

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:22-cv-00177-LB**

Pistorino v. United States Department of Health and Human Services
Assigned to: Magistrate Judge Laurel Beeler
Cause: 05:552 Freedom of Information Act

Date Filed: 01/11/2022
Date Terminated: 12/02/2022
Jury Demand: Plaintiff
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**James Charles Pistorino**

represented by **James Charles Pistorino**
Parrish Law Offices
224 Lexington Drive
Menlo Park, CA 94205
(650) 400-0043
Email: james@dparrishlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**U.S. Department of Health & Human Services**

represented by **Michael A. Keough**
The United States Attorney's Office
Northern District of California
450 Golden Gate Avenue, Box 36055
San Francisco, CA 94102
(415) 436-6878
Email: michael.keough@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/11/2022	<u>1</u>	COMPLAINT against U.S. Department of Health & Human Services (Filing fee \$ 402.00, receipt number ACANDC-16793005.). Filed by James Charles Pistorino. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet, # <u>3</u> Certificate/Proof of Service, # <u>4</u> Summons) (Pistorino, James) (Filed on 1/11/2022) Modified on 1/17/2022 (gba, COURT STAFF). (Entered: 01/11/2022)
01/11/2022	2	Case assigned to Magistrate Judge Laurel Beeler. Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening . Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges . Upon receipt, the summons will be issued and returned electronically. A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 1/25/2022. (as, COURT STAFF) (Filed on 1/11/2022) (Entered: 01/11/2022)
01/17/2022	<u>3</u>	Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 4/7/2022. Initial Case Management Conference set for 4/14/2022 11:00 AM in San Francisco, Courtroom B, 15th Floor. (gba, COURT STAFF) (Filed on 1/17/2022) (Entered: 01/17/2022)

01/17/2022	<u>4</u>	Summons Issued as to U.S. Department of Health & Human Services. (gba, COURT STAFF) (Filed on 1/17/2022) (Entered: 01/17/2022)
02/02/2022	<u>5</u>	CLERK'S NOTICE Re: Consent or Declination: Plaintiffs shall file a consent or declination to proceed before a magistrate judge. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: http://cand.uscourts.gov/civilforms . Consent/Declination due by 2/16/2022. (ejk, COURT STAFF) (Filed on 2/2/2022) (Entered: 02/02/2022)
02/04/2022	<u>6</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by James Charles Pistorino.. (Pistorino, James) (Filed on 2/4/2022) (Entered: 02/04/2022)
02/07/2022	<u>7</u>	NOTICE of Appearance by Michael A. Keough (Keough, Michael) (Filed on 2/7/2022) (Entered: 02/07/2022)
02/14/2022	<u>8</u>	CLERK'S NOTICE Re: Consent or Declination: Defendants shall file a consent or declination to proceed before a magistrate judge. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: http://cand.uscourts.gov/civilforms . Consent/Declination due by 2/28/2022. (ejk, COURT STAFF) (Filed on 2/14/2022) (Entered: 02/14/2022)
02/15/2022	<u>9</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by U.S. Department of Health & Human Services.. (Keough, Michael) (Filed on 2/15/2022) (Entered: 02/15/2022)
02/17/2022	<u>10</u>	STIPULATION WITH PROPOSED ORDER <i>to Continue Responsive Pleading Deadline</i> filed by U.S. Department of Health & Human Services. (Attachments: # <u>1</u> Declaration of Michael A. Keough)(Keough, Michael) (Filed on 2/17/2022) (Entered: 02/17/2022)
02/18/2022	<u>11</u>	Order by Magistrate Judge Laurel Beeler granting <u>10</u> Stipulation to Continue Responsive Pleading Deadline. Deadline for Defendant to respond to the Complaint is extended to 3/24/2022. (ejk, COURT STAFF) (Filed on 2/18/2022) (Entered: 02/18/2022)
03/16/2022	<u>12</u>	CLERKS NOTICE SETTING ZOOM HEARING. Initial Case Management Conference set for 4/14/2022 at 9:30 AM in San Francisco – Videoconference Only. This proceeding will be held via a Zoom webinar. Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/lb General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited. Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/ . <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejk, COURT STAFF) (Filed on 3/16/2022) (Entered: 03/16/2022)
03/24/2022	<u>13</u>	ANSWER to Complaint by U.S. Department of Health & Human Services. (Keough, Michael) (Filed on 3/24/2022) (Entered: 03/24/2022)
03/25/2022	<u>14</u>	ADR Clerks Notice re: Non-Compliance with Court Order. The parties have failed to file an ADR Certification as required by the Initial Case Management Scheduling Order. Counsel shall comply promptly with the requirements of ADR L.R. 3-5(b) and shall file the ADR Certification. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (cmf, COURT STAFF) (Filed on 3/25/2022) (Entered: 03/25/2022)
03/27/2022	<u>15</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Pistorino, James) (Filed on 3/27/2022) (Entered: 03/27/2022)

03/28/2022	<u>16</u>	ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options (Keough, Michael) (Filed on 3/28/2022) (Entered: 03/28/2022)
04/07/2022	<u>17</u>	Joint Case Management Statement & Proposed Order filed by James Charles Pistorino. (Pistorino, James) (Filed on 4/7/2022) Modified on 4/11/2022 (gba, COURT STAFF). (Entered: 04/07/2022)
04/14/2022	18	<p>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Initial Case Management Conference held via Zoom on 4/14/2022. Court adopts the parties' dates in the CMC statement at ECF 17. (Not Reported).</p> <p>Further Case Management Conference set for 8/11/2022 at 9:30 AM in San Francisco – Videoconference Only. Case Management Statements due 8/4/2022. This proceeding will be held via a Zoom webinar.</p> <p>Total Time in Court: 2 minutes. Plaintiff's Attorney: James Charles Pistorino. Defendant's Attorney: Michael A. Keough.</p> <p><i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (ejk, COURT STAFF) (Date Filed: 4/14/2022) Modified on 4/15/2022 (ejk, COURT STAFF). (Entered: 04/14/2022)</p>
04/15/2022		Set Deadlines/Hearings: Further Case Management Conference set for 8/11/2022 at 9:30 AM in San Francisco – Videoconference Only. Case Management Statement due by 8/4/2022. (ejk, COURT STAFF) (Filed on 4/15/2022) (Entered: 04/15/2022)
05/16/2022	<u>19</u>	Joint Status Report by James Charles Pistorino. (Pistorino, James) (Filed on 5/16/2022) (Entered: 05/16/2022)
05/17/2022	20	<p>CLERK'S NOTICE RESETTING CASE MANAGEMENT CONFERENCE: Further Case Management Conference previously set for 8/11/2022 is reset to 9/22/2022 at 9:30 AM in San Francisco – Videoconference Only. Case Management Statement due by 9/15/2022. This proceeding will be held via a Zoom webinar.</p> <p>Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/lb</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p>(ejk, COURT STAFF) (Filed on 5/17/2022) (Entered: 05/17/2022)</p>
06/20/2022	21	<p>CLERK'S NOTICE RESETTING CASE MANAGEMENT CONFERENCE: Further Case Management Conference previously set for 9/22/2022 is reset to 9/29/2022 at 9:30 AM in San Francisco – Videoconference Only. Case Management Statement due by 9/22/2022. This proceeding will be held via a Zoom webinar.</p> <p>Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/lb</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p>(ejk, COURT STAFF) (Filed on 6/20/2022) (Entered: 06/20/2022)</p>
09/22/2022	<u>22</u>	JOINT STIPULATION WITH PROPOSED ORDER to Vacate Case Management Conference and Set Further Case Schedule filed by U.S. Department of Health & Human Services. (Attachments: # <u>1</u> Declaration of Michael A. Keough) (Keough,

		Michael) (Filed on 9/22/2022) Modified on 9/22/2022 (gba, COURT STAFF). (Entered: 09/22/2022)
09/23/2022	<u>23</u>	<p>ORDER re: <u>22</u> Stipulation to Vacate Case Management Conference and Set Further Case Schedule.</p> <p>Further Case Management Conference previously set for 9/29/2022 is reset to 11/17/2022 at 9:30 AM in San Francisco – Videoconference Only. Case Management Statement due by 11/10/2022. This proceeding will be held via a Zoom webinar.</p> <p>Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/lb</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p>Signed by Judge Laurel Beeler on 09/23/2022. (ejk, COURT STAFF) (Filed on 9/23/2022) (Entered: 09/23/2022)</p>
10/28/2022	<u>24</u>	JOINT STATUS REPORT by U.S. Department of Health & Human Services. (Keough, Michael) (Filed on 10/28/2022) Modified on 11/1/2022 (kmg, COURT STAFF). (Entered: 10/28/2022)
10/31/2022	25	<p>CLERK'S NOTICE SETTING STATUS CONFERENCE: In light of the notice of settlement, the court vacates the 11/17/2022 CMC and sets a Status Conference for 12/8/2022 at 9:30 AM and directs the filing of a dismissal or short update by 12/1/2022.</p> <p>Status Conference set for 12/8/2022 at 9:30 AM in San Francisco – Videoconference Only before Magistrate Judge Laurel Beeler. Case Management Statement due by 12/1/2022. This proceeding will be held via a Zoom webinar.</p> <p>Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/lb</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p>(ejk, COURT STAFF) (Filed on 10/31/2022) (Entered: 10/31/2022)</p>
12/01/2022	<u>26</u>	NOTICE of Voluntary Dismissal <i>Stipulation of Dismissal</i> by James Charles Pistorino (Pistorino, James) (Filed on 12/1/2022) (Entered: 12/01/2022)