

**Live Database**  
**U.S. District Court – Eastern District of Tennessee (Knoxville)**  
**CIVIL DOCKET FOR CASE #: 3:22-cv-00359-CEA-DCP**

Center For Biological Diversity v. Tennessee Valley Authority  
Assigned to: District Judge Charles E Atchley, Jr  
Referred to: Magistrate Judge Debra C Poplin  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/11/2022  
Date Terminated: 12/19/2023  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Center For Biological Diversity**

represented by **Rachel L Wolf**  
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V.

**Defendant**

**Tennessee Valley Authority**

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Date Filed	#	Docket Text
10/11/2022	<u>1</u>	COMPLAINT against Center For Biological Diversity ( Filing fee \$ 402 receipt number ATNEDC-5191349.), filed by Center For Biological Diversity. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons TVA Summons, # <u>3</u> Summons US Atty Summons, # <u>4</u> Summons US Atty Gen Summons)(Crystal, Howard) (Entered: 10/11/2022)
10/11/2022	<u>2</u>	Certificate of Corporate Interest by Center For Biological Diversity. (Crystal, Howard) (Entered: 10/11/2022)
10/11/2022	<u>3</u>	NOTICE of Appearance by Rachel L Wolf on behalf of Center For Biological Diversity (Wolf, Rachel) (Entered: 10/11/2022)
10/11/2022	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice ( Filing fee \$ 90 receipt number ATNEDC-5192639.) by Center For Biological Diversity. (Crystal, Howard) (Entered: 10/11/2022)
10/12/2022		District Judge Charles E Atchley, Jr and Magistrate Judge Jill E McCook added. (JCK) (Entered: 10/12/2022)
10/12/2022	<u>5</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: 10/12/2022)
10/12/2022		Clerk's Verification of PHV Requirements is complete <i>regarding document: 4 MOTION for Leave to Appear Pro Hac Vice ( Filing fee \$ 90 receipt number ATNEDC-5192639.)</i> filed by Center For Biological Diversity (JCK) (Entered: 10/12/2022)
10/12/2022	<u>6</u>	Order Governing Depositions Signed by District Judge Charles E Atchley, Jr on 10/12/2022. (JCK) (Entered: 10/12/2022)
10/12/2022	<u>7</u>	Order Governing Motions To Dismiss Signed by District Judge Charles E Atchley, Jr on 10/12/2022. (JCK) (Entered: 10/12/2022)
10/12/2022	<u>8</u>	Order Governing Sealing Confidential Information Signed by District Judge Charles E Atchley, Jr on 10/12/2022. (JCK) (Entered: 10/12/2022)
10/12/2022	<u>9</u>	ORDER OF RECUSAL.Signed by Magistrate Judge Jill E McCook on October 12, 2022. (AYB) (Entered: 10/12/2022)
10/13/2022		Magistrate Judge Debra C Poplin added. Magistrate Judge Jill E McCook no longer assigned to case. (DJH) (Entered: 10/13/2022)
10/13/2022	<u>10</u>	ORDER Pursuant to 28 U.S.C. § 455, the Honorable Jill E. McCook, United States Magistrate Judge, has recused herself in this action. Accordingly, it is hereby ORDERED that this case is REASSIGNED to the Honorable Debra C. Poplin, United States Magistrate Judge, 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 10/13/2022. (DJH) (Entered: 10/13/2022)
10/17/2022	<u>11</u>	ORDER granting <u>4</u> Motion for Leave to Appear Pro Hac Vice. You MUST register as an E-Filer here: <a href="https://pacer.psc.uscourts.gov/pscwf/regWizard.jsf">https://pacer.psc.uscourts.gov/pscwf/regWizard.jsf</a> . Signed by Magistrate Judge Debra C. Poplin on 10/17/2022. (This entry constitutes the complete Order of the Court.) (AGA) (Entered: 10/17/2022)
11/15/2022	<u>12</u>	SUMMONS Returned Executed by Center For Biological Diversity. Tennessee Valley Authority served on 11/7/2022. (Crystal, Howard) (Entered: 11/15/2022)
11/16/2022	<u>13</u>	NOTICE by Center For Biological Diversity <i>Summons Return Executed As To U.S. Attorney (served 10/17/22)</i> (Crystal, Howard) (Entered: 11/16/2022)
11/16/2022	<u>14</u>	NOTICE by Center For Biological Diversity <i>Summons Return Executed As To United States Attorney General (served 10/24/22)</i> (Crystal, Howard) (Entered: 11/16/2022)

11/23/2022	<u>15</u>	ANSWER to <u>1</u> Complaint, by Tennessee Valley Authority. (Attachments: # <u>1</u> Exhibit FOIA Request – Board, # <u>2</u> Exhibit FOIA Request – Executives, # <u>3</u> Exhibit TVA Response – Board, # <u>4</u> Exhibit TVA Response – Executives, # <u>5</u> Exhibit TVA FOIA Website, # <u>6</u> Exhibit TVA Appeal Response)(Chin, Steven) (Entered: 11/23/2022)
11/23/2022	<u>16</u>	ORDER: The parties are ordered to confer and return the attached form within the time provided.Signed by District Judge Charles E Atchley, Jr on 11/23/22. (Attachments: # <u>1</u> Other Notice of Consent/Non-Consent) (ABF) (Entered: 11/23/2022)
01/06/2023	<u>17</u>	NOTICE OF NONCONSENT <i>To Proceeding Before A Magistrate</i> by Center For Biological Diversity (Crystal, Howard) (Entered: 01/06/2023)
01/06/2023	<u>18</u>	STATUS REPORT <i>Joint Status Report</i> by Center For Biological Diversity. (Attachments: # <u>1</u> Proposed Order)(Crystal, Howard) (Entered: 01/06/2023)
02/28/2023	<u>19</u>	ORDER The parties are ON NOTICE that failure to comply with the terms of this Order may result in the imposition of sanctions pursuant to Fed. R. Civ. P. 16(f).Signed by District Judge Charles E Atchley, Jr on 2/28/2023. (DJH) (Entered: 02/28/2023)
03/21/2023	<u>20</u>	REPORT of Rule 26(f) Planning Meeting. (Chin, Steven) (Entered: 03/21/2023)
05/08/2023	<u>21</u>	STIPULATION re <u>20</u> Report of Rule 26(f) Planning Meeting <i>Joint Stipulation to Amend Proposed Briefing Schedule for Filing Dispositive Motions</i> by Tennessee Valley Authority. (Chin, Steven) (Entered: 05/08/2023)
05/25/2023	<u>22</u>	SCHEDULING ORDER: Defendants summary judgment motion shall be filed on or before August 21, 2023. Plaintiffs cross motion for summary judgment and response brief shall be filed on or before September 21, 2023. Defendants opposition and reply brief shall be filed on or before October 12, 2023. Plaintiffs reply brief shall be filed on or before October 26, 2023. All briefs shall be limited to no more than 25 pages.Signed by District Judge Charles E Atchley, Jr. on 5/25/2023. (AML) (Entered: 05/25/2023)
08/01/2023	<u>23</u>	Joint MOTION to Amend/Revise <u>22</u> Scheduling Order., by Tennessee Valley Authority. (Attachments: # <u>1</u> Supplement Proposed Order)(Chin, Steven) (Entered: 08/01/2023)
08/02/2023	<u>24</u>	AMENDED SCHEDULING ORDER: The Court received a Joint Motion to Amend/Revise Scheduling Order [Doc. 23] from the parties in the above captioned matter. For good cause shown, the Joint Motion will be GRANTED. This Amended Scheduling Order REPLACES and SUPPLANTS the prior Scheduling Order [Doc. 22] entered in this case as to the following changes. All other provisions of the Scheduling Order [Doc. 22] remain unchanged.Signed by District Judge Charles E Atchley, Jr on 8/2/2023. (DJH) (Entered: 08/02/2023)
10/10/2023	<u>25</u>	Joint MOTION to Amend/Revise <u>24</u> Scheduling Order., by Tennessee Valley Authority. (Attachments: # <u>1</u> Supplement Proposed Order)(Chin, Steven) (Entered: 10/10/2023)
10/11/2023	<u>26</u>	ORDER granting <u>25</u> Motion to Amend/Correct. Signed by District Judge Charles E Atchley, Jr on October 11, 2023. (SAC) (Entered: 10/11/2023)
11/09/2023	<u>27</u>	NOTICE OF SETTLEMENT by Tennessee Valley Authority Parties did not participate in mediation/arbitration. (Chin, Steven) (Entered: 11/09/2023)
11/13/2023	<u>28</u>	ORDER re <u>27</u> Notice of Settlement. Parties are ORDERED to file a stipulation of dismissal on or before December 22, 2023. Signed by District Judge Charles E Atchley, Jr. on 11/13/2023. (AML) (Entered: 11/13/2023)
12/19/2023	<u>29</u>	STIPULATION of Dismissal case by Center For Biological Diversity. (Crystal, Howard) (Entered: 12/19/2023)