

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-01691-CRC

HOOKER v. DEPARTMENT OF VETERAN AFFAIRS
Assigned to: Judge Christopher R. Cooper
Cause: 05:552 Freedom of Information Act

Date Filed: 06/21/2021
Date Terminated: 09/14/2022
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff**CARLTON HOOKER, JR.**

represented by **CARLTON HOOKER, JR.**
2678 N. McMullen Booth Road Apt#8111
Clearwater, FL 33761
PRO SE

V.

Defendant**DEPARTMENT OF VETERAN
AFFAIRS**

represented by **John Moustakas**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2518
Email: john.moustakas@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/21/2021		Initiating Pleading & IFP Application Received on 6/21/2021. A copy of the docket sheet has been mailed to the address of record for the pro se party. (adh,) (Entered: 06/24/2021)
06/21/2021	<u>1</u>	COMPLAINT against DEPARTMENT OF VETERAN AFFAIRS filed by CARLTON JR. HOOKER. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit)(adh,) (Additional attachment(s) added on 6/30/2021: # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit) (adh,). (Entered: 06/24/2021)
06/21/2021	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by CARLTON JR. HOOKER. (adh,) (Entered: 06/24/2021)
08/03/2021	<u>3</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis Signed by Judge Carl J. Nichols on 8/3/2021. (adh,) (Entered: 08/05/2021)
08/03/2021	<u>4</u>	Case Assigned to Judge Christopher R. Cooper. (adh,) (Entered: 08/05/2021)
08/09/2021	<u>5</u>	SUMMONS (3) Issued as to DEPARTMENT OF VETERAN AFFAIRS, U.S. Attorney and U.S. Attorney General, sent to U.S. Marshal service (adh,) (Entered: 08/09/2021)
08/12/2021	<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 8/11/21., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/11/2021.(ztd) (Entered: 08/19/2021)
08/13/2021	<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 8/11/2021. Answer due for ALL FEDERAL DEFENDANTS by 9/10/2021. (SEE DOCKET ENTRY NO. <u>6</u> TO VIEW.)(ztd) (Entered: 08/30/2021)

08/27/2021	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF VETERAN AFFAIRS served on 8/19/2021 (ztd) (Entered: 08/30/2021)
09/10/2021	<u>9</u>	ANSWER to <u>1</u> Complaint, by DEPARTMENT OF VETERAN AFFAIRS.(Moustakas, John) (Entered: 09/10/2021)
09/15/2021		MINUTE ORDER: Currently before the Court is Plaintiff's Complaint <u>1</u> and Defendant's Answer <u>9</u> in this Freedom of Information Act case. According to Local Civil Rule 16.3, the requirements of Federal Rule of Civil Procedure 26(f) are inapplicable. It is hereby ORDERED that the Parties shall confer and file a Joint Status Report by October 15, 2021. The Joint Status Report shall address: (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for stay is likely under <i>Open America v. Watergate Special Prosecution Force</i> , 547 F.2d 605 (D.C. Cir. 1976); (5) the possibility of prioritizing documents responsive to Plaintiff's request and any discussions regarding whether Plaintiff's request can be narrowed; and (6) whether the Parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. SO ORDERED. Signed by Judge Christopher R. Cooper on 9/15/2021. (psu3) (Entered: 09/15/2021)
09/15/2021		Set/Reset Deadlines: Joint Status Report due by 10/15/2021 (lsj) (Entered: 09/15/2021)
09/17/2021		MINUTE ORDER: Plaintiff's Motion for Leave to File Opposition is denied. The Court has received Plaintiff's request of 9/9/2021 to place documents on the docket. These documents appear to be Plaintiff's opposition to Defendant's potential intention to file a request for an extension to respond to the Complaint. Defendant has not requested an extension and instead has filed a timely Answer. Therefore, these documents and their contents are moot. Signed by Judge Christopher R. Cooper on 9/17/2021. (lccrc1) (Entered: 09/17/2021)
10/15/2021	<u>10</u>	Joint STATUS REPORT by DEPARTMENT OF VETERAN AFFAIRS. (Moustakas, John) (Entered: 10/15/2021)
10/15/2021	<u>11</u>	Joint STATUS REPORT by CARLTON HOOKER, JR. (Submitted by email). (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(znmw) (Entered: 10/18/2021)
10/19/2021		MINUTE ORDER: Upon review of the Parties' Joint Status Report [10, 11], and pursuant to Local Civil Rule 16.3(b)(1), the Court hereby sets the following briefing schedule. Defendant shall file its Motion for Summary Judgment by December 3, 2021. It is further ORDERED that Plaintiff shall file his Opposition and any Cross-Motion for Summary Judgment by January 4, 2022. Defendant shall file its Reply and Opposition by February 4, 2022. Plaintiff may file his Reply by March 8, 2022. SO ORDERED. Signed by Judge Christopher R. Cooper on 10/19/2021. (lccrc1) (Entered: 10/19/2021)
10/19/2021	<u>12</u>	NOTICE of Filing by CARLTON HOOKER, JR re <u>10</u> Status Report, <u>11</u> Status Report (znmw) (Entered: 10/20/2021)
12/03/2021	<u>13</u>	MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by DEPARTMENT OF VETERAN AFFAIRS. (Moustakas, John) (Entered: 12/03/2021)
12/08/2021		Minute Order: Defendant's <u>13</u> Motion for Extension of Time is hereby GRANTED. However, any further extension requests will be viewed with disfavor. The Court notes that if the facts are as represented in the Defendant's <u>10</u> Status Report, acquiring an agency declaration and preparing a brief accompanying motion for summary judgment should not require significant time or resources. The Court hereby sets the following schedule for briefing. Defendant shall file its Motion for Summary Judgment by February 4, 2022. Plaintiff shall file his Opposition and any Cross-Motion for Summary Judgment by March 3, 2022. Defendant shall file its Reply and Opposition by April 4, 2022. Plaintiff shall file his Reply by May 2, 2022. Signed by Judge Christopher R. Cooper on 12/8/2021. (lccrc1) (Entered: 12/08/2021)
12/08/2021	<u>14</u>	Cross MOTION for Summary Judgment by CARLTON HOOKER, JR. (Attachments: # <u>1</u> Memorandum in Support)(znmw) (Entered: 12/09/2021)

12/10/2021	<u>15</u>	Memorandum in opposition to re <u>13</u> MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> filed by CARLTON HOOKER, JR. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Exhibit)(znmw) (Entered: 12/10/2021)
01/22/2022	<u>16</u>	MOTION for Entry of Final Judgment by CARLTON HOOKER, JR. (Attachments: # <u>1</u> Memorandum in Support)(znmw) (Entered: 01/24/2022)
01/24/2022	<u>17</u>	ORDER denying <u>16</u> Motion for Entry of Final Judgment. It is hereby ORDERED that the Court's existing briefing schedule will remain in effect with the following modifications: Defendant shall still file its Motion for Summary Judgment and Opposition to Plaintiff's Motion for Summary Judgment, by February 4, 2022; Plaintiff shall file his Opposition and Reply by March 3, 2022; Defendant shall file its Reply by April 4, 2022. The Court shall accept no additional briefing without approved leave to do so. See full Order for details. Signed by Judge Christopher R. Cooper on 1/24/2022. (lcrc1) (Entered: 01/24/2022)
02/04/2022	<u>18</u>	MOTION for Extension of Time to File <i>Motion for Summary Judgment and Opposition to Plaintiff's Cross-Motion for Summary Judgment</i> by DEPARTMENT OF VETERAN AFFAIRS. (Moustakas, John) (Entered: 02/04/2022)
02/05/2022	<u>19</u>	MOTION for Summary Judgment <i>AND CROSS-MOTION FOR SUMMARY JUDGMENT</i> by DEPARTMENT OF VETERAN AFFAIRS. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit MSJ Exhibits A-F)(Moustakas, John) (Entered: 02/05/2022)
02/05/2022	20	Memorandum in opposition to re <u>14</u> MOTION for Summary Judgment filed by DEPARTMENT OF VETERAN AFFAIRS. (See Docket Entry <u>19</u> to view document). (znmw) (Entered: 02/07/2022)
02/05/2022	<u>21</u>	MOTION for Final Judgment re <u>14</u> on <i>Cross-Motion for Summary Judgment</i> by CARLTON HOOKER, JR. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit)(znmw) (Entered: 02/07/2022)
02/07/2022		MINUTE ORDER granting <u>18</u> Defendant's Motion for Extension of Time to File. The Court also DENIES Plaintiff's <u>21</u> Motion for Final Judgment as moot, given the extension has been granted and the Defendant has filed its motion and opposition. In light of the one-day extension, the following deadlines are set: Plaintiff shall file his Opposition and Reply by March 4, 2022; Defendant shall file its Reply by April 5, 2022. SO ORDERED by Judge Christopher R. Cooper on 2/7/2022. (lcrc1) (Entered: 02/07/2022)
02/08/2022	<u>22</u>	ORDER advising Plaintiff to respond to the <u>19</u> Motion for Summary Judgment by March 4, 2022, or the Court may deem the matter as conceded. Signed by Judge Christopher R. Cooper on 2/8/2022. (lcrc1) (Entered: 02/08/2022)
02/20/2022	<u>23</u>	RESPONSE re <u>19</u> MOTION for Summary Judgment filed by CARLTON HOOKER, JR. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Page 82 of Records Control Section 10-1, # <u>3</u> Office of Employment Discrimination Complaint Adjudication, # <u>4</u> Agency Final Response, # <u>5</u> Text of Proposed Order)(znmw) (Entered: 02/23/2022)
02/23/2022	<u>24</u>	ERRATA by DEPARTMENT OF VETERAN AFFAIRS re <u>19</u> MOTION for Summary Judgment <i>AND CROSS-MOTION FOR SUMMARY JUDGMENT</i> filed by DEPARTMENT OF VETERAN AFFAIRS. (Attachments: # <u>1</u> Declaration)(Moustakas, John) (Entered: 02/23/2022)
03/30/2022	<u>25</u>	REPLY to opposition to motion re <u>14</u> MOTION for Summary Judgment filed by DEPARTMENT OF VETERAN AFFAIRS. (Attachments: # <u>1</u> Declaration Declaration of Darrick Wood, # <u>2</u> Exhibit Attachment: EEOC Dismissal Order)(Moustakas, John) Modified link on 3/31/2022 (znmw). (Entered: 03/30/2022)
03/30/2022	26	Memorandum in opposition to re <u>19</u> Cross MOTION for Summary Judgment <i>AND CROSS-MOTION FOR SUMMARY JUDGMENT</i> filed by DEPARTMENT OF VETERAN AFFAIRS. (See Docket Entry <u>25</u> to view document). (znmw) (Entered: 03/31/2022)
09/14/2022	<u>27</u>	ORDER denying <u>14</u> Plaintiff's Motion for Summary Judgment and granting <u>19</u> Defendant's Motion for Summary Judgment. See full Order and accompanying Memorandum Opinion for details. Signed by Judge Christopher R. Cooper on

		9/14/2022. (lccrc1) (Entered: 09/14/2022)
09/14/2022	<u>28</u>	MEMORANDUM OPINION re <u>27</u> ORDER denying <u>14</u> Plaintiff's Motion for Summary Judgment and granting <u>19</u> Defendant's Motion for Summary Judgment. Signed by Judge Christopher R. Cooper on 9/14/2022. (lccrc1) (Entered: 09/14/2022)