

**U.S. District Court
 Eastern District of California – Live System (Sacramento)
 CIVIL DOCKET FOR CASE #: 2:22-cv-02148-KJM-JDP**

Jamul Action Committee v. Dept. of Interior et al
 Assigned to: Chief District Judge Kimberly J. Mueller
 Referred to: Magistrate Judge Jeremy D. Peterson
 Cause: 05:552 Freedom of Information Act

Date Filed: 12/02/2022
 Date Terminated: 08/29/2023
 Jury Demand: None
 Nature of Suit: 895 Freedom of Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff

Jamul Action Committee

represented by **Kenneth R. Williams**
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 916-449-9980
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ATTORNEY TO BE NOTICED

V.

Defendant

Department of Interior, Office of Indian Gaming

represented by **Joseph Frueh**
 United States Attorney's Office
 501 "I" Street
 Suite 10-100
 Sacramento, CA 95814
 916-554-2702
 Fax: 916-554-2900
 Email: joseph.frueh@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Deb Haaland
Secretary of Department of Interior

represented by **Joseph Frueh**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Paula L. Hart
OIG Director

Defendant

Justin Davis
FOIA Officer EDS, INC

Defendant

Joseph Broadhead
EDS, INC Owner

Date Filed	#	Docket Text
12/02/2022	<u>1</u>	COMPLAINT against All Defendants by Jamul Action Committee. Attorney Williams, Kenneth R. added. (Filing fee \$ 402, receipt number ACAEDC-10577195) (Williams, Kenneth) (Entered: 12/02/2022)

12/02/2022	<u>2</u>	CIVIL COVER SHEET by Jamul Action Committee (Williams, Kenneth) (Entered: 12/02/2022)
12/02/2022	<u>3</u>	SUMMONS ISSUED as to *Department of Interior, Office of Indian Gaming, Deb Haaland* with answer to complaint due within *30* days. Attorney *Kenneth R. Williams* *Law Office of Kenneth R. Williams* *980 9th Street, 16th Floor* *Sacramento, CA 95614*. (Kaminski, H) (Entered: 12/02/2022)
12/02/2022	<u>4</u>	CIVIL NEW CASE DOCUMENTS ISSUED; Initial Scheduling Conference set for 4/13/2023 at 02:30 PM in Courtroom 3 (KJM) before Chief District Judge Kimberly J. Mueller. (Attachments: # <u>1</u> Standing Order, # <u>2</u> Consent Form, # <u>3</u> VDRP) (Kaminski, H) (Entered: 12/02/2022)
02/23/2023	<u>5</u>	MINUTE ORDER issued by Courtroom Deputy C. Schultz for Chief District Judge Kimberly J. Mueller on 2/23/2023: Due to a scheduling conflict and on the court's own motion, the Status (Pretrial Scheduling) Conference set for 4/13/2023 is ADVANCED to 4/6/2023 at 2:30 PM before Chief District Judge Kimberly J. Mueller, with the filing of a joint status report due fourteen (14) days prior. The April hearing will proceed by video conferencing through the <i>Zoom</i> application. The Courtroom Deputy will provide counsel with the hearing access information no less than 24 hours before the hearing. Plaintiff shall serve a copy of this Minute Order on Defendants not yet appearing. (Text Only Entry) (Schultz, C) (Entered: 02/23/2023)
02/28/2023	<u>6</u>	CERTIFICATE / PROOF of SERVICE by Jamul Action Committee. (Williams, Kenneth) (Entered: 02/28/2023)
02/28/2023	<u>7</u>	SUMMONS RETURNED EXECUTED: Department of Interior, Office of Indian Gaming and Deb Haaland served on 2/28/2023. (Williams, Kenneth) Modified on 3/2/2023 (Perdue, C.). (Entered: 02/28/2023)
03/12/2023	<u>8</u>	CERTIFICATE / PROOF of SERVICE by Jamul Action Committee. (Williams, Kenneth) (Entered: 03/12/2023)
03/19/2023	<u>9</u>	EX PARTE APPLICATION by Defendants for Setting Deadline to Respond to Complaint, and Continuing Status (Pretrial Scheduling) Conference. Attorney Frueh, Joseph added. (Attachments: # <u>1</u> Declaration of Joseph Frueh, # <u>2</u> Proposed Order)(Frueh, Joseph) Modified on 3/21/2023 (Mena-Sanchez, L). (Entered: 03/19/2023)
03/21/2023	<u>10</u>	DECLARATION of Kenneth R. Williams in OPPOSITION to <u>9</u> Ex Parte Application. (Williams, Kenneth) Modified on 3/22/2023 (Mena-Sanchez, L). (Entered: 03/21/2023)
03/22/2023	<u>11</u>	ORDER signed by Chief District Judge Kimberly J. Mueller on 03/22/23 GRANTING <u>9</u> Ex Parte Application and SETTING the deadlines as follows; Parties shall file their Joint Status Report no later than 04/27/23; Defendants' deadline to respond to the Complaint is 05/02/23 and the Pretrial Conference set for 5/11/2023 at 02:30 PM in Courtroom 3 (KJM) before Chief District Judge Kimberly J. Mueller. (Licea Chavez, V) Modified on 3/23/2023 (Licea Chavez, V). (Entered: 03/22/2023)
03/24/2023	<u>12</u>	REQUEST for by Jamul Action Committee. (Williams, Kenneth) (Entered: 03/24/2023)
03/26/2023	<u>13</u>	OBJECTIONS by Defendants Department of Interior, Office of Indian Gaming, Deb Haaland to <u>12</u> REQUEST for by Jamul Action Committee.. (Frueh, Joseph) (Entered: 03/26/2023)
03/27/2023	<u>14</u>	RESPONSE by Jamul Action Committee to <u>13</u> Objections. (Williams, Kenneth) (Entered: 03/27/2023)
03/28/2023	<u>15</u>	MINUTE ORDER issued by Courtroom Deputy C. Schultz for Chief District Judge Kimberly J. Mueller on 3/28/2023: The court is in receipt of Plaintiff's Request for Correction or Clarification, ECF No. <u>12</u> . The changes the Request seeks have already been made to the docket entry text. Accordingly, the Request is DENIED as MOOT. (Text Only Entry)(Schultz, C) (Entered: 03/28/2023)
04/25/2023	<u>16</u>	JOINT STATUS REPORT by Jamul Action Committee. (Williams, Kenneth) (Entered: 04/25/2023)

05/02/2023	<u>17</u>	MOTION to DISMISS by Defendants. Motion Hearing SET for 6/30/2023 at 10:00 AM in Courtroom 3 (KJM) before Chief District Judge Kimberly J. Mueller. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Declaration of Justin Davis, # <u>3</u> Exhibit 1, # <u>4</u> Declaration of Paula Hart)(Frueh, Joseph) Modified on 5/3/2023 (Mena-Sanchez, L). (Entered: 05/02/2023)
05/03/2023	18	MINUTE ORDER issued by Courtroom Deputy C. Schultz for Chief District Judge Kimberly J. Mueller on 5/3/2023: On the court's own motion, the Status (Pretrial Scheduling) Conference set for 5/11/2023 is RESET for 6/30/2023 at 10:00 AM in Courtroom 3 before Chief District Judge Kimberly J. Mueller, with the filing of a Joint Status Report due fourteen (14) days prior. (Text Only Entry) (Schultz, C) (Entered: 05/03/2023)
05/04/2023	<u>19</u>	STIPULATION and PROPOSED ORDER to Continue Hearing set for 6/30/23 to 8/11/23 re <u>17</u> Motion to Dismiss, 18 Minute Order, by Jamul Action Committee. (Williams, Kenneth) Modified on 5/5/2023 (Mena-Sanchez, L). (Entered: 05/04/2023)
05/16/2023	<u>20</u>	STIPULATION and ORDER signed by Chief District Judge Kimberly J. Mueller on 05/16/23 CONTINUING the Motion to Dismiss and the Status (Pretrial Scheduling) Conference to 8/11/2023 at 10:00 AM in Courtroom 3 (KJM) before Chief District Judge Kimberly J. Mueller. (Licea Chavez, V) (Entered: 05/16/2023)
05/16/2023	<u>21</u>	[DISREGARD NO CASE NUMBER SEE DOC <u>22</u>] FIRST AMENDED COMPLAINT. (Williams, Kenneth) Modified on 5/18/2023 (Rodriguez, E). (Entered: 05/16/2023)
05/16/2023	<u>22</u>	FIRST AMENDED COMPLAINT by Jamul Action Committee. (Williams, Kenneth) Modified on 5/18/2023 (Rodriguez, E). (Entered: 05/16/2023)
05/22/2023	<u>23</u>	REQUEST for ISSUANCE of SUMMONS per <u>22</u> First Amended Complaint by Jamul Action Committee. (Williams, Kenneth) Modified on 5/24/2023 (Licea Chavez, V). (Entered: 05/22/2023)
05/24/2023	<u>24</u>	SUMMONS ISSUED as to *Joseph Broadhead, Justin Davis, Paula L. Hart* with answer to complaint due within *30* days. Attorney *Kenneth R. Williams* *Law Office of Kenneth R. Williams* *980 9th St. 16th Floor* *Sacramento, CA 95614*. (Licea Chavez, V) (Entered: 05/24/2023)
05/30/2023	<u>25</u>	MOTION to DISMISS by Department of Interior, Office of Indian Gaming, Deb Haaland. Motion Hearing set for 8/11/2023 at 10:00 AM in Courtroom 3 (KJM) before Chief District Judge Kimberly J. Mueller. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Declaration of Justin Davis, # <u>3</u> Exhibit 1, # <u>4</u> Declaration of Paula Hart)(Frueh, Joseph) (Entered: 05/30/2023)
05/31/2023	26	MINUTE ORDER issued by Courtroom Deputy C. Schultz for Chief District Judge Kimberly J. Mueller on 5/31/2023: The court is in receipt of Plaintiff's First Amended Complaint, ECF No. <u>22</u> . Federal Rules of Civil Procedure 15(a)(1) provides that "[a] party may amend its pleading once as a matter of course... 21 days after serving it, or... 21 days after service of a motion under Rule 12(b), (e), or (f)..." Accordingly, Defendants' Motion to Dismiss, ECF No. <u>17</u> , is hereby DENIED as MOOT. (Text Only Entry) (Schultz, C) (Entered: 05/31/2023)
06/13/2023	<u>27</u>	OPPOSITION by Jamul Action Committee to <u>25</u> Motion to Dismiss,. (Attachments: # <u>1</u> Declaration of Glenn Revell)(Williams, Kenneth) (Entered: 06/13/2023)
06/23/2023	<u>28</u>	REPLY by Department of Interior, et al., in support of <u>25</u> Motion to Dismiss. (Frueh, Joseph) Modified on 6/26/2023 (Benson, A.). (Entered: 06/23/2023)
07/28/2023	<u>29</u>	JOINT STATUS REPORT by Department of Interior, Office of Indian Gaming, Deb Haaland. (Frueh, Joseph) (Entered: 07/28/2023)
08/11/2023	30	MINUTES for MOTION HEARING and SCHEDULING CONFERENCE held before Chief District Judge Kimberly J. Mueller on 8/11/2023. Plaintiff's Counsel, Kenneth Williams, present. Defendants' Counsel, Joseph Frueh, present. No appearance for Plaintiff initially. The court and Defense Counsel discussed the pending Motion to Dismiss. Plaintiff's Counsel arrived mid-hearing. The court and both Counsel discussed the pending Motion to Dismiss, ECF No. <u>25</u> . After careful consideration of the parties' arguments, the court SUBMITTED the matter; an Order to issue. The court

		DEFERRED case scheduling subject to resolution of the pending Motion. The court advised the parties that if an email goes to Mr. Williams attaching a document as discussed during the hearing, the parties should let court know. E.C.R.O.: Jennifer Wood. (Text Only Entry) (Schultz, C) (Entered: 08/11/2023)
08/11/2023	<u>31</u>	SUMMONS RETURNED EXECUTED: Joseph Broadhead served on 8/4/2023. (Williams, Kenneth) Modified on 8/15/2023 (Mena-Sanchez, L). (Entered: 08/11/2023)
08/15/2023	<u>32</u>	NOTICE of Receipt of Appendix A to Compact by Jamul Action Committee. (Williams, Kenneth) Modified on 8/16/2023 (Licea Chavez, V). (Entered: 08/15/2023)
08/15/2023	<u>33</u>	SUMMONS RETURNED EXECUTED: Jamul Action Committee served on 8/14/2023, answer due 9/5/2023. (Williams, Kenneth) (Entered: 08/15/2023)
08/15/2023	<u>34</u>	CERTIFICATE / PROOF of SERVICE by Jamul Action Committee re <u>22</u> Amended Document. (Williams, Kenneth) (Entered: 08/15/2023)
08/29/2023	<u>35</u>	ORDER signed by Chief District Judge Kimberly J. Mueller on 8/28/2023 GRANTING <u>25</u> Motion to Dismiss, without leave to amend, and this case is closed. CASE CLOSED (Reader, L) (Entered: 08/29/2023)
08/29/2023	<u>36</u>	JUDGMENT dated *8/29/2023* pursuant to order signed by Chief District Judge Kimberly J. Mueller on 8/28/2023. (Reader, L) (Entered: 08/29/2023)