

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:23-cv-02327-ACR**

VANDA PHARMACEUTICALS INC. v. FOOD AND DRUG  
ADMINISTRATION  
Assigned to: Judge Ana C. Reyes  
Cause: 05:552 Freedom of Information Act

Date Filed: 08/11/2023  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****VANDA PHARMACEUTICALS INC.**

represented by **Paul Whitfield Hughes , III**  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant****FOOD AND DRUG  
ADMINISTRATION**

represented by **M. Jared Littman**  
U.S. ATTORNEY'S OFFICE  
Civil Division  
601 D Street NW  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
08/11/2023	<u>1</u>	COMPLAINT against FOOD AND DRUG ADMINISTRATION ( Filing fee \$ 402 receipt number ADCDC-10270154) filed by VANDA PHARMACEUTICALS INC.. (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, # <u>6</u> Exhibit F, # <u>7</u> Summons, # <u>8</u> Summons, # <u>9</u> Summons, # <u>10</u> Civil Cover Sheet)(Hughes, Paul) (Entered: 08/11/2023)
08/11/2023		Case Assigned to Judge Ana C. Reyes. (zljn) (Entered: 08/11/2023)
08/11/2023	<u>2</u>	SUMMONS (3) Issued Electronically as to FOOD AND DRUG ADMINISTRATION, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zljn) (Entered: 08/11/2023)
08/14/2023	<u>3</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by VANDA PHARMACEUTICALS INC. (Hughes, Paul) (Entered: 08/14/2023)
08/18/2023	<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 8/14/2023. Answer due for ALL FEDERAL DEFENDANTS by 9/13/2023. (Hughes, Paul) (Entered: 08/18/2023)
09/07/2023	<u>5</u>	NOTICE of Appearance by M. Jared Littman on behalf of All Defendants (Littman, M.) (Entered: 09/07/2023)
09/13/2023	<u>6</u>	ANSWER to Complaint by FOOD AND DRUG ADMINISTRATION.(Littman, M.) (Entered: 09/13/2023)

09/13/2023	<p>MINUTE ORDER. Plaintiff filed this Freedom of Information Act ("FOIA") action on August 11, 2023. Dkt 1. Defendant filed its Answer on September 13, 2023. Dkt. 6. Cases filed under FOIA are exempt from the requirements of Federal Rule of Civil Procedure 26(f) and Local Civil Rule 16.3. <i>See</i> LCvR 16.3(b)(10). Accordingly, it is hereby ORDERED that the parties shall meet and confer and file a joint status report on or before September 27, 2023. The joint status report should address, among other things, (1) the status of Plaintiff's FOIA request; (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 a stay is likely under <i>Open America v. Watergate Special Prosecution Force</i>, 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Counsel shall not contact Chambers directly concerning scheduling or other matters, as Chambers personnel will not handle questions relating to the status or scheduling of pending matters, except in case of an emergency. In an emergency, Chambers can be reached at (202) 354-3350. Signed by Judge Ana C. Reyes on 9/13/2023. (lcar3) (Entered: 09/13/2023)</p>
09/14/2023	<p>Set/Reset Deadlines/Hearings: Joint Status Report due by 9/27/2023. (zcdw) (Entered: 09/14/2023)</p>