

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:20-cv-03643-TSC**

RHOADS et al v. U.S. DEPARTMENT OF DEFENSE
Assigned to: Judge Tanya S. Chutkan
Cause: 05:552 Freedom of Information Act

Date Filed: 12/14/2020
Date Terminated: 04/20/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

MARIAN A. RHOADS
TERMINATED: 01/04/2022

represented by **Paul J. Orfanedes**
JUDICIAL WATCH, INC.
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

JUDICIAL WATCH, INC.

represented by **Paul J. Orfanedes**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Plaintiff

STEPHEN J. RHOADS
*in his capacity as personal representative
of Ms. Rhoads' estate*

represented by **Meredith Leigh Di Liberto**
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V.

Defendant

U.S. DEPARTMENT OF DEFENSE

represented by **Jessica B. Colsia**
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TERMINATED: 06/11/2021

Date Filed	#	Docket Text
12/14/2020	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF DEFENSE (Filing fee \$ 402 receipt number ADCDC-7953362) filed by MARIAN A. RHOADS, JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons for US Attorney for DC, # <u>3</u> Summons for US Attorney General, # <u>4</u> Summons for U.S. Department of Defense)(Orfanedes, Paul) (Entered: 12/14/2020)
12/14/2020	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by JUDICIAL WATCH, INC. (Orfanedes, Paul) (Entered: 12/14/2020)
12/14/2020		Case Assigned to Judge Tanya S. Chutkan. (zmd) (Entered: 12/14/2020)
12/14/2020	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF DEFENSE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(adh,) (Entered: 12/14/2020)
12/30/2020	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/29/2020. Answer due for ALL FEDERAL DEFENDANTS by 1/28/2021. (Attachments: # <u>1</u> Declaration of David Rothstein)(Orfanedes, Paul) (Entered: 12/30/2020)
12/30/2020	<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 12/29/20. (Attachments: # <u>1</u> Declaration of David Rothstein)(Orfanedes, Paul) (Entered: 12/30/2020)
12/30/2020	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF DEFENSE served on 12/29/2020 (Attachments: # <u>1</u> Declaration of David Rothstein)(Orfanedes, Paul) (Entered: 12/30/2020)
01/28/2021	<u>7</u>	NOTICE of Appearance by Sean Patrick Mahard on behalf of U.S. DEPARTMENT OF DEFENSE (Mahard, Sean) (Entered: 01/28/2021)
01/28/2021	<u>8</u>	ANSWER to Complaint by U.S. DEPARTMENT OF DEFENSE.(Mahard, Sean) (Entered: 01/28/2021)
01/28/2021		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiffs' FOIA request, the anticipated number of documents responsive to Plaintiffs' FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues no later than 3/11/2021. The joint status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 1/28/21. (DJS) (Entered: 01/28/2021)

01/28/2021		Set/Reset Deadlines: Joint Status Report due by 3/11/2021. (tb) (Entered: 01/28/2021)
03/11/2021	<u>9</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Mahard, Sean) (Entered: 03/11/2021)
04/12/2021	<u>10</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Mahard, Sean) (Entered: 04/12/2021)
06/11/2021	<u>11</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Jessica B. Colsia on behalf of U.S. DEPARTMENT OF DEFENSE Substituting for attorney Sean Mahard (Colsia, Jessica) (Entered: 06/11/2021)
06/30/2021	<u>12</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Colsia, Jessica) (Entered: 06/30/2021)
07/21/2021		MINUTE ORDER: Having considered the parties' joint status report <u>12</u> , it is hereby ordered that the parties shall file another joint report by 8/30/21 and every 60 days thereafter. To the extent the parties propose a change to the status quo, the report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 7/21/21. (DJS) (Entered: 07/21/2021)
07/22/2021		Set/Reset Deadlines: Joint Report due by 8/30/2021. (tb) (Entered: 07/22/2021)
08/30/2021	<u>13</u>	ENTERED IN ERROR. . . .Joint STATUS REPORT by JUDICIAL WATCH, INC., MARIAN A. RHOADS. (Orfanedes, Paul) Modified on 9/1/2021 (ztd). (Entered: 08/30/2021)
08/30/2021	<u>14</u>	Joint STATUS REPORT [<i>Corrected</i>] by JUDICIAL WATCH, INC., MARIAN A. RHOADS. (Orfanedes, Paul) (Entered: 08/30/2021)
08/30/2021		NOTICE OF CORRECTED DOCKET ENTRY: re <u>13</u> Status Report was entered in error and counsel refiled said pleading at docket entry no. <u>14</u> . (ztd) (Entered: 09/01/2021)
10/29/2021	<u>15</u>	Joint STATUS REPORT by JUDICIAL WATCH, INC., MARIAN A. RHOADS. (Orfanedes, Paul) (Entered: 10/29/2021)
01/03/2022	<u>16</u>	Joint STATUS REPORT by JUDICIAL WATCH, INC., MARIAN A. RHOADS. (Orfanedes, Paul) (Entered: 01/03/2022)
01/04/2022	<u>17</u>	MOTION to Substitute Party by JUDICIAL WATCH, INC., MARIAN A. RHOADS. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Orfanedes, Paul) (Entered: 01/04/2022)
01/04/2022		MINUTE ORDER: Granting <u>17</u> Motion to Substitute Party. MARIAN A. RHOADS terminated. Stephen J. Rhoads is substituted for Plaintiff Marion A. Rhoads in his capacity as personal representative of Ms. Rhoads' estate. Signed by Judge Tanya S. Chutkan on 1/4/21. (DJS) (Entered: 01/04/2022)
02/02/2022	<u>18</u>	Joint STATUS REPORT by STEPHEN J. RHOADS. (Orfanedes, Paul) (Entered: 02/02/2022)
03/03/2022	<u>19</u>	NOTICE of Appearance by John Haberland on behalf of U.S. DEPARTMENT OF DEFENSE (Haberland, John) (Entered: 03/03/2022)
03/03/2022	<u>20</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 03/03/2022)
04/07/2022	<u>21</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 04/07/2022)
06/07/2022	<u>22</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 06/07/2022)
08/08/2022	<u>23</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 08/08/2022)
09/30/2022	<u>24</u>	NOTICE of Appearance by Meredith Leigh Di Liberto on behalf of All Plaintiffs (Di Liberto, Meredith) (Entered: 09/30/2022)

10/06/2022	<u>25</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 10/06/2022)
11/30/2022	<u>26</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 11/30/2022)
11/30/2022	<u>27</u>	NOTICE of Appearance by John Haberland on behalf of U.S. DEPARTMENT OF DEFENSE (Haberland, John) (Entered: 11/30/2022)
02/01/2023	<u>28</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 02/01/2023)
03/29/2023	<u>29</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 03/29/2023)
04/04/2023	<u>30</u>	STIPULATION of Dismissal by JUDICIAL WATCH, INC., MARIAN A. RHOADS, STEPHEN J. RHOADS. (Orfanedes, Paul) (Entered: 04/04/2023)
04/18/2023		MINUTE ORDER: In consideration of Plaintiff's <u>30</u> Stipulation of Dismissal, this case is hereby dismissed without prejudice pursuant to Federal Rule of Civil Procedure Rule 41(a)(1)(A)(ii). Signed by Judge Tanya S. Chutkan on 4/18/23. (lcsr) (Entered: 04/18/2023)