

**U.S. District Court
CENTRAL DISTRICT OF ILLINOIS (Peoria)
CIVIL DOCKET FOR CASE #: 1:22-cv-01386-CSB-EIL**

Edgar County Watchdogs v. US Army Corps of Engineers
Assigned to: Judge Colin Stirling Bruce
Referred to: Magistrate Judge Eric I. Long
Cause: 05:552 Freedom of Information Act

Date Filed: 11/11/2022
Date Terminated: 02/17/2023
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Edgar County Watchdogs

represented by **Josh Lee Loevy**
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V.

Defendant

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Date Filed	#	Docket Text
11/11/2022	<u>1</u>	COMPLAINT against U.S. Army Corps of Engineers (Filing fee \$ 402 receipt number AILCDC-4071928.), filed by EDGAR COUNTY WATCHDOGS. (Attachments: # <u>1</u> Exhibit Ex 1-4, # <u>2</u> Civil Cover Sheet Civil Cover Sheet, # <u>3</u> Supplement Summons)(Topic, Matthew) (Entered: 11/11/2022)
11/11/2022	<u>2</u>	NOTICE of Appearance of Attorney by Matthew V Topic on behalf of EDGAR COUNTY WATCHDOGS (Topic, Matthew) (Entered: 11/11/2022)
11/11/2022	<u>3</u>	NOTICE of Appearance of Attorney by Josh Lee Loevy on behalf of EDGAR COUNTY WATCHDOGS (Loevy, Josh) (Entered: 11/11/2022)
11/14/2022		TEXT ORDER: It appears the Plaintiff inadvertently filed its Complaint <u>1</u> in the Peoria Division of this Court. The caption of the Complaint identifies the Urbana Division. Also, the Complaint alleges that the Plaintiff, who made the FOIA request at issue in this case, is located in Edgar County, Illinois which is indeed within the Urbana Division. Accordingly, the Clerk is directed to TRANSFER this case to the Urbana Division of the U.S. District Court for the Central District of Illinois. Entered by Magistrate Judge Jonathan E. Hawley on 11/14/2022. (KZ) (Entered: 11/14/2022)
11/15/2022		Due to the case transferring divisional offices, this case is reassigned to Judge Colin Stirling Bruce and Magistrate Judge Eric I. Long. Judge James E. Shadid, Magistrate Judge Jonathan E. Hawley no longer assigned to the case. (TK) (Entered: 11/15/2022)
11/15/2022	<u>4</u>	Summons Issued as to US Army Corps of Engineers. (Mailed to Plaintiff's counsel for service.) (TC) (Entered: 11/15/2022)
11/28/2022		TEXT ORDER entered by Magistrate Judge Eric I. Long on 11/28/2022. The Clerk sent attorneys Merrick Wayne and Shelley Geiszler admission paperwork on 11/14/22. As of the date of this order, Attorneys Wayne and Geiszler have not completed the admission process. They must complete the admission process within 30 days. (Miscellaneous Deadline set for 11/14/22.) (TC) (Entered: 11/28/2022)
12/09/2022		TEXT ORDER entered by Magistrate Judge Eric I. Long on 12/9/22. While entering the 11/28/22 Text Order, the Clerk erroneously set the miscellaneous deadline for Attorneys Merrick Wayne and Shelley Geiszler to become admitted as 11/14/22. The correct deadline is 12/28/22. (Miscellaneous Deadline reset to 12/28/22.) (TC) (Entered: 12/09/2022)
01/24/2023	<u>5</u>	MOTION to Dismiss for Lack of Jurisdiction by Defendant US Army Corps of Engineers. Responses due by 2/7/2023 (Attachments: # <u>1</u> Exhibit 1 – FOIA Response, # <u>2</u> Exhibit 2 – Correspondence with Plaintiff's Counsel)(Swett, Kathy) (Entered: 01/24/2023)
02/07/2023	<u>6</u>	MEMORANDUM in Opposition re <u>5</u> MOTION to Dismiss for Lack of Jurisdiction filed by Plaintiff Edgar County Watchdogs. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Topic, Matthew) (Entered: 02/07/2023)
02/09/2023	<u>7</u>	NOTICE of Appearance of Attorney by Hinal A Patel on behalf of US Army Corps of Engineers (Patel, Hinal) (Entered: 02/09/2023)
02/09/2023	<u>8</u>	MOTION for Leave to File <i>Reply</i> by Defendant US Army Corps of Engineers. Responses due by 2/23/2023 (Patel, Hinal) (Entered: 02/09/2023)
02/09/2023	<u>9</u>	NOTICE <i>To Court Motion for Leave to File Reply is Unopposed</i> re <u>8</u> MOTION for Leave to File <i>Reply</i> (Patel, Hinal) (Entered: 02/09/2023)

02/10/2023	<u>10</u>	ORDER setting Rule 16 Scheduling Conference entered by Magistrate Judge Eric I. Long on 2/10/2023. Rule 16 Scheduling Conference is set for 3/13/2023 at 9:45 AM in Courtroom B in Urbana before Magistrate Judge Eric I. Long. See written Order. (DS) (Entered: 02/10/2023)
02/10/2023		TEXT ORDER entered by Judge Colin Stirling Bruce on 2/10/23. Defendant's unopposed Motion for Leave to File a Reply <u>8</u> is GRANTED. Defendant's deadline to file a reply is February 15, 2023. (TC) (Entered: 02/10/2023)
02/13/2023		TEXT ORDER entered by Judge Colin Stirling Bruce on 2/13/23. Based on the request in the Motion <u>8</u> , Defendant's Reply deadline is hereby extended to February 21, 2023.(JMB) (Entered: 02/13/2023)
02/16/2023	<u>11</u>	Return of Service Executed by Edgar County Watchdogs as to US Army Corps of Engineers 11/29/2022. (Loevy, Josh) (Entered: 02/16/2023)
02/16/2023	<u>12</u>	Joint MOTION to Vacate <u>10</u> Setting Rule 16 Scheduling Conference by Defendant US Army Corps of Engineers. Responses due by 3/2/2023 (Patel, Hinal) (Entered: 02/16/2023)
02/17/2023		TEXT ORDER entered by Magistrate Judge Eric I. Long on 2/17/2023. The Joint Motion to Vacate <u>12</u> is GRANTED. The Rule 16 Scheduling Conference set for 3/13/23 is VACATED. The case is stayed pending the outcome of Defendants Motion to Dismiss <u>5</u> . The Court directs the Clerk to administratively close this case. See Thomas v. Wardell, 2020 WL 1042627, n. 3 (7th Cir. March 4, 2020) (Administratively closing a case moves it to a courts inactive docket, while the court retains jurisdiction for purposes of future activities on the case.). The case will be reopened when the stay is lifted. (BMG) (Entered: 02/17/2023)
02/21/2023	<u>13</u>	Reply by US Army Corps of Engineers re <u>6</u> Memorandum in Opposition to Motion/Petition, .. (Patel, Hinal) (Entered: 02/21/2023)
03/07/2023	<u>14</u>	MOTION to Strike <u>13</u> Reply <i>OR, IN THE ALTERNATIVE, FOR LEAVE TO FILE A SUR-REPLY</i> by Plaintiff Edgar County Watchdogs. Responses due by 3/21/2023 (Topic, Matthew) (Entered: 03/07/2023)
03/10/2023		TEXT ORDER entered by Judge Colin Stirling Bruce on 3/10/2023. Plaintiff's Motion to Strike Reply Brief or, in the Alternative, For Leave to File a Sur-Reply <u>14</u> is DENIED as to the request to strike Defendant's Reply and GRANTED as to the request for leave to file a sur-reply. Plaintiff's sur-reply is due on March 21, 2023. (DS) (Entered: 03/10/2023)