

Live Database
U.S. District Court – Eastern District of Tennessee (Knoxville)
CIVIL DOCKET FOR CASE #: 3:22-cv-00309-JRG-DCP

Perrusquia v. Tennessee Valley Authority (JRG2)
 Assigned to: District Judge J Ronnie Greer
 Referred to: Magistrate Judge Debra C Poplin
 Cause: 05:552 Freedom of Information Act

Date Filed: 09/07/2022
 Date Terminated: 10/10/2023
 Jury Demand: None
 Nature of Suit: 895 Freedom of Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff

Jose Marcus Perrusquia

represented by **Paul R McAdoo**
 Reporters Committee for Freedom of the Press
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V.

Defendant

Tennessee Valley Authority

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Date Filed	#	Docket Text
09/07/2022	<u>1</u>	COMPLAINT against All Plaintiffs (Filing fee \$ 402 receipt number ATNEDC-5162515.), filed by Jose Marcus Perrusquia. (Attachments: # <u>1</u> Other Civil Cover Sheet, # <u>2</u> Summons TVA Summons, # <u>3</u> Summons US Attorney Summons, # <u>4</u>

		Summons AG Summons, # <u>5</u> Exhibit Exhibit A, # <u>6</u> Exhibit Exhibit B, # <u>7</u> Exhibit Exhibit C, # <u>8</u> Exhibit Exhibit D)(McAdoo, Paul) (Entered: 09/07/2022)
09/08/2022		District Judge J Ronnie Greer and Magistrate Judge Jill E McCook added. (JCK) (Entered: 09/08/2022)
09/08/2022	<u>2</u>	Summons Issued as to Tennessee Valley Authority, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Summons US Attorney, # <u>2</u> Summons US Attorney General)(JCK) (Entered: 09/08/2022)
09/08/2022	<u>3</u>	Order Governing Depositions Signed by District Judge J Ronnie Greer on 9/8/2022. (JCK) (Entered: 09/08/2022)
09/08/2022	<u>4</u>	Order Governing Motions To Dismiss Signed by District Judge J Ronnie Greer on 9/8/2022. (JCK) (Entered: 09/08/2022)
09/08/2022	<u>5</u>	Order Governing Sealing Confidential Information Signed by District Judge J Ronnie Greer on 9/8/2022. (JCK) (Entered: 09/08/2022)
09/09/2022	<u>6</u>	ORDER OF RECUSAL. Pursuant to the provisions of 28 U.S.C. § 455(a), the undersigned judge hereby recuses in this matter and requests that the Chief Judge reassign this case to another judge. Signed by Magistrate Judge Jill E. McCook on 9/9/22. (ADA) (Entered: 09/09/2022)
09/12/2022	<u>7</u>	ORDER REASSIGNING CASE. Magistrate Judge Jill E McCook no longer assigned to case Case reassigned to Magistrate Judge Debra C Poplin to handle any matters routinely considered by a magistrate judge pursuant to 28 U.S.C. § 636(b) and the Rules of this Court.Signed by District Judge Travis R McDonough on 9/12/2022. (DJH) (Entered: 09/12/2022)
09/13/2022	<u>8</u>	AFFIDAVIT of Service for Summons and Complaint served on Jeffrey Lyash on 9/9/22, filed by Jose Marcus Perrusquia. (Attachments: # <u>1</u> Exhibit)(McAdoo, Paul) (Entered: 09/13/2022)
09/13/2022	<u>9</u>	AFFIDAVIT of Service for Summons and Complaint served on Francis M. Hamilton III on 9/9/22, filed by Jose Marcus Perrusquia. (Attachments: # <u>1</u> Exhibit)(McAdoo, Paul) (Entered: 09/13/2022)
09/15/2022	<u>10</u>	AFFIDAVIT of Service for Summons and Complaint served on Attorney General Merrick Garland on 09/09/2022, filed by Jose Marcus Perrusquia. (Attachments: # <u>1</u> Exhibit)(McAdoo, Paul) (Entered: 09/15/2022)
10/07/2022	<u>11</u>	ANSWER to <u>1</u> Complaint, by Tennessee Valley Authority.(Sanders, Christopher) (Entered: 10/07/2022)
10/07/2022	<u>12</u>	ORDER: The parties are ordered to confer and return the attached form within the time provided.Signed by District Judge J Ronnie Greer on 10/7/22. (Attachments: # <u>1</u> Other Notice of Consent/Non-Consent) (ABF) (Entered: 10/07/2022)
10/12/2022	<u>13</u>	ORDER: Generally, scheduling orders will be entered by the Court in lieu of in-person or telephonic scheduling conferences unless otherwise requested by the parties. It is therefore ORDERED : 1. As soon as practicable, but in no event later than 30 days from the first appearance of a defendant, or if that has already occurred, within 30 days of this order, the parties must confer, in a conference arranged by plaintiffs counsel, for the purpose of considering the nature and basis of their claims and defenses. Signed by District Judge J Ronnie Greer on 10/12/2022. (CAT) (Entered: 10/12/2022)
11/08/2022	<u>14</u>	NOTICE OF NONCONSENT by Jose Marcus Perrusquia (McAdoo, Paul) (Entered: 11/08/2022)
11/08/2022	<u>15</u>	REPORT of Rule 26(f) Planning Meeting. (McAdoo, Paul) (Entered: 11/08/2022)
11/15/2022	<u>16</u>	SCHEDULING ORDER: The parties have now filed their Rule 26(f) report. In their report, the parties state that this matter is unlikely to require trial, and the parties anticipate that the matter can be resolved through cross-motions for summary judgment. The parties also agree that discovery and initial disclosures are unnecessary in this matter. Therefore, pursuant to Rule 16(b), it is hereby ORDERED as follows: See Order for details. Signed by District Judge Clifton L Corker on 11/15/2022. (LCK)

		(Entered: 11/15/2022)
01/23/2023	<u>17</u>	MOTION for Summary Judgment by Tennessee Valley Authority. (Attachments: # <u>1</u> Affidavit Eller Declaration, # <u>2</u> Affidavit Eimers Declaration, # <u>3</u> Affidavit Maierhofer Declaration, # <u>4</u> Affidavit Mitchem Declaration, # <u>5</u> Affidavit Yates Declaration)(Chin, Steven) (Entered: 01/23/2023)
01/23/2023	<u>18</u>	STATEMENT of Material Facts re <u>17</u> MOTION for Summary Judgment filed by Tennessee Valley Authority. (Attachments: # <u>1</u> Exhibit TVA 2021 Form 10-K, # <u>2</u> Exhibit OPM Guide to Personnel Recordkeeping, # <u>3</u> Exhibit TVA Service Regions, # <u>4</u> Exhibit MLGW Decision)(Chin, Steven) (Entered: 01/23/2023)
01/23/2023	<u>19</u>	MEMORANDUM in Support of Motion re <u>17</u> MOTION for Summary Judgment filed by Tennessee Valley Authority. (Chin, Steven) (Entered: 01/23/2023)
02/22/2023	<u>20</u>	Cross MOTION for Summary Judgment and RESPONSE to <u>17</u> Defendant's Motion for Summary Judgment by Jose Marcus Perrusquia. (Attachments: # <u>1</u> Other Perrusquia Declaration with Exhibits, # <u>2</u> Other McAdoo Declaration with Exhibits, # <u>3</u> Other Marshall Declaration with Exhibit) (McAdoo, Paul) Modified text on 2/23/2023 (AYB). (Entered: 02/22/2023)
02/22/2023	<u>21</u>	Plaintiff's Combined STATEMENT of Material Facts re <u>20</u> MOTION for Summary Judgment and RESPONSE to <u>18</u> Defendant's Statement of Material Facts filed by Jose Marcus Perrusquia. (McAdoo, Paul) Modified text on 2/23/2023 (AYB). (Entered: 02/22/2023)
02/22/2023	<u>22</u>	MEMORANDUM in Opposition to <u>17</u> Defendant's Motion for Summary Judgment and in Support of <u>20</u> Plaintiff's Cross MOTION for Summary Judgment filed by Jose Marcus Perrusquia. (McAdoo, Paul) Modified text on 2/23/2023 (AYB). (Entered: 02/22/2023)
03/15/2023	<u>23</u>	RESPONSE to Statement of Material Facts re <u>21</u> Statement of Material Facts filed by Tennessee Valley Authority. (Chin, Steven) (Entered: 03/15/2023)
03/15/2023	<u>24</u>	REPLY in Support of <u>17</u> TVA's MOTION for Summary Judgment and In Response to <u>20</u> Plaintiff's Motion for Summary Judgment filed by Tennessee Valley Authority. (Attachments: # <u>1</u> Exhibit News Article – Daily Memphian, # <u>2</u> Exhibit News Article – A Dim View, # <u>3</u> Exhibit News Article – Critics Blast TVA, # <u>4</u> Exhibit Jan 11, 2022 Email, # <u>5</u> Exhibit Jan 15, 2022 Email) (Chin, Steven) Modified text and created docket relationship on 3/15/2023 (AYB). (Entered: 03/15/2023)
04/05/2023	<u>25</u>	REPLY to Response to Motion re <u>20</u> Cross MOTION for Summary Judgment and RESPONSE to <u>17</u> Defendant's Motion for Summary Judgment filed by Jose Marcus Perrusquia. (McAdoo, Paul) (Entered: 04/05/2023)
09/27/2023	<u>26</u>	MEMORANDUM OPINION AND ORDER denying <u>17</u> MOTION for Summary Judgment filed by Tennessee Valley Authority granting <u>20</u> Cross MOTION for Summary Judgment and RESPONSE to <u>17</u> Defendant's Motion for Summary Judgment filed by Jose Marcus Perrusquia. Defendant's Motion for Summary Judgment [Doc. 17] is DENIED and Plaintiff's Cross-Motion for Summary Judgment [Doc. 20] is GRANTED. An appropriate judgment will enter. Signed by District Judge J Ronnie Greer on 9/27/2023. (LCK) (Entered: 09/27/2023)
10/10/2023	<u>27</u>	JUDGMENT re <u>26</u> Memorandum Opinion and Order. For the reasons set forth in the previously filed Memorandum Opinion and Order, summary judgment is GRANTED to Plaintiff and DENIED to Defendant. As there are no pending matters remaining before the Court, the Clerk is DIRECTED to CLOSE the case. Signed by District Judge J Ronnie Greer on 10/10/2023. (LCK) (Entered: 10/10/2023)