

**U.S. District Court
District of New Hampshire (Concord)
CIVIL DOCKET FOR CASE #: 1:22-cv-00046-SE**

Connett v. National Institutes of Health
Assigned to: Judge Samantha D. Elliott
Cause: 05:552 Freedom of Information Act

Date Filed: 02/03/2022
Date Terminated: 08/08/2022
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Michael Connett**

represented by **Kenneth D. Murphy**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael Connett
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ATTORNEY TO BE NOTICED

V.

Defendant**National Institutes of Health**

represented by **Michael T. McCormack**
US Attorney's Office (NH)
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53 Pleasant St, 4th Flr
Concord, NH 03301
603 225-1552
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/03/2022	<u>1</u>	NEW CASE/ COMPLAINT Filing fee \$ 402, receipt number ANHDC-2213162 filed by Michael Connett. (Attachments: # <u>1</u> Exhibit A 2/26/21 correspondence, # <u>2</u> Exhibit B 7/30/21 correspondence, # <u>3</u> Exhibit C 8/11/21 correspondence, # <u>4</u> Civil Cover Sheet, # <u>5</u> Summons - Waiver)(Murphy, Kenneth) (Additional attachment(s) added on 2/3/2022: # <u>6</u> Complaint with Signature Block, # <u>7</u> Summons with Proof of Service) (ed). (Entered: 02/03/2022)
02/03/2022		Case assigned to District Judge Samantha D. Elliott. The case designation is: 1:22-cv-46-SE. Please show this number with the judge designation on all future pleadings. (ed) (Entered: 02/03/2022)
02/03/2022		NOTICE. This case has been designated for Electronic Case Filing. All further submissions shall be filed in compliance with the Administrative Procedures for Electronic Case Filing. Pro se litigants are not required to file electronically and may continue to file documents in paper format. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts

		website. To access these modules, click HERE . (ed) (Entered: 02/03/2022)
02/03/2022	<u>2</u>	Summons issued electronically as to National Institutes of Health. NOTICE: Counsel shall print and serve the summons and all attachments in accordance with Fed. R. Civ. P. 4. (Attachments: # <u>1</u> Notice ECF) (ed) (Entered: 02/03/2022)
02/03/2022	<u>3</u>	MOTION for Michael Connett, Esquire to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # ANHDC-2213245.) filed by Michael Connett.Follow up on Objection on 2/17/2022. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # <u>1</u> Exhibit (Affidavit) of Michael Connett, # <u>2</u> Proposed Order Proposed Order)(Murphy, Kenneth) (Entered: 02/03/2022)
02/04/2022		NOTICE of ECF Filing Error re: <u>3</u> MOTION for Michael Connett, Esquire to Appear Pro Hac Vice filed by Michael Connett. Consistent with Supplemental Rules of Electronic Case Filing, affidavits prepared in the context of the litigation shall be filed in electronically converted PDF format and shall contain a /s/ signature for both the signator and the notary/jurat. <u>NO ACTION REQUIRED</u> – FOR INFORMATIONAL PURPOSES ONLY AND MERELY INTENDED TO EDUCATE ALL PARTIES IN THE CASE. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603-226-7733.(vln) (Entered: 02/04/2022)
02/04/2022		ENDORSED ORDER denying <u>3</u> Motion for Michael Connett to Appear Pro Hac Vice. Text of Order: Denied. The motion does not comply fully with L.R. 83.2(b)(1). Attorney Murphy may refile the motion with a compliant affidavit. So Ordered by District Judge Samantha D. Elliott.(vln) (Entered: 02/04/2022)
02/07/2022	<u>4</u>	MOTION Amended Motion for Order Authorizing Michael Connett, Esq. to be Admitted Pro Hac Vice filed by Michael Connett.Follow up on Objection on 2/22/2022. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # <u>1</u> Exhibit (Affidavit) Amended Affidavit, # <u>2</u> Proposed Order Proposed Order)(Murphy, Kenneth) (Entered: 02/07/2022)
02/08/2022		ENDORSED ORDER denying <u>4</u> Motion for Order Authorizing Michael Connett, Esq. to be Admitted Pro Hac Vice. Text of Order: Denied. The motion does not comply fully with L.R. 83.2(b)(1). Attorney Murphy may refile the motion with an affidavit that includes the required information about any previously imposed disciplinary matters and prior felony or misdemeanor criminal convictions. So Ordered by District Judge Samantha D. Elliott.(vln) (Entered: 02/08/2022)
02/10/2022	<u>5</u>	MOTION Amended Motion for Order Authorizing Michael Connett, Esq. to be Admitted Pro Hac Vice filed by Michael Connett.Follow up on Objection on 2/24/2022. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # <u>1</u> Exhibit (Affidavit) Amended Affidavit, # <u>2</u> Proposed Order Proposed Order)(Murphy, Kenneth) (Entered: 02/10/2022)
02/10/2022		ENDORSED ORDER granting <u>5</u> Motion for Michael Connett, Esq. to be Admitted Pro Hac Vice. Text of Order: Granted. Local counsel shall comply with all obligations required by L.R. 83.2(b) absent order of the court. So Ordered by Judge Samantha D. Elliott. The clerks office will provide the admitted attorney with instructions on how to obtain access to electronic filing by separate email. The admitted attorney must have an individual upgraded PACER account, not a shared firm account, to electronically file in the District of New Hampshire. After obtaining e-filing access, the admitted attorney must file an appearance to begin receiving electronic notices.(vln) (Entered: 02/11/2022)
02/14/2022	<u>6</u>	NOTICE of Attorney Appearance by Michael Connett on behalf of Michael Connett Attorney Michael Connett added to party Michael Connett(pty:pla).(Connett, Michael)

		(Entered: 02/14/2022)
02/14/2022	<u>7</u>	CERTIFICATE OF SERVICE by Michael Connett re: <u>1</u> Complaint – New Case, (Connett, Michael) (Entered: 02/14/2022)
02/14/2022		NOTICE of ECF Filing Error re: <u>7</u> Certificate of Service filed by Michael Connett. <i>Filer used the wrong event. Filer should have used Service of Process / Return of Service Executed.</i> NO ACTION REQUIRED – FOR INFORMATIONAL PURPOSES ONLY AND MERELY INTENDED TO EDUCATE ALL PARTIES IN THE CASE. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603–226–7733.(vln) (Entered: 02/14/2022)
03/07/2022	<u>8</u>	Assented to MOTION to Extend Time to Answer to March 21, 2022 filed by National Institutes of Health. Attorney Michael T. McCormack added to party National Institutes of Health(pty:dft).(McCormack, Michael) (Entered: 03/07/2022)
03/10/2022		[VACATED]ENDORSED ORDER denying as moot <u>8</u> Assented to MOTION to Extend Time to Answer to March 21, 2022 . Text of Order: Pursuant to Fed. R. Civ. P. 12(a)(2), the defendant must serve its answer on or before April 8, 2022. The defendant's motion to extend the time to answer to March 21, 2022 (doc. no. 8) is, therefore, denied as moot. So Ordered by Judge Samantha D. Elliott.(vln) Modified on 3/11/2022 to add: VACATED (vln). (Entered: 03/10/2022)
03/11/2022	<u>9</u>	Plaintiff's Request for Clarification Regarding the Court's Denial of Assented to Motion to Extend Time to Answer to March 21, 2022 by Michael Connett(Connett, Michael) (Entered: 03/11/2022)
03/11/2022		ENDORSED ORDER <u>9</u> Plaintiff's Request for Clarification Regarding the Court's Denial of Assented to Motion to Extend Time to Answer to March 21, 2022. Text of Order: In light of the plaintiff's motion for clarification (doc. no. 9), the court strikes the March 10, 2022 endorsed order. The defendant's assented to motion to extend time to answer (doc. no. 8) is granted. So Ordered by Judge Samantha D. Elliott.(vln) (Entered: 03/11/2022)
03/21/2022	<u>10</u>	MOTION to Extend Time to Answer to April 4, 2022 filed by National Institutes of Health.Follow up on Objection on 4/4/2022. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(McCormack, Michael) (Entered: 03/21/2022)
03/22/2022	<u>11</u>	RESPONSE to Motion re <u>10</u> MOTION to Extend Time to Answer to April 4, 2022 filed by Michael Connett. (Attachments: # <u>1</u> Exhibit Email exchange w/ defense counsel, # <u>2</u> Exhibit Email exchange w/ defense counsel)(Connett, Michael) (Entered: 03/22/2022)
03/23/2022		ENDORSED ORDER granting <u>10</u> Motion to Extend Time to Answer to April 4, 2022 . Text of Order: Granted. So Ordered by Judge Samantha D. Elliott. Answer Follow Up on 4/4/2022. (vln) (Entered: 03/24/2022)
03/31/2022	<u>12</u>	Assented to MOTION to Extend Time to Answer to April 26, 2022 filed by National Institutes of Health.(McCormack, Michael) (Entered: 03/31/2022)
03/31/2022		ENDORSED ORDER granting <u>12</u> Motion to Extend Time to Answer <u>1</u> Complaint. Text of Order: Motion to Extend Time to Answer is granted. For the reasons stated in the motion, the court finds good cause to extend the deadline for issuing the scheduling order pursuant to Fed. R. Civ. P. 16(b). So Ordered by Judge Samantha D. Elliott. Answer Due on 4/26/2022. (vln) (Entered: 04/01/2022)
04/25/2022	<u>13</u>	Assented to MOTION to Stay filed by Michael Connett.(Connett, Michael) (Entered: 04/25/2022)
04/25/2022		ENDORSED ORDER granting <u>13</u> Assented to Motion to Stay. Text of Order: Granted. The parties shall file a status report on or before July 9, 2022. So Ordered by Judge Samantha D. Elliott. Status Report due by 7/9/2022.(lw) (Entered: 04/26/2022)

07/08/2022	<u>14</u>	STATUS REPORT by National Institutes of Health : filed Jointly pursuant to the Court's April 26, 2022 Endorsed Order(McCormack, Michael) (Entered: 07/08/2022)
07/12/2022		ENDORSED ORDER re: <u>14</u> Status Report. <i>Text of Order: Reviewed. The court extends the stay until July 22, 2022. The parties shall file a further status report on or before that date. So Ordered by Judge Samantha D. Elliott.(vln)</i> (Entered: 07/13/2022)
07/21/2022	<u>15</u>	STATUS REPORT by National Institutes of Health (McCormack, Michael) (Entered: 07/21/2022)
07/22/2022		ENDORSED ORDER <u>15</u> Status Report. <i>Text of Order: Reviewed. The court extends the stay until August 5, 2022. The parties shall file either a notice of settlement or a further status report on or before that date. So Ordered by Judge Samantha D. Elliott.(vln)</i> (Entered: 07/22/2022)
08/05/2022	<u>16</u>	///STIPULATION of Dismissal as to the complaint by National Institutes of Health(McCormack, Michael) (Entered: 08/05/2022)
08/08/2022		Civil Case Terminated. (vln) (Entered: 08/08/2022)