

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:22-cv-01245-CJN**

PUBLIC EMPLOYEES FOR ENVIRONMENTAL  
RESPONSIBILITY v. UNITED STATES GEOLOGICAL  
SURVEY

Assigned to: Judge Carl J. Nichols  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/05/2022  
Date Terminated: 02/24/2023  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**PUBLIC EMPLOYEES FOR  
ENVIRONMENTAL  
RESPONSIBILITY**

represented by **Hudson Blake Kingston**  
PUBLIC EMPLOYEES FOR  
ENVIRONMENTAL RESPONSIBILITY  
962 Wayne Avenue  
Suite 610  
Silver Spring, MD 20910  
202-792-1277  
Email: [hkingston@peer.org](mailto:hkingston@peer.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES GEOLOGICAL  
SURVEY**

represented by **Marsha Wellknown Yee**  
DOJ-USAO  
Civil Division  
601 D Street, NW  
Washington, DC 20530  
(202) 252-2539  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| Date Filed | #        | Docket Text  |
|------------|----------|--|
| 05/05/2022 | <u>1</u> | COMPLAINT against UNITED STATES GEOLOGICAL SURVEY ( Filing fee \$ 402 receipt number ADCDC-9216668) filed by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY. (Attachments: # <u>1</u> Civil Cover Sheet Civil Cover Sheet, # <u>2</u> Summons Summons for USGS, # <u>3</u> Summons Summons for US AG, # <u>4</u> Summons Summons for US Att DC)(Kingston, Hudson) (Entered: 05/05/2022) |
| 05/05/2022 | <u>2</u> | LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY (Kingston, Hudson) (Entered: 05/05/2022)  |
| 05/06/2022 |          | Case Assigned to Judge Carl J. Nichols. (znh) (Entered: 05/06/2022)  |
| 05/06/2022 | <u>3</u> | SUMMONS (3) Issued Electronically as to UNITED STATES GEOLOGICAL SURVEY, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(znh) (Entered: 05/06/2022)  |
| 05/12/2022 | <u>4</u> | STANDING ORDER. Signed by Judge Carl J. Nichols on May 12, 2022. (lccjn2) (Entered: 05/12/2022)  |
| 05/19/2022 | <u>5</u> | CERTIFICATE OF SERVICE by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY . (Kingston, Hudson) (Entered: 05/19/2022)   |
| 05/19/2022 | <u>7</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY served on   |

|            |           |   |
|------------|-----------|---|
|            |           | 5/18/2022, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/13/2022., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/9/2022. ( Answer due for ALL FEDERAL DEFENDANTS by 6/8/2022.) (See Docket Entry <u>5</u> to view document). (zeg) (Entered: 05/26/2022)  |
| 05/20/2022 | <u>6</u>  | NOTICE of Appearance by Marsha Wellknown Yee on behalf of UNITED STATES GEOLOGICAL SURVEY (Yee, Marsha) (Entered: 05/20/2022)   |
| 05/26/2022 |           | NOTICE OF ERROR re <u>5</u> Certificate of Service; emailed to hkington@peer.org, cc'd 7 associated attorneys -- The PDF file you docketed contained errors: 1. <b>Notice of Corrected Docket Entry:</b> Your entry has been modified as a courtesy. Please note the appropriate reminders for future filings; do not refile document, 2. Incorrect event used (zeg, ) (Entered: 05/26/2022)  |
| 06/08/2022 | <u>8</u>  | ANSWER to Complaint by UNITED STATES GEOLOGICAL SURVEY.(Yee, Marsha) (Entered: 06/08/2022)  |
| 06/10/2022 |           | MINUTE ORDER. Before the Court in this Freedom of Information Act case are a Complaint and an Answer. Pursuant 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 on or before July 8, 2022. The Joint Status Report shall address: (1) the status of Plaintiff's FOIA requests; (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 Open America v. Watergate Special Prosecution Force, 547 F.2d 605 (D.C. Cir. 1976); (5) the possibility of prioritizing documents responsive to Plaintiff's requests and any discussions regarding whether Plaintiff's requests can be narrowed; and (6) whether the Parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Carl J. Nichols on June 10, 2022. (lccjn2) (Entered: 06/10/2022) |
| 06/10/2022 |           | Set/Reset Deadlines: Joint Status Report due by 7/8/2022. (zcal) (Entered: 06/13/2022)  |
| 07/07/2022 | <u>9</u>  | Joint STATUS REPORT by UNITED STATES GEOLOGICAL SURVEY. (Yee, Marsha) (Entered: 07/07/2022)   |
| 07/08/2022 |           | MINUTE ORDER. Upon review of the <u>9</u> Joint Status Report, it is ORDERED that the Parties shall file an updated Joint Status Report on or before October 6, 2022. Signed by Judge Carl J. Nichols on July 8, 2022. (lccjn2) (Entered: 07/08/2022)   |
| 07/08/2022 |           | Set/Reset Deadlines: Joint Status Report due by 10/6/2022. (zcal) (Entered: 07/11/2022)   |
| 10/06/2022 | <u>10</u> | Joint STATUS REPORT by UNITED STATES GEOLOGICAL SURVEY. (Yee, Marsha) (Entered: 10/06/2022)   |
| 10/11/2022 |           | MINUTE ORDER. Upon review of the <u>10</u> Joint Status Report, it is ORDERED that the Parties shall file an additional joint status report on or before November 17, 2022, and every 60 days thereafter until either party moves for a briefing schedule for dispositive motions, files a dispositive motion, or the case is terminated. Signed by Judge Carl J. Nichols on October 11, 2022. (lccjn2) (Entered: 10/11/2022)   |
| 10/11/2022 |           | Set/Reset Deadlines: Joint Status Report due by 11/17/2022. (zcal) (Entered: 10/12/2022)  |
| 11/17/2022 | <u>11</u> | Joint STATUS REPORT by UNITED STATES GEOLOGICAL SURVEY. (Yee, Marsha) (Entered: 11/17/2022)   |
| 01/13/2023 | <u>12</u> | Joint STATUS REPORT by UNITED STATES GEOLOGICAL SURVEY. (Yee, Marsha) (Entered: 01/13/2023)   |
| 02/24/2023 | <u>13</u> | STIPULATION of Dismissal by UNITED STATES GEOLOGICAL SURVEY. (Yee, Marsha) (Entered: 02/24/2023)  |