

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:20-cv-01296-APM**

AMERICAN OVERSIGHT v. CENTERS FOR DISEASE  
CONTROL AND PREVENTION et al  
Assigned to: Judge Amit P. Mehta  
Case: 1:20-cv-01063-APM  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/15/2020  
Date Terminated: 02/24/2023  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**AMERICAN OVERSIGHT**

represented by **Emma Lewis**  
AMERICAN OVERSIGHT  
1030 15th Street, NW  
Suite B255  
Washington, DC 20005  
202-919-6303  
Email: [emma.lewis@americanoversight.org](mailto:emma.lewis@americanoversight.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Taylor Stoneman**  
AMERICAN OVERSIGHT  
1030 15th Street NW  
Suite B255  
Washington, DC 20005  
(202) 869-5246  
Fax: (202) 871-6523  
Email: [taylor.stoneman@americanoversight.org](mailto:taylor.stoneman@americanoversight.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Christine H. Monahan**  
351 Tennessee Ave NE  
Washington, DC 20002  
202-492-9798  
Email: [christine.monahan@gmail.com](mailto:christine.monahan@gmail.com)  
**TERMINATED: 06/03/2021**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**CENTERS FOR DISEASE  
CONTROL AND PREVENTION**

represented by **Carol Federighi**  
U.S. DEPARTMENT OF JUSTICE  
Civil Division, Federal Programs Branch  
P.O. Box 883  
Ben Franklin Station  
Washington, DC 20044  
(202) 514-1903  
Email: [carol.federighi@usdoj.gov](mailto:carol.federighi@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. DEPARTMENT OF HEALTH  
AND HUMAN SERVICES**

represented by **Carol Federighi**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/15/2020	<u>1</u>	COMPLAINT against CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES ( Filing fee \$ 400 receipt number ADCDC-7129299) filed by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons as to USAO, # <u>3</u> Summons as to USAG, # <u>4</u> Summons as to CDC, # <u>5</u> Summons as to HHS)(Monahan, Christine) (Entered: 05/15/2020)
05/15/2020	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN OVERSIGHT (Monahan, Christine) (Entered: 05/15/2020)
05/15/2020	<u>3</u>	NOTICE OF RELATED CASE by AMERICAN OVERSIGHT. Case related to Case No. 20-cv-1063. (Monahan, Christine) (Entered: 05/15/2020)
05/15/2020		Case Assigned to Judge Amit P. Mehta. (adh, ) (Entered: 05/15/2020)
05/15/2020	<u>4</u>	SUMMONS (4) Issued Electronically as to CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(adh, ) (Entered: 05/15/2020)
05/21/2020	<u>5</u>	NOTICE of Appearance by Carol Federighi on behalf of All Defendants (Federighi, Carol) (Entered: 05/21/2020)
05/21/2020	<u>6</u>	NOTICE of Filing of Motion to Consolidate by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Attachments: # <u>1</u> Exhibit A: Consolidation Motion in No. 20-947)(Federighi, Carol) (Entered: 05/21/2020)
05/28/2020	<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 5/26/2020. ( Answer due for ALL FEDERAL DEFENDANTS by 6/25/2020.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/26/2020., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. CENTERS FOR DISEASE CONTROL AND PREVENTION served on 5/28/2020; U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 5/26/2020 (Monahan, Christine) (Entered: 05/28/2020)
06/24/2020	<u>8</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, or Other Response by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Attachments: # <u>1</u> Text of Proposed Order)(Federighi, Carol) (Entered: 06/24/2020)
06/24/2020		MINUTE ORDER granting <u>8</u> Defendants' Unopposed Motion for Extension of Time to File Answer or Other Response to Plaintiff's Complaint. Defendants shall file their Answer or other response to Plaintiff's Complaint on or before July 8, 2020. Signed by Judge Amit P. Mehta on 06/24/2020. (lcapm3) (Entered: 06/24/2020)
06/24/2020		Set/Reset Deadlines: Responsive Pleading due by 7/8/2020. (zjd) (Entered: 06/24/2020)
06/30/2020		ENTERED IN ERROR.....MINUTE ORDER setting a Telephonic Status Conference for July 6, 2020, at 11:00 a.m. The courtroom deputy will circulate dial-in information to counsel. Members of the public or media may access the hearing by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Signed by Judge Amit P. Mehta on 06/30/2020. (lcapm2) (Entered: 06/30/2020)
06/30/2020		ENTERED IN ERROR.....Set/Reset Hearings: Telephonic Status Conference set for 7/6/2020 at 11:00 AM before Judge Amit P. Mehta. (zjd) Modified on 6/30/2020 (zjd). (Entered: 06/30/2020)
06/30/2020		NOTICE OF CORRECTED DOCKET ENTRY: The Minute Order filed 6/30/2020 was entered in error. (zjd) (Entered: 06/30/2020)

07/07/2020	<u>9</u>	NOTICE of Order Denying Motion to Consolidate by AMERICAN OVERSIGHT re <u>6</u> Notice (Other) (Attachments: # <u>1</u> Exhibit A)(Monahan, Christine) (Entered: 07/07/2020)
07/08/2020	<u>10</u>	ANSWER to Complaint by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Federighi, Carol) (Entered: 07/08/2020)
07/09/2020	<u>11</u>	ORDER. Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before July 23, 2020. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 07/09/2020. (lcapm3) (Entered: 07/09/2020)
07/09/2020		Set/Reset Deadlines: Joint Status Report due by 7/23/2020. (zjd) (Entered: 07/09/2020)
07/23/2020	<u>12</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Monahan, Christine) (Entered: 07/23/2020)
07/23/2020		MINUTE ORDER. The parties shall continue to meet and confer and file an additional Joint Status Report by August 6, 2020. The court expects the parties to undertake good faith efforts to narrow any differences, so that the search and processing of records can be accomplished in a timely and efficient manner. Signed by Judge Amit P. Mehta on 07/23/2020. (lcapm3) (Entered: 07/23/2020)
07/23/2020		Set/Reset Deadlines: Joint Status Report due by 8/6/2020. (zjd) (Entered: 07/24/2020)
08/06/2020	<u>13</u>	Joint STATUS REPORT by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Federighi, Carol) (Entered: 08/06/2020)
08/07/2020		MINUTE ORDER. The parties shall file an additional Joint Status Report by September 18, 2020, and then again by October 26, 2020, which updates the court on Defendants' search for and processing of responsive records. Signed by Judge Amit P. Mehta on 08/07/2020. (lcapm3) (Entered: 08/07/2020)
08/07/2020		Set/Reset Deadlines: Joint Status Reports due by 9/18/2020 and 10/26/2020. (zjd) (Entered: 08/09/2020)
09/16/2020	<u>14</u>	Joint STATUS REPORT by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Federighi, Carol) (Entered: 09/16/2020)
10/26/2020	<u>15</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order Plaintiff's Proposed Order)(Monahan, Christine) (Entered: 10/26/2020)
10/27/2020		MINUTE ORDER. The CDC shall produce by October 30, 2020, all nonexempt portions of the 520 pages thus far received from other agencies and currently in its possession pursuant to Request Number 20-00949-FOIA. The court is mindful of the demands placed on the CDC during this time, but expedited production of these records is warranted and in the public interest with the election looming. The CDC asserts that competing priorities and the need to reach agreement with another agency prevent it from committing to more expedited processing, but these general explanations do not suffice and do not outweigh the public interest in disclosure of the requested records. The parties shall file an additional Joint Status Report by January 8, 2021. Signed by Judge Amit P. Mehta on 10/27/2020. (lcapm3) (Entered: 10/27/2020)
10/27/2020		Set/Reset Deadlines: Joint Status Report due by 1/8/2021. (zjd) (Entered: 10/28/2020)
01/08/2021	<u>16</u>	Joint STATUS REPORT by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Federighi, Carol) (Entered: 01/08/2021)
01/11/2021		MINUTE ORDER. The parties shall file an additional Joint Status Report by April 1, 2021, which updates the court on Defendants' search for and processing of responsive records. Signed by Judge Amit P. Mehta on 1/11/2021. (lcapm3) (Entered: 01/11/2021)

03/31/2021	<u>17</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Monahan, Christine) (Entered: 03/31/2021)
04/01/2021		MINUTE ORDER. The parties shall file an additional Joint Status Report by June 15, 2021, which updates the court on Defendants' search for and processing of responsive records. Signed by Judge Amit P. Mehta on 4/1/2021. (lcapm3) (Entered: 04/01/2021)
06/02/2021	<u>18</u>	NOTICE of Appearance by Emma Lewis on behalf of AMERICAN OVERSIGHT (Lewis, Emma) (Main Document 18 replaced on 6/3/2021) (zeg). (Entered: 06/02/2021)
06/03/2021	<u>19</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to AMERICAN OVERSIGHT. Attorney Christine H. Monahan terminated. (Monahan, Christine) (Entered: 06/03/2021)
06/15/2021	<u>20</u>	Joint STATUS REPORT by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Federighi, Carol) (Entered: 06/15/2021)
06/15/2021		MINUTE ORDER. The parties shall file an additional Joint Status Report by September 15, 2021, which updates the court on Defendants' search for and processing of responsive records. Signed by Judge Amit P. Mehta on 6/15/2021. (lcapm3) (Entered: 06/15/2021)
08/03/2021	<u>21</u>	NOTICE of Appearance by Taylor Stoneman on behalf of AMERICAN OVERSIGHT (Stoneman, Taylor) (Main Document 21 replaced on 8/4/2021) (zeg). (Entered: 08/03/2021)
09/15/2021	<u>22</u>	Joint STATUS REPORT by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Federighi, Carol) (Entered: 09/15/2021)
09/16/2021		MINUTE ORDER. The parties shall file an additional Joint Status Report by December 15, 2021, which updates the court on Defendants' search for and processing of responsive records. Signed by Judge Amit P. Mehta on 9/16/2021. (lcapm3) (Entered: 09/16/2021) (Entered: 09/16/2021)
12/15/2021	<u>23</u>	Joint STATUS REPORT by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Federighi, Carol) (Entered: 12/15/2021)
12/16/2021	<u>24</u>	ORDER. Defendant Centers for Disease Control and Prevention shall complete and release to Plaintiff a draft <i>Vaughn</i> index no later January 17, 2022. The parties shall file a Joint Status Report by no later than January 25, 2022, informing the Court of the status of this matter. Signed by Judge Amit P. Mehta on 12/16/2021. (lcapm3) (Entered: 12/16/2021)
01/25/2022	<u>25</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Stoneman, Taylor) (Entered: 01/25/2022)
01/26/2022		MINUTE ORDER. The parties shall file an additional Joint Status Report by February 24, 2022, which updates the court on the processing and production of responsive records. Signed by Judge Amit P. Mehta on 01/26/2022. (lcapm3) (Entered: 01/26/2022)
02/24/2022	<u>26</u>	Joint STATUS REPORT by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Federighi, Carol) (Entered: 02/24/2022)
02/24/2022		MINUTE ORDER. The parties shall file an additional Joint Status Report by March 24, 2022, which updates the court on the processing and production of responsive records. Signed by Judge Amit P. Mehta on 02/24/2022. (lcapm3) (Entered: 02/24/2022)
03/24/2022	<u>27</u>	Joint STATUS REPORT by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Federighi, Carol) (Entered: 03/24/2022)

03/25/2022		MINUTE ORDER. The parties shall file an additional Joint Status Report by April 25, 2022, which updates the court on the processing and production of responsive records. Signed by Judge Amit P. Mehta on 03/25/2022. (lcapm3) (Entered: 03/25/2022)
04/25/2022	<u>28</u>	Joint STATUS REPORT by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Federighi, Carol) (Entered: 04/25/2022)
04/25/2022		MINUTE ORDER. The parties shall file an additional Joint Status Report by June 3, 2022, which updates the court on the processing and production of responsive records. Signed by Judge Amit P. Mehta on 04/25/2022. (lcapm3) (Entered: 04/25/2022)
06/03/2022	<u>29</u>	Joint STATUS REPORT by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Federighi, Carol) (Entered: 06/03/2022)
06/03/2022		MINUTE ORDER. The parties shall submit an additional Joint Status Report by July 15, 2022, which proposes a schedule for further proceedings, if necessary. Signed by Judge Amit P. Mehta on 06/03/2022. (lcapm3) (Entered: 06/03/2022)
07/15/2022	<u>30</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Stoneman, Taylor) (Entered: 07/15/2022)
07/17/2022		MINUTE ORDER. The parties shall submit an additional Joint Status Report by September 2, 2022, which proposes a schedule for further proceedings, if necessary. Signed by Judge Amit P. Mehta on 07/16/2022. (lcapm3) (Entered: 07/17/2022)
08/31/2022	<u>31</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Stoneman, Taylor) (Entered: 08/31/2022)
09/02/2022		MINUTE ORDER. The parties shall submit an additional Joint Status Report by October 7, 2022, which proposes a schedule for further proceedings, if necessary. Signed by Judge Amit P. Mehta on 09/02/2022. (lcapm3) (Entered: 09/02/2022)
09/20/2022	<u>32</u>	Joint STATUS REPORT (19th) by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Powell, Amy) (Entered: 09/20/2022)
09/20/2022	<u>33</u>	ERRATA by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES re <u>32</u> Status Report. (Powell, Amy) (Entered: 09/20/2022)
09/28/2022	<u>34</u>	STIPULATION of Dismissal by AMERICAN OVERSIGHT. (Stoneman, Taylor) (Entered: 09/28/2022)
10/07/2022	<u>35</u>	Joint STATUS REPORT by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Federighi, Carol) (Entered: 10/07/2022)
10/07/2022		MINUTE ORDER. The parties shall submit an additional Joint Status Report by November 28, 2022, which proposes a schedule for further proceedings, if the parties have not reached agreement as to Count One. Signed by Judge Amit P. Mehta on 10/07/2022. (lcapm3) (Entered: 10/07/2022)
11/28/2022	<u>36</u>	Joint STATUS REPORT by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Federighi, Carol) (Entered: 11/28/2022)
11/29/2022		MINUTE ORDER. The parties shall submit an additional Joint Status Report by January 6, 2023, which proposes a schedule for further proceedings, if the parties have not reached agreement as to Count One. Signed by Judge Amit P. Mehta on 11/29/2022. (lcapm3) (Entered: 11/29/2022)
01/06/2023	<u>37</u>	Joint STATUS REPORT by CENTERS FOR DISEASE CONTROL AND PREVENTION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Federighi, Carol) (Entered: 01/06/2023)
01/07/2023		MINUTE ORDER. The parties shall submit an additional Joint Status Report by March 3, 2023, which proposes a schedule for further proceedings, if the parties have not reached agreement as to Count One. Signed by Judge Amit P. Mehta on 01/07/2023. (lcapm3) (Entered: 01/07/2023)

02/23/2023	<u>38</u>	STIPULATION of Dismissal by AMERICAN OVERSIGHT. (Stoneman, Taylor) (Entered: 02/23/2023)
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