

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:22-cv-00670-CRC**

NATIONAL PUBLIC RADIO, INC. et al v. U.S. CENTRAL  
COMMAND et al  
Assigned to: Judge Christopher R. Cooper  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/10/2022  
Date Terminated: 12/15/2023  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**NATIONAL PUBLIC RADIO, INC.**

represented by **Matthew E. Kelley**  
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**Plaintiff**

**PUBLIC BROADCASTING OF  
COLORADO, INC.**  
*doing business as*  
COLORADO PUBLIC RADIO

represented by **Matthew E. Kelley**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Maxwell S. Mishkin**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**U.S. CENTRAL COMMAND**

represented by **John Haberland**  
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*TERMINATED: 05/30/2023*  
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**Defendant**

**U.S. DEPARTMENT OF THE AIR  
FORCE**

represented by **John Haberland**  
(See above for address)  
*TERMINATED: 05/30/2023*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Patrick Doyle**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. DEPARTMENT OF THE ARMY**

represented by **John Haberland**  
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*TERMINATED: 05/30/2023*  
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*ATTORNEY TO BE NOTICED*

**Patrick Doyle**  
(See above for address)  
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Date Filed	#	Docket Text
03/10/2022	<u>1</u>	COMPLAINT against U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY ( Filing fee \$ 402 receipt number ADCDC-9095933) filed by NATIONAL PUBLIC RADIO, INC., PUBLIC BROADCASTING OF COLORADO, INC.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Civil Cover Sheet, # <u>7</u> Summons CENTCOM, # <u>8</u> Summons Army, # <u>9</u> Summons Air Force, # <u>10</u> Summons Attorney General, # <u>11</u> Summons U.S. Attorney)(Mishkin, Maxwell) (Entered: 03/10/2022)
03/10/2022	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by NATIONAL PUBLIC RADIO, INC. (Mishkin, Maxwell) (Entered: 03/10/2022)
03/10/2022	<u>3</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by PUBLIC BROADCASTING OF COLORADO, INC. (Mishkin, Maxwell) (Entered: 03/10/2022)
03/10/2022	<u>4</u>	REQUEST FOR SUMMONS TO ISSUE re <u>1</u> Complaint,, filed by NATIONAL PUBLIC RADIO, INC., PUBLIC BROADCASTING OF COLORADO, INC.. Related document: <u>1</u> Complaint,, filed by PUBLIC BROADCASTING OF COLORADO, INC., NATIONAL PUBLIC RADIO, INC.. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Mishkin, Maxwell) (Entered: 03/10/2022)
03/14/2022		Case Assigned to Judge Christopher R. Cooper. (zsb) (Entered: 03/14/2022)
03/15/2022	<u>5</u>	SUMMONS (5) Issued Electronically as to U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(znmw) (Entered: 03/15/2022)
03/22/2022	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/16/2022.

		Answer due for ALL FEDERAL DEFENDANTS by 4/15/2022. (Mishkin, Maxwell) (Entered: 03/22/2022)
04/08/2022	<u>7</u>	NOTICE of Appearance by John Haberland on behalf of U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY (Haberland, John) (Entered: 04/08/2022)
04/08/2022	<u>8</u>	Consent MOTION for Extension of Time to <i>Answer</i> by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 04/08/2022)
04/12/2022		MINUTE ORDER granting <u>8</u> Motion for Extension of Time. Defendants shall answer or otherwise respond to plaintiffs' complaint by May 16, 2022. Signed by Judge Christopher R. Cooper on 4/12/2022. (lccrc2) (Entered: 04/12/2022)
05/16/2022	<u>9</u>	ANSWER to Complaint by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY.(Haberland, John) (Entered: 05/16/2022)
05/16/2022		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties promptly confer and file a joint proposed schedule for briefing or disclosure by May 31, 2022. Signed by Judge Christopher R. Cooper on 5/16/2022. (lccrc2) (Entered: 05/16/2022)
05/31/2022	<u>10</u>	Joint STATUS REPORT by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 05/31/2022)
06/02/2022		MINUTE ORDER: In light of the parties' <u>10</u> Joint Status Report, the parties shall file a further joint status report with a proposed schedule for production of responsive records by August 1, 2022. Signed by Judge Christopher R. Cooper on 6/2/2022. (lccrc2) (Entered: 06/02/2022)
08/01/2022	<u>11</u>	NOTICE of Appearance by Matthew E. Kelley on behalf of All Plaintiffs (Kelley, Matthew) (Entered: 08/01/2022)
08/01/2022	<u>12</u>	Joint STATUS REPORT by NATIONAL PUBLIC RADIO, INC., PUBLIC BROADCASTING OF COLORADO, INC.. (Kelley, Matthew) (Entered: 08/01/2022)
08/10/2022		MINUTE ORDER: The Court has reviewed the parties' latest <u>9</u> Joint Status Report. The parties are hereby directed to file a further joint status report by September 9, 2022. That report shall include the number of potentially responsive pages U.S. Central Command has identified for review, the anticipated timeline for review and production of that material, and additional detail regarding why U.S. Central Command cannot begin production until January 2023. Signed by Judge Christopher R. Cooper on 8/10/2022. (lccrc2) (Entered: 08/10/2022)
09/09/2022	<u>13</u>	Joint STATUS REPORT by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Declaration)(Haberland, John) (Entered: 09/09/2022)
09/12/2022		MINUTE ORDER: The Court has reviewed the parties' latest <u>13</u> Joint Status Report. At this time, the Court declines to order an increased processing rate for the reasons set forth in the Defendants' section of the Joint Status Report and the attached declaration. The parties shall file a further Joint Status Report by November 1, 2022. Signed by Judge Christopher R. Cooper on 9/12/2022. (lccrc2) (Entered: 09/12/2022)
11/01/2022	<u>14</u>	Joint STATUS REPORT by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 11/01/2022)
11/01/2022		MINUTE ORDER: In light of the parties' <u>14</u> Joint Status Report, the parties shall file a further Joint Status Report by December 2, 2022. Signed by Judge Christopher R. Cooper on 11/1/2022. (lccrc2) (Entered: 11/01/2022)
12/02/2022	<u>15</u>	Joint STATUS REPORT by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 12/02/2022)

12/02/2022		MINUTE ORDER: In light of the parties' <u>15</u> Joint Status Report, the parties shall file a further Joint Status Report by January 3, 2023. Signed by Judge Christopher R. Cooper on 12/2/2022. (lccrc2) (Entered: 12/02/2022)
01/03/2023	<u>16</u>	Joint STATUS REPORT by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 01/03/2023)
01/04/2023		MINUTE ORDER: In light of the parties' <u>16</u> Joint Status Report, the parties shall file a further Joint Status Report by February 15, 2023. Signed by Judge Christopher R. Cooper on 1/4/2023. (lccrc2) (Entered: 01/04/2023)
02/15/2023	<u>17</u>	Joint STATUS REPORT by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 02/15/2023)
02/15/2023		MINUTE ORDER: In light of the parties' <u>17</u> Joint Status Report, the parties shall submit a further report by March 15, 2023. If disputes remain, the parties shall propose a schedule for summary judgment briefing in the March 15 report or an explanation as to why a briefing schedule should not be entered. Signed by Judge Christopher R. Cooper on 2/15/2023. (lccrc2) (Entered: 02/15/2023)
03/15/2023	<u>18</u>	Joint STATUS REPORT by NATIONAL PUBLIC RADIO, INC., PUBLIC BROADCASTING OF COLORADO, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Mishkin, Maxwell) (Entered: 03/15/2023)
03/16/2023		MINUTE ORDER: In light of the parties' <u>18</u> Joint Status Report, the Court adopts the parties' proposed briefing schedule. Defendants' motion for summary judgment shall be submitted by May 12, 2023; Plaintiffs' combined opposition and cross-motion for summary judgment shall be submitted by June 16, 2023; Defendants' combined opposition and reply shall be submitted by July 14, 2023; and Plaintiffs' reply shall be submitted by August 4, 2023. Signed by Judge Christopher R. Cooper on 3/16/2023. (lccrc2) (Entered: 03/16/2023)
03/16/2023		Set/Reset Deadlines: Summary Judgment motions due by 5/12/2023. Response to Motion for Summary Judgment due by 6/16/2023. Cross Motions due by 6/16/2023. Reply to Motion for Summary Judgment due by 7/14/2023. Response to Cross Motions due by 7/14/2023. Reply to Cross Motions due by 8/4/2023. (nbn) (Entered: 03/17/2023)
05/08/2023	<u>19</u>	Consent MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 05/08/2023)
05/09/2023		MINUTE ORDER granting Defendants' <u>19</u> Motion for Extension of Time to File Motion for Summary Judgment. Defendants' motion for summary judgment shall be submitted by June 2, 2023; Plaintiffs' combined opposition and cross-motion for summary judgment shall be submitted by July 7, 2023; Defendants' combined opposition and reply shall be submitted by August 4, 2023; and Plaintiffs' reply shall be submitted by August 25, 2023. Signed by Judge Christopher R. Cooper on 5/9/2023. (lccrc2) (Entered: 05/09/2023)
05/30/2023	<u>20</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Patrick Doyle on behalf of U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY Substituting for attorney John Haberland (Doyle, Patrick) (Entered: 05/30/2023)
05/31/2023	<u>21</u>	Consent MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Doyle, Patrick) (Entered: 05/31/2023)
05/31/2023		MINUTE ORDER granting Defendants' <u>21</u> Motion for Extension of Time to File Motion for Summary Judgment. Defendants' motion for summary judgment shall be submitted by June 23, 2023; Plaintiffs' combined opposition and cross-motion for summary judgment shall be submitted by July 28, 2023; Defendants' combined opposition and reply shall be submitted by August 25, 2023; and Plaintiffs' reply shall

		be submitted by September 15, 2023. Further requests to extend this deadline will be viewed with disfavor and may not be granted. Signed by Judge Christopher R. Cooper on 5/31/2023. (lccrc2) (Entered: 05/31/2023)
06/23/2023	<u>22</u>	MOTION for Summary Judgment by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order, # <u>4</u> Declaration Barroner, # <u>5</u> Declaration Bonsall, # <u>6</u> Declaration Christian, # <u>7</u> Declaration Credle, # <u>8</u> Declaration Heron, # <u>9</u> Declaration Korman, # <u>10</u> Declaration Lowe, # <u>11</u> Declaration Mitchell, # <u>12</u> Declaration Silva, # <u>13</u> Exhibit 1, # <u>14</u> Exhibit 2, # <u>15</u> Exhibit 3)(Doyle, Patrick) (Entered: 06/23/2023)
07/28/2023	<u>23</u>	Memorandum in opposition to re <u>22</u> Motion for Summary Judgment,, filed by NATIONAL PUBLIC RADIO, INC., PUBLIC BROADCASTING OF COLORADO, INC.. (Attachments: # <u>1</u> Response to Defendants' Statement of Undisputed Material Facts, # <u>2</u> Decl. of Maxwell S. Mishkin, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u> Exhibit 13, # <u>16</u> Exhibit 14, # <u>17</u> Proposed Order)(Mishkin, Maxwell) (Entered: 07/28/2023)
07/28/2023	<u>24</u>	Cross MOTION for Summary Judgment by NATIONAL PUBLIC RADIO, INC., PUBLIC BROADCASTING OF COLORADO, INC.. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Statement of Undisputed Material Facts, # <u>3</u> Decl. of Maxwell S. Mishkin, # <u>4</u> Exhibit 1, # <u>5</u> Exhibit 2, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 4, # <u>8</u> Exhibit 5, # <u>9</u> Exhibit 6, # <u>10</u> Exhibit 7, # <u>11</u> Exhibit 8, # <u>12</u> Exhibit 9, # <u>13</u> Exhibit 10, # <u>14</u> Exhibit 11, # <u>15</u> Exhibit 12, # <u>16</u> Exhibit 13, # <u>17</u> Exhibit 14, # <u>18</u> Proposed Order)(Mishkin, Maxwell) (Entered: 07/28/2023)
08/23/2023	<u>25</u>	MOTION for Extension of Time to File Response/Reply as to <u>24</u> Cross MOTION for Summary Judgment by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Doyle, Patrick) (Entered: 08/23/2023)
08/24/2023		MINUTE ORDER granting <u>25</u> Defendants' Motion for Extension of Time to File Response/Reply as to <u>24</u> Plaintiffs' Cross Motion for Summary Judgment and in support of <u>22</u> Defendants' Motion for Summary Judgment. Defendants' combined opposition and reply shall be submitted by September 15, 2023, and Plaintiffs' reply in support of their cross-motion, if any, shall be submitted by October 6, 2023. Further requests to extend this deadline will be viewed with disfavor and may not be granted. Signed by Judge Christopher R. Cooper on 8/24/2023. (lccrc2) (Entered: 08/24/2023)
09/15/2023	<u>26</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>24</u> Cross MOTION for Summary Judgment by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Doyle, Patrick) (Entered: 09/15/2023)
09/18/2023		MINUTE ORDER granting <u>26</u> Defendants' Motion for Extension of Time to File Response/Reply as to <u>24</u> Plaintiffs' Cross Motion for Summary Judgment and in support of <u>22</u> Defendants' Motion for Summary Judgment. Defendants' combined opposition and reply shall be submitted by September 29, 2023, and Plaintiffs' reply in support of their cross-motion, if any, shall be submitted by October 20, 2023. Signed by Judge Christopher R. Cooper on 9/18/2023. (lccrc2) (Entered: 09/18/2023)
09/29/2023	<u>27</u>	REPLY to opposition to motion re <u>22</u> MOTION for Summary Judgment , <u>24</u> Cross MOTION for Summary Judgment filed by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Declaration, # <u>2</u> Statement of Facts)(Doyle, Patrick) (Entered: 09/29/2023)
09/29/2023	<u>28</u>	Memorandum in opposition to re <u>24</u> Motion for Summary Judgment,, filed by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Declaration, # <u>2</u> Statement of Facts)(Doyle, Patrick) (Entered: 09/29/2023)
10/13/2023	<u>29</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>24</u> Cross MOTION for Summary Judgment by NATIONAL PUBLIC RADIO, INC., PUBLIC BROADCASTING OF COLORADO, INC.. (Attachments: # <u>1</u> Text of Proposed

		Order)(Mishkin, Maxwell) (Entered: 10/13/2023)
10/16/2023		MINUTE ORDER granting <u>29</u> Plaintiffs' Motion for Extension of Time to File Response/Reply. Plaintiffs' reply in support of <u>24</u> Plaintiffs' Cross Motion for Summary Judgment shall be due by November 17, 2023. No further extensions of this deadline will be granted. Signed by Judge Christopher R. Cooper on 10/16/2023. (lccrc2) (Entered: 10/16/2023)
11/16/2023	<u>30</u>	Joint STATUS REPORT by NATIONAL PUBLIC RADIO, INC., PUBLIC BROADCASTING OF COLORADO, INC.. (Mishkin, Maxwell) (Entered: 11/16/2023)
11/17/2023		MINUTE ORDER: In light of the parties' <u>30</u> Joint Status Report, the Court hereby vacates the deadline set forth in its October 16, 2023 minute order. The parties shall submit a joint status report on or by December 18, 2023, unless this case is dismissed before that date. Signed by Judge Christopher R. Cooper on 11/17/2023. (lccrc2) (Entered: 11/17/2023)
12/15/2023	<u>31</u>	STIPULATION of Dismissal by U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF THE AIR FORCE, U.S. DEPARTMENT OF THE ARMY. (Doyle, Patrick) (Entered: 12/15/2023)
12/15/2023		MINUTE ORDER: In light of <u>31</u> Stipulation of Dismissal, this case is hereby dismissed with prejudice. Signed by Judge Christopher R. Cooper on 12/15/2023. (lccrc2) (Entered: 12/15/2023)