. (Attachments: # <u>1</u> Text of Proposed Order)(Hunsader, Joseph) (Entered: 08/09/2021)
08/09/2021		MINUTE ORDER. The Court is in receipt of Defendant's <u>18</u> Unopposed Motion to Extend Briefing Schedule for Summary Judgment Cross-Motions, in which Defendant requests a enlargement of the summary judgment briefing schedule set forth in the Court's <u>12</u> Order. This is the second request for an extension of the summary judgment briefing schedule. Plaintiff consents to the modified schedule proposed by Defendant. Accordingly, the Court GRANTS Defendant's <u>18</u> Unopposed Motion and ORDERS that Defendant's reply in support of its motion for summary judgment and opposition to Plaintiff's cross-motion shall be filed by no later than AUGUST 27, 2021; and Plaintiff's reply in support of his cross-motion shall be filed by no later than OCTOBER 22, 2021. Signed by Judge Colleen Kollar-Kotelly on 8/9/21. (lcckk3) (Entered: 08/09/2021)
08/09/2021		Set/Reset Deadlines: Defendant 's Response to Cross Motions due by 8/27/2021. Plaintiff's Reply to Cross Motions due by 10/22/2021. Defendant's Reply to Motion for Summary Judgment due by 8/27/2021. (dot) (Entered: 08/09/2021)
08/26/2021	<u>19</u>	Memorandum in opposition to re <u>17</u> Cross MOTION for Summary Judgment , <i>and Reply in Support of Defendant's Motion for Summary Judgment</i> filed by INTERNAL REVENUE SERVICE. (Attachments: # <u>1</u> Statement of Facts Supplemental Statement of Undisputed Material Facts, # <u>2</u> Affidavit of Rachel Erath, # <u>3</u> Affidavit of Joseph Hunsader)(Hunsader, Joseph) Modified text on 8/27/2021 (ztd). (Entered: 08/26/2021)
08/26/2021	20	REPLY to opposition to motion re <u>13</u> MOTION for Summary Judgment filed by INTERNAL REVENUE SERVICE. (ztd); (SEE DOCKET ENTRY NO. <u>19</u> TO VIEW.) (Entered: 08/27/2021)

10/22/2021	<u>21</u>	REPLY to opposition to motion re <u>17</u> Cross MOTION for Summary Judgment filed by JOHN ANTHONY CASTRO. (Attachments: # <u>1</u> Declaration Second Castro, # <u>2</u> Exhibit U, # <u>3</u> Exhibit V, # <u>4</u> Exhibit W, # <u>5</u> Exhibit X, # <u>6</u> Exhibit Y, # <u>7</u> Exhibit Z)(Sorenson, C.) (Entered: 10/22/2021)
03/22/2022	<u>22</u>	ORDER granting Defendant's <u>13</u> Motion for Summary Judgment; denying Plaintiff's <u>17</u> Cross-Motion for Summary Judgment; dismissing case. Signed by Judge Colleen Kollar-Kotelly on 3/22/22. (lcckk3) (Entered: 03/22/2022)
03/22/2022	<u>23</u>	MEMORANDUM OPINION accompanying <u>22</u> Order. Signed by Judge Colleen Kollar-Kotelly on 3/22/22. (lcckk3) (Entered: 03/22/2022)