

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:21-cv-04024-GHW**

First Look Institute, Inc. et al v. National Institutes of Health
Assigned to: Judge Gregory H. Woods
Cause: 05:552 Freedom of Information Act

Date Filed: 05/05/2021
Date Terminated: 11/18/2023
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

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Plaintiff

Sharon Lerner

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V.

Defendant

National Institutes of Health

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Date Filed	#	Docket Text
05/05/2021	<u>1</u>	COMPLAINT against National Institutes of Health. (Filing Fee \$ 402.00, Receipt Number ANYSDC-24498754) Document filed by First Look Institute, Inc., Sharon Lerner..(Greenberger, Debra) (Entered: 05/05/2021)
05/05/2021	<u>2</u>	CIVIL COVER SHEET filed..(Greenberger, Debra) (Entered: 05/05/2021)
05/05/2021	<u>3</u>	REQUEST FOR ISSUANCE OF SUMMONS as to National Institutes of Health, re: <u>1</u> Complaint. Document filed by First Look Institute, Inc., Sharon Lerner..(Greenberger, Debra) (Entered: 05/05/2021)
05/05/2021	<u>4</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by First Look Institute, Inc...(Greenberger, Debra) (Entered: 05/05/2021)
05/06/2021		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Gregory H. Woods. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district-judges . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at https://nysd.uscourts.gov/rules/ecf-related-instructions..(sj) (Entered: 05/06/2021)
05/06/2021		Magistrate Judge Robert W. Lehrburger is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (sj) (Entered: 05/06/2021)
05/06/2021		Case Designated ECF. (sj) (Entered: 05/06/2021)
05/06/2021	<u>5</u>	ELECTRONIC SUMMONS ISSUED as to National Institutes of Health..(sj) (Entered: 05/06/2021)
05/06/2021	<u>6</u>	LETTER MOTION for Leave to File corrected Complaint with accompanying Exhibits A - D on the ECF Docket addressed to Judge Gregory H. Woods from Debra L. Greenberger dated May 6, 2021. Document filed by First Look Institute, Inc., Sharon Lerner. (Attachments: # <u>1</u> Complaint, Dkt. No. 1, # <u>2</u> Exhibit A - Plaintiff Sharon Lerner's FOIA Request dated September 3, 2020, # <u>3</u> Exhibit B - NIH Response Letter dated September 17, 2020, # <u>4</u> Exhibit C - NIH Denial Letter dated December 18, 2020, # <u>5</u> Exhibit D - Plaintiff's Appeal Letter dated December 26, 2020).(Greenberger, Debra) (Entered: 05/06/2021)
05/06/2021	<u>7</u>	ORDER granting <u>6</u> Letter Motion for Leave to File Document. Plaintiffs' May 6, 2021 request for leave to file a corrected version of their complaint, Dkt. No. 6, is granted. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 6 SO ORDERED. (Signed by Judge Gregory H. Woods on 5/6/2021) (rro) (Entered: 05/06/2021)

05/06/2021	<u>8</u>	NOTICE OF INITIAL PRETRIAL CONFERENCE: Initial Conference set for 7/26/2021 at 02:00 PM before Judge Gregory H. Woods. The conference will be conducted by telephone. The parties are directed to the Court's Emergency Rules in Light of COVID-19, which are available on the Court's website, for the dial-in number and other relevant instructions. The parties are specifically directed to comply with Rule 2(C) of the Court's Emergency Rules. (Signed by Judge Gregory H. Woods on 5/6/2021) (rro) (Entered: 05/06/2021)
05/07/2021	<u>9</u>	COMPLAINT against National Institutes of Health. Document filed by First Look Institute, Inc., Sharon Lerner. (Attachments: # <u>1</u> Exhibit A – Plaintiff Sharon Lerner's FOIA Request dated September 3, 2020, # <u>2</u> Exhibit B – NIH Response Letter dated September 17, 2020, # <u>3</u> Exhibit C – NIH Denial Letter dated December 18, 2020, # <u>4</u> Exhibit D – Plaintiff's Appeal Letter dated December 26, 2020).(Greenberger, Debra) (Entered: 05/07/2021)
05/11/2021	<u>10</u>	MOTION for Victoria Noble to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-24524691. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by First Look Institute, Inc., Sharon Lerner. (Attachments: # <u>1</u> Affidavit in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Certificate of Good Standing from the Supreme Court of the State of Illinois, # <u>3</u> Proposed Order for Admission Pro Hac Vice).(Greenberger, Debra) (Entered: 05/11/2021)
05/12/2021		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>10</u> MOTION for Victoria Noble to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-24524691. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 05/12/2021)
05/13/2021	<u>11</u>	ORDER granting <u>10</u> Motion for Victoria Noble to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Gregory H. Woods)(Text Only Order) (wv) (Entered: 05/13/2021)
05/18/2021	<u>12</u>	NOTICE OF APPEARANCE by Victoria Noble on behalf of First Look Institute, Inc...(Noble, Victoria) (Entered: 05/18/2021)
05/24/2021	<u>13</u>	AFFIDAVIT OF SERVICE of Summons and Complaint,. National Institutes of Health served on 5/19/2021, answer due 6/9/2021. Service was made by Certified Mail. Document filed by First Look Institute, Inc.; Sharon Lerner..(Greenberger, Debra) (Entered: 05/24/2021)
05/24/2021	<u>14</u>	AFFIDAVIT OF SERVICE of Summons & Complaint served on National Institutes of Health c/o Civil Process Clerk of the U.S. Attorney's Office on 5/11/2021. Service was accepted by Eddy Rosado, authorized to accept service under F.R.C.P. Rule 4. Document filed by First Look Institute, Inc., Sharon Lerner..(Greenberger, Debra) (Entered: 05/24/2021)
06/03/2021	<u>15</u>	NOTICE OF APPEARANCE by David Steven Bralow on behalf of First Look Institute, Inc., Sharon Lerner..(Bralow, David) (Entered: 06/03/2021)
06/08/2021	<u>16</u>	LETTER MOTION to Expedite <i>Conference</i> addressed to Judge Gregory H. Woods from Debra L. Greenberger dated June 8, 2021. Document filed by First Look Institute, Inc., Sharon Lerner..(Greenberger, Debra) (Entered: 06/08/2021)
06/08/2021	<u>17</u>	ORDER denying <u>16</u> Letter Motion to Expedite. Plaintiffs' June 8, 2021 request to reschedule the July 26, 2021 initial pretrial conference to the earliest possible date is denied. See Dkt. No. 16. Defendant has not yet appeared in this action. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 16. Plaintiffs are directed to mail a copy of this order to Defendant and to retain proof of service. (Signed by Judge Gregory H. Woods on 6/8/2021) (rro) (Entered: 06/09/2021)
06/21/2021	<u>18</u>	NOTICE OF APPEARANCE by Alexander James Hogan on behalf of National Institutes of Health..(Hogan, Alexander) (Entered: 06/21/2021)
06/21/2021	<u>19</u>	ANSWER to <u>9</u> Complaint,. Document filed by National Institutes of Health..(Hogan, Alexander) (Entered: 06/21/2021)

07/19/2021	<u>20</u>	JOINT LETTER addressed to Judge Gregory H. Woods from Debra L. Greenberger dated July 19, 2021 re: July 26, 2021 Initial Conference. Document filed by First Look Institute, Inc., Sharon Lerner..(Greenberger, Debra) (Entered: 07/19/2021)
07/20/2021	21	ORDER. The Court has reviewed the parties July 19, 2021 status letter. Dkt. No. 20. The parties request to submit supplemental letters regarding the schedule for Defendants production of responsive, non-exempt documents is granted in part. The parties are directed to submit a single joint letter that sets forth each of the parties positions on their respective proposals by no later than July 22, 2021. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 07/20/2021)
07/22/2021	<u>22</u>	JOINT LETTER addressed to Judge Gregory H. Woods from Debra L. Greenberger dated July 22, 2021 re: (Outline of respective positions regarding Defendant the National Institutes of Health production of documents responsive to Plaintiff's September 3, 2020 FOIA request). Document filed by First Look Institute, Inc., Sharon Lerner. (Attachments: # <u>1</u> (Declaration Of Gorka Garcia-Malene)).(Greenberger, Debra) (Entered: 07/22/2021)
07/26/2021	<u>23</u>	ORDER: As stated on the record during the July 26, 2021 conference, Defendant is directed to produce the seven "high priority" grant proposals, with index for those grants, by no later than September 3, 2021. See Dkt. No. 22 at 2 n.1. The parties are directed to submit a joint status letter by no later than August 9, 2021 regarding the source and volume of the other documents requested by Plaintiffs. The letter should inform the Court of the number of pages associated with the remaining grant proposals, and information on the review by Defendant and the grantee. The Court expects to schedule a conference after receiving the parties' joint letter, at which the Court will set another deadline for the completion of production and a page production goal with respect to the communications related to the grant proposals. (Signed by Judge Gregory H. Woods on 7/26/2021) (rro) (Entered: 07/26/2021)
07/26/2021		Minute Entry for proceedings held before Judge Gregory H. Woods: Telephone Conference held on 7/26/2021. (Court Reporter present) (wv) (Entered: 07/28/2021)
08/09/2021	<u>24</u>	LETTER addressed to Judge Gregory H. Woods from Alexander J. Hogan dated August 9, 2021 re: status update. Document filed by National Institutes of Health..(Hogan, Alexander) (Entered: 08/09/2021)
08/10/2021	25	ORDER. The Court has received the parties August 9, 2021 letter regarding the source and volume of documents requested by Plaintiffs. Dkt. No. 24. The Court will hold a conference to discuss Defendants production and related issues on August 30, 2021 at 4:00 p.m. The parties are directed to use the conference call dial-in information and access code noted in the Court's Emergency Rules in Light of COVID-19, available on the Court's website, and are specifically directed to comply with Emergency Rule 2(C). (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 08/10/2021)
08/20/2021	<u>26</u>	TRANSCRIPT of Proceedings re: conference held on 7/26/2021 before Judge Gregory H. Woods. Court Reporter/Transcriber: Lisa Picciano Franko, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/10/2021. Redacted Transcript Deadline set for 9/20/2021. Release of Transcript Restriction set for 11/18/2021..(Moya, Goretti) (Entered: 08/20/2021)
08/20/2021	<u>27</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 7/26/21 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(Moya, Goretti) (Entered: 08/20/2021)
08/27/2021	<u>28</u>	LETTER addressed to Judge Gregory H. Woods from Alexander J. Hogan dated August 27, 2021 re: status update in advance of August 30, 2021, conference. Document filed by National Institutes of Health..(Hogan, Alexander) (Entered: 08/27/2021)

08/30/2021		Minute Entry for proceedings held before Judge Gregory H. Woods: Telephone Conference held on 8/30/2021. (Court Reporter present) (wv) (Entered: 08/31/2021)
08/31/2021	29	ORDER. On August 30, 2021, the Court held a conference to discuss the status of Defendant's production. The Court understands that Defendant is prepared to produce the seven "high priority" grant proposals by September 3, 2021. For the reasons articulated on the record during that conference, Defendant is ordered to produce the "non-priority" grant proposals no later than November 15, 2021. After producing those materials, Defendant is ordered to produce "other communications" related to the grant proposals on a rolling basis of 300 pages per month, with Defendant's first production of those materials to be made no later than December 15, 2021. The Parties are instructed to submit a joint status letter to the Court no later than December 1, 2021 providing updates with regard to, among other things, the estimated volume of remaining documents for production and Defendant's ability to identify duplicates in processing and producing those documents. The Parties are also instructed to work together to focus Plaintiff's request for "other communications" related to the grant proposals. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 08/31/2021)
11/30/2021	<u>30</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 8/30/2021 before Judge Gregory H. Woods. Court Reporter/Transcriber: Raquel Robles, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/21/2021. Redacted Transcript Deadline set for 1/3/2022. Release of Transcript Restriction set for 2/28/2022..(Moya, Goretti) (Entered: 11/30/2021)
11/30/2021	<u>31</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 8/30/21 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(Moya, Goretti) (Entered: 11/30/2021)
12/01/2021	<u>32</u>	JOINT LETTER addressed to Judge Gregory H. Woods from Debra L. Greenberger dated December 1, 2021 re: status of the parties' efforts to narrow the pool of other communications related to the grant proposals pursuant to this Court's August 31, 2021 Order (Dkt. 29). Document filed by First Look Institute, Inc., Sharon Lerner. (Attachments: # <u>1</u> Exhibit A – August 30, 2021 Conference Transcript).(Greenberger, Debra) (Entered: 12/01/2021)
12/02/2021	33	ORDER. The Court has received the parties' December 1, 2021 joint status update. Dkt. No. 32. The Court will hold a teleconference regarding the issues raised in that joint status update, including whether to increase the rate of Defendant's production, on December 7, 2021 at 4:00 p.m. The parties are directed to the Court's Emergency Rules in Light of COVID-19, which are available on the Court's website, for the dial-in number and other relevant instructions. The parties are specifically directed to comply with Rule 2(C) of the Court's Emergency Rules. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 12/02/2021)
12/07/2021		Minute Entry for proceedings held before Judge Gregory H. Woods: Telephone Conference held on 12/7/2021. (Court Reporter present) (wv) (Entered: 12/08/2021)
12/08/2021	34	ORDER. On December 7, 2021, the Court held a conference to discuss the rate of Defendant's production of communications related to certain NIH grant proposals, as further described in the Court's August 31, 2021 order. See Dkt. No. 29. For the reasons articulated on the record during that conference, the Court orders Defendant to maintain the current rate of production and produce 300 pages per month on a rolling basis as described in the Court's August 31, 2021 order. Dkt. No. 29. The parties are instructed to submit a joint status letter to the Court no later than April 1, 2022 describing the status of Defendant's production. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 12/08/2021)
12/30/2021	<u>35</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 12/7/2021 before Judge Gregory H. Woods. Court Reporter/Transcriber: Samuel Mauro, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court

		Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/20/2022. Redacted Transcript Deadline set for 1/31/2022. Release of Transcript Restriction set for 3/30/2022..(Moya, Goretti) (Entered: 12/30/2021)
12/30/2021	<u>36</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 12/7/21 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(Moya, Goretti) (Entered: 12/30/2021)
04/01/2022	<u>37</u>	LETTER addressed to Judge Gregory H. Woods from Alexander J. Hogan dated April 1, 2022 re: status update. Document filed by National Institutes of Health..(Hogan, Alexander) (Entered: 04/01/2022)
04/04/2022	38	ORDER. The Court has received the parties' April 1, 2022 joint status letter. The Court understands that Defendant anticipates that its production will be completed by May 16, 2022. As proposed in the parties' letter, the parties are ordered to confer and submit a joint status letter setting forth their positions regarding whether there remain issues to be resolved in this litigation, and if so, their respective proposals regarding how to address those issues no later than June 9, 2022. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 04/04/2022)
05/26/2022	<u>39</u>	NOTICE OF APPEARANCE by Christopher Kendrick Connolly on behalf of National Institutes of Health..(Connolly, Christopher) (Entered: 05/26/2022)
05/26/2022	<u>40</u>	NOTICE of withdrawal of appearance. Document filed by National Institutes of Health..(Hogan, Alexander) (Entered: 05/26/2022)
05/26/2022	<u>41</u>	NOTICE of WITHDRAWAL OF APPEARANCE. Document filed by First Look Institute, Inc., Sharon Lerner..(Noble, Victoria) (Entered: 05/26/2022)
06/09/2022	<u>42</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 06/09/2022)
06/09/2022	<u>43</u>	MEMO ENDORSEMENT on re: <u>42</u> Status Report filed by National Institutes of Health. ENDORSEMENT: Application granted. The parties are directed to file a joint status update no late than July 12, 2022. SO ORDERED. (Signed by Judge Gregory H. Woods on 6/9/2022) (va) (Entered: 06/10/2022)
07/12/2022	<u>44</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 07/12/2022)
07/13/2022	45	ORDER. The Court has received the parties' July 12, 2022 status report. Dkt. No. 43. The parties are directed to file another joint status report no later than August 11, 2022. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 07/13/2022)
08/11/2022	<u>46</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 08/11/2022)
08/15/2022	47	ORDER. The Court has received the parties' August 11, 2022 status report. Dkt. No. 46. The parties are directed to file another joint status report no later than September 15, 2022 (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 08/15/2022)
09/15/2022	<u>48</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 09/15/2022)
09/16/2022	49	ORDER. The Court has received the parties' September 15, 2022 status report. Dkt. No. 48. The parties are directed to file another joint status report no later than October 16, 2022. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 09/16/2022)
10/14/2022	<u>50</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 10/14/2022)

10/14/2022	51	ORDER. The Court has received the parties' October 14, 2022 status report. Dkt. No. 50. The parties are directed to file another joint status report no later than November 16, 2022. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 10/14/2022)
11/16/2022	<u>52</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 11/16/2022)
11/17/2022	53	ORDER. The Court has received the parties' November 16, 2022 status report. Dkt. No. 52. The parties are directed to file another joint status report no later than December 15, 2022. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 11/17/2022)
12/15/2022	<u>54</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 12/15/2022)
12/19/2022	55	ORDER. The Court has received the parties' December 15, 2022 status report. Dkt. No. 54. The parties are directed to file another joint status report no later than January 13, 2023. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 12/19/2022)
01/13/2023	<u>56</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 01/13/2023)
01/17/2023	57	ORDER. The Court has received the parties' January 13, 2023 status report. Dkt. No. 56. The parties are directed to file another joint status report no later than February 8, 2023. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 01/17/2023)
02/08/2023	<u>58</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 02/08/2023)
02/09/2023	59	ORDER. The Court has received the parties' February 8, 2023 status report. Dkt. No. 58. The parties are directed to file another joint status report no later than March 8, 2023. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 02/09/2023)
03/08/2023	<u>60</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 03/08/2023)
03/10/2023	61	ORDER. The Court has received the parties' March 8, 2023 status report. Dkt. No. 60. The parties are directed to file another joint status report no later than April 5, 2023. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 03/10/2023)
04/05/2023	<u>62</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 04/05/2023)
04/06/2023	63	ORDER. The Court has received the parties' April 5, 2023. Dkt. No. 62. The parties are directed to file another joint status report no later than May 5, 2023. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (Woods, Gregory) (Entered: 04/06/2023)
05/05/2023	<u>64</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 05/05/2023)
05/08/2023	65	ORDER. The Court has received the parties May 5, 2023 status report. Dkt. No. 64. The parties are directed to file another joint status report no later than June 6, 2023. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 05/08/2023)
06/06/2023	<u>66</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 06/06/2023)
06/07/2023	67	ORDER. In the Court's order dated May 6, 2021, the parties were directed to review and comply with the Court's Individual Rules of Practice in Civil Cases. Dkt. No. 8. Pursuant to the Court's Individual Rule 2(E), parties are required to request a pre-motion conference prior to the filing of any motion for summary judgment. The Court will establish a briefing schedule for any motion for summary judgment

		following receipt of such a letter, when the Court will have more detailed information about the nature of the motion to inform the briefing schedule. The Court declines to adopt the briefing schedule proposed by the parties at this time. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 06/07/2023)
08/16/2023	<u>68</u>	ORDER. The parties are ordered to submit a joint letter to the Court updating the Court on the status of the case no later than September 1, 2023. (HEREBY ORDERED by Judge Gregory H. Woods) (Text Only Order) (wv) (Entered: 08/16/2023)
08/30/2023	<u>69</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 08/30/2023)
08/30/2023	<u>70</u>	MEMO ENDORSEMENT: on re: <u>69</u> Status Report filed by National Institutes of Health. ENDORSEMENT: Application granted. The parties are directed to submit a joint letter to the Court updating the Court on the status of the case no later than October 17, 2023. SO ORDERED. (Signed by Judge Gregory H. Woods on 8/30/2023) (ama) (Entered: 08/30/2023)
10/17/2023	<u>71</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 10/17/2023)
10/17/2023	<u>72</u>	MEMO ENDORSEMENT on re: <u>71</u> Status Report filed by National Institutes of Health. ENDORSEMENT: The Court thanks the parties for their letter. The parties are directed to submit an additional joint letter to the Court updating the Court on the status of the case no later than November 17, 2023. (Signed by Judge Gregory H. Woods on 10/17/2023) (rro) (Entered: 10/17/2023)
11/17/2023	<u>73</u>	STATUS REPORT. Document filed by National Institutes of Health..(Connolly, Christopher) (Entered: 11/17/2023)
11/18/2023	<u>74</u>	ORDER: Accordingly, it is hereby ORDERED that this action be conditionally discontinued without prejudice and without costs; provided, however, that within thirty (30) days of the date of this Order, the parties may submit to the Court their own Stipulation of Settlement and Dismissal. Otherwise, within such time Plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event that the settlement is not consummated. Upon such application for reinstatement, the parties shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket, and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within ten (10) days of the application, to schedule remaining pretrial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event that Plaintiff has not requested restoration of the case to the active calendar within such 30-day period. The Clerk of Court is further directed to terminate all pending motions, adjourn all remaining dates, and to close this case. SO ORDERED. (Signed by Judge Gregory H. Woods on 11/18/2023) (rro) (Entered: 11/20/2023)