

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:22-cv-01149-DLF**

ALCRESTA THERAPEUTICS, INC. et al v. BECERRA et al
Assigned to: Judge Dabney L. Friedrich
Cause: 05:552 Freedom of Information Act

Date Filed: 04/26/2022
Date Terminated: 11/03/2022
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**ALCRESTA THERAPEUTICS, INC.**

represented by **Stephanie A. Webster**
ROPES & GRAY LLP
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ATTORNEY TO BE NOTICED

Plaintiff**JAMES HENRY**

represented by **Stephanie A. Webster**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff**STEPHANIE A. WEBSTER**

represented by **Stephanie A. Webster**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

XAVIER BECERRA
*Secretary, Department of Health &
Human Services*

represented by **Sean Michael Tepe**
U.S. DEPARTMENT OF JUSTICE
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2533
Fax: (202) 252-2599
Email: sean.tepe@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

CHIQUITA BROOKS-LASURE
*Administrator, Centers for Medicare &
Medicaid Services*

represented by **Sean Michael Tepe**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/26/2022	<u>1</u>	COMPLAINT against XAVIER BECERRA, CHIQUITA BROOKS-LASURE (Filing fee \$ 402 receipt number ADCDC-9196995) filed by ALCRESTA THERAPEUTICS, INC., STEPHANIE A. WEBSTER, JAMES HENRY. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Summons, # <u>11</u> Summons, # <u>12</u> Summons, # <u>13</u> Summons)(Webster, Stephanie) (Entered: 04/26/2022)

		04/26/2022)
04/26/2022	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by ALCRESTA THERAPEUTICS, INC., JAMES HENRY, STEPHANIE A. WEBSTER (Webster, Stephanie) (Entered: 04/26/2022)
04/27/2022		Case Assigned to Judge Dabney L. Friedrich. (zsb) (Entered: 04/27/2022)
04/27/2022	<u>3</u>	SUMMONS (2) Issued Electronically as to All Defendants, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 04/27/2022)
04/29/2022	<u>4</u>	STANDARD ORDER for Civil Cases. See text for details. Signed by Judge Dabney L. Friedrich on April 29, 2022. (lcldf2) (Entered: 04/29/2022)
05/04/2022	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/2/2022. (Webster, Stephanie) (Main Document 5 replaced on 5/5/2022) (zeg). (Entered: 05/04/2022)
05/04/2022	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/28/2022. Answer due for ALL FEDERAL DEFENDANTS by 5/28/2022. (Webster, Stephanie) (Entered: 05/04/2022)
05/04/2022	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. XAVIER BECERRA served on 5/2/2022 (Webster, Stephanie) (Main Document 7 replaced on 5/5/2022) (zeg). (Entered: 05/04/2022)
05/04/2022	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. CHIQUITA BROOKS-LASURE served on 5/2/2022 (Webster, Stephanie) (Main Document 8 replaced on 5/5/2022) (zeg). (Entered: 05/04/2022)
05/05/2022		NOTICE OF ERROR re <u>8</u> Summons Returned Executed as to Federal Defendant; emailed to stephanie.webster@ropesgray.com, cc'd 7 associated attorneys -- The PDF file you docketed contained errors: 1. Notice of Corrected Docket Entry: Your entry has been modified as a courtesy. Please note the appropriate reminders for future filings; do not refile document, 2. Form is fillable; document must be a non-fillable PDF (zeg,) (Entered: 05/05/2022)
05/24/2022	<u>9</u>	NOTICE of Appearance by Sean Michael Tepe on behalf of All Defendants (Tepe, Sean) (Entered: 05/24/2022)
05/26/2022	<u>10</u>	MOTION for Extension of Time to File Answer <i>or Otherwise Respond</i> by XAVIER BECERRA, CHIQUITA BROOKS-LASURE. (Tepe, Sean) (Entered: 05/26/2022)
05/31/2022		MINUTE ORDER granting the defendants' <u>10</u> Motion for Extension of Time to Answer or Otherwise Respond to Complaint. The defendants shall answer or otherwise respond to the plaintiff's Complaint on or before June 21, 2022. So Ordered by Judge Dabney L. Friedrich on May 31, 2022. (lcldf2) (Entered: 05/31/2022)
06/21/2022	<u>11</u>	ANSWER to Complaint by XAVIER BECERRA, CHIQUITA BROOKS-LASURE.(Tepe, Sean) (Entered: 06/21/2022)
06/22/2022		MINUTE ORDER requiring the parties to MEET AND CONFER and file a joint status report proposing a schedule for further proceedings. The status report should address the status of the plaintiff's FOIA request, including the anticipated number of documents responsive to the request and the anticipated date(s) for release of the requested documents. The parties shall file the joint status report on or before July 13, 2022. So Ordered by Judge Dabney L. Friedrich on June 22, 2022. (lcldf2) (Entered: 06/22/2022)
07/13/2022	<u>12</u>	Joint STATUS REPORT by ALCRESTA THERAPEUTICS, INC., JAMES HENRY, STEPHANIE A. WEBSTER. (Attachments: # <u>1</u> Text of Proposed Order)(Webster, Stephanie) (Entered: 07/13/2022)
07/14/2022		MINUTE ORDER. Upon consideration of the parties' <u>12</u> Joint Status Report, it is ORDERED that the parties shall file another joint status report on or before August 12, 2022. So Ordered by Judge Dabney L. Friedrich on July 14, 2022. (lcldf2) (Entered: 07/14/2022)

08/12/2022	<u>13</u>	Joint STATUS REPORT by XAVIER BECERRA, CHIQUITA BROOKS-LASURE. (Tepe, Sean) (Entered: 08/12/2022)
08/15/2022		MINUTE ORDER. Upon consideration of the parties' <u>13</u> Joint Status Report, it is ORDERED that the defendants shall share a draft Vaughn Index with the plaintiffs on or before September 15, 2022, and the parties shall file a joint status report on or before September 30, 2022. The Court is not inclined to grant further extensions absent extraordinary circumstances. So Ordered by Judge Dabney L. Friedrich on August 15, 2022. (lcldf2) (Entered: 08/15/2022)
09/30/2022	<u>14</u>	Joint STATUS REPORT by XAVIER BECERRA, CHIQUITA BROOKS-LASURE. (Tepe, Sean) (Entered: 09/30/2022)
09/30/2022		MINUTE ORDER. Upon consideration of the parties' <u>14</u> Joint Status Report, it is ORDERED that the parties shall file another joint status report on or before October 20, 2022. So Ordered by Judge Dabney L. Friedrich on September 30, 2022. (lcldf3) (Entered: 09/30/2022)
10/20/2022	<u>15</u>	Joint STATUS REPORT by XAVIER BECERRA, CHIQUITA BROOKS-LASURE. (Tepe, Sean) (Entered: 10/20/2022)
10/21/2022		MINUTE ORDER. Upon consideration of the parties' <u>15</u> Joint Status Report, it is ORDERED that the parties shall file another joint status report on or before November 3, 2022. So Ordered by Judge Dabney L. Friedrich on October 21, 2022. (lcldf3) (Entered: 10/21/2022)
11/02/2022	<u>16</u>	NOTICE of Voluntary Dismissal by All Plaintiffs (Attachments: # <u>1</u> Text of Proposed Order)(Webster, Stephanie) (Entered: 11/02/2022)
11/03/2022		MINUTE ORDER dismissing this case with prejudice in light of the <u>16</u> Joint Stipulation of Dismissal. <i>See</i> Fed. R. Civ. P. 41(a). The Clerk of Court is directed to close this case. So Ordered by Judge Dabney L. Friedrich on November 3, 2022. (lcldf3) (Entered: 11/03/2022)