

**U.S. District Court  
Southern District of Florida (Miami)  
CIVIL DOCKET FOR CASE #: 1:23-cv-24284-RKA**

Associated Energy Group, LLC v. Department of Defense et al  
Assigned to: Judge Roy K. Altman  
Referred to: Magistrate Judge Jacqueline Becerra  
Cause: 05:0552 Freedom of Information Act

Date Filed: 11/08/2023  
Date Terminated: 01/17/2024  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Associated Energy Group, LLC**

represented by **Geraldine Patrizia Asher**  
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V.

**Defendant**

**Department of Defense**  
Secretary of Defense  
c/o General Counsel, Department of  
Defense  
U.S. Department of Defense  
1000 Defense Pentagon, DC 20301-1000  
United Sta

represented by **Carlos Javier Raurell**  
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**Defendant**

**Defense Logistics Agency**  
Director, Defense Logistics Agency  
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United Sta

represented by **Carlos Javier Raurell**  
(See above for address)  
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Date Filed	#	Docket Text
11/08/2023	<u>1</u>	COMPLAINT ( <i>FREEDOM OF INFORMATION ACT</i> ) against All Defendants. Filing fees \$ 402.00 receipt number AFLSDC-17058970, filed by ASSOCIATED ENERGY GROUP, LLC. (Attachments: # <u>1</u> Exhibit AEG Request, # <u>2</u> Civil Cover Sheet AEG FOIA Civil Cover Sheet, # <u>3</u> Summon(s) DOD Summons, # <u>4</u> Summon(s) DLA Summons, # <u>5</u> Summon(s) US Attorney Summons, # <u>6</u> Summon(s) AG Summons)(Roberts, Joel) (Entered: 11/08/2023)
11/08/2023	2	Clerk's Notice of Judge Assignment to Judge Roy K. Altman and Magistrate Judge Jacqueline Becerra.  Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Jacqueline Becerra is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent.  Pro se (NON-PRISONER) litigants may receive Notices of Electronic Filings (NEFS) via email after filing a Consent by Pro Se Litigant (NON-PRISONER) to Receive Notices of Electronic Filing. The consent form is available under the forms section of our website. (caw) (Entered: 11/09/2023)
11/09/2023	<u>3</u>	Summons Issued as to Defense Logistics Agency, Department of Defense, U.S. Attorney and U.S. Attorney General. (caw) (Entered: 11/09/2023)
11/09/2023	4	Plaintiff's Certificate of Other Affiliates/Corporate Disclosure Statement by ASSOCIATED ENERGY GROUP, LLC (Roberts, Joel) (Entered: 11/09/2023)
11/09/2023	<u>5</u>	Bar Letter re: Admissions sent to attorney Todd J. Canni and Kevin Barnett, mailing date November 9, 2023, (pt) (Entered: 11/09/2023)
11/13/2023	<u>6</u>	ORDER IN CASES WITH MULTIPLE DEFENDANTS. Signed by Judge Roy K. Altman on 11/13/2023. <i>See attached document for full details.</i> (caw) (Entered: 11/13/2023)
11/14/2023	<u>7</u>	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Kevin T. Barnett. Filing Fee \$ 200.00 Receipt # AFLSDC-17071252 by Associated Energy Group, LLC. Responses due by 11/28/2023 (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Roberts, Joel) (Entered: 11/14/2023)
11/14/2023	<u>8</u>	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Todd J. Canni. Filing Fee \$ 200.00 Receipt # AFLSDC-17071296 by Associated Energy Group, LLC. Responses due by 11/28/2023 (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Roberts, Joel) (Entered: 11/14/2023)
11/15/2023	9	<b>PAPERLESS ORDER granting <u>7</u> and <u>8</u></b> , the Motions to Appear <i>Pro Hac Vice</i> , Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing. Kevin T. Barnett and Todd J. Canni may appear and participate in this action on behalf of the Plaintiff, Associated Energy Group, LLC. The Clerk of Court shall provide electronic notification of all electronic filings to kbarnett@bakerlaw.com and tcanni@bakerlaw.com. Signed by Judge Roy K. Altman on 11/15/2023. (lcr) (Entered: 11/15/2023)

12/01/2023	<u>10</u>	NOTICE of Filing Proposed Summons(es) <i>Notice of Service of Summons and Complaint – U.S. Attorney General</i> by Associated Energy Group, LLC re <u>3</u> Summons Issued as to USA, <u>1</u> Complaint, filed by Associated Energy Group, LLC (Roberts, Joel) (Entered: 12/01/2023)
12/01/2023	<u>11</u>	NOTICE of Filing Proposed Summons(es) <i>Notice of Service of Summons and Complaint – Secretary of Defense</i> by Associated Energy Group, LLC re <u>3</u> Summons Issued as to USA, <u>1</u> Complaint, filed by Associated Energy Group, LLC (Roberts, Joel) (Entered: 12/01/2023)
12/01/2023	<u>12</u>	NOTICE of Filing Proposed Summons(es) <i>Notice of Service of Summons and Complaint – U.S. Attorney SDF</i> by Associated Energy Group, LLC re <u>3</u> Summons Issued as to USA, <u>1</u> Complaint, filed by Associated Energy Group, LLC (Roberts, Joel) (Entered: 12/01/2023)
12/01/2023	<u>13</u>	NOTICE of Filing Proposed Summons(es) <i>Notice of Service of Summons and Complaint – Director Defense Logistics Agency</i> by Associated Energy Group, LLC re <u>3</u> Summons Issued as to USA, <u>1</u> Complaint, filed by Associated Energy Group, LLC (Roberts, Joel) (Entered: 12/01/2023)
12/01/2023	14	SUMMONS (Affidavit) Returned Executed by Associated Energy Group, LLC. U.S. Attorney General served on 11/24/2023, response/answer due 1/23/2024. See DE <u>10</u> for image. (ebz) (Entered: 12/04/2023)
12/01/2023	15	SUMMONS (Affidavit) Returned Executed by Associated Energy Group, LLC. Department of Defense served on 11/22/2023, response/answer due 1/22/2024. See DE <u>11</u> for image. (ebz) (Entered: 12/04/2023)
12/01/2023	16	SUMMONS (Affidavit) Returned Executed by Associated Energy Group, LLC. U.S. Attorney served on 11/21/2023, response/answer due 1/22/2024. See DE <u>12</u> for image. (ebz) (Entered: 12/04/2023)
12/01/2023	17	SUMMONS (Affidavit) Returned Executed by Associated Energy Group, LLC. Defense Logistics Agency served on 11/15/2023, response/answer due 1/16/2024. See DE <u>13</u> for image. (ebz) (Entered: 12/04/2023)
12/01/2023	18	Clerk's Notice to Filer re <u>11</u> Notice of Filing Proposed Summons(es), <u>10</u> Notice of Filing Proposed Summons(es), <u>12</u> Notice of Filing Proposed Summons(es), <u>13</u> Notice of Filing Proposed Summons(es) <b>Wrong Event Selected; ERROR – The Filer selected the wrong event. The document was re–docketed by the Clerk, see 14 Summons Returned Executed as to USA, 15 Summons Returned Executed as to USA, 16 Summons Returned Executed as to USA, 17 Summons Returned Executed as to USA. It is not necessary to refile this document.</b> (ebz) (Entered: 12/04/2023)
12/06/2023	<u>19</u>	MOTION to Amend/Correct <i>Deadline for Defendants' Response/Answer</i> by Associated Energy Group, LLC. Responses due by 12/20/2023 (Roberts, Joel) (Entered: 12/06/2023)
12/06/2023	20	<b>PAPERLESS ORDER granting in part <u>19</u></b> the Plaintiff's Motion for a Corrected Deadline for Defendants' Response/Answer. Under the Freedom of Information Act ("FOIA"), a government agency has thirty days after service of the complaint to file an answer. <i>See</i> 5 U.S.C. § 552(a)(4)(C) ("Notwithstanding any other provision of law, the defendant shall serve an answer or otherwise plead to any complaint made under this subsection within thirty days after service upon the defendant of the pleading in which such complaint is made, unless the court otherwise directs for good cause shown."). Our Multiple Defendants Order, <i>see</i> <u>6</u> , provides that "[t]he time for responsive pleadings — for all Defendants — begins to run once all Defendants have either (1) been served or (2) waived service." <i>Id.</i> at 6. Here, the Department of Defense was served on November 22, 2023. <i>See</i> <u>11</u> Notice of Service. Thus the deadline for both Defendants to respond is <b>December 22, 2023</b> . Signed by Judge Roy K. Altman on 12/6/2023. (lcr) (Entered: 12/06/2023)
12/06/2023	<u>21</u>	NOTICE of Attorney Appearance by Geraldine Patrizia Asher on behalf of Associated Energy Group, LLC. Attorney Geraldine Patrizia Asher added to party Associated Energy Group, LLC(pty:pla). (Asher, Geraldine) (Entered: 12/06/2023)
12/19/2023	<u>22</u>	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to <u>1</u> Complaint, by Defense Logistics Agency, Department of Defense. Attorney Carlos

		Javier Raurell added to party Defense Logistics Agency(pty:dft), Attorney Carlos Javier Raurell added to party Department of Defense(pty:dft). (Raurell, Carlos) (Entered: 12/19/2023)
12/19/2023	<u>23</u>	<b>PAPERLESS ORDER granting <u>22</u></b> the Defendants' Unopposed Motion for Extension of Time. The Defendants shall respond to the Plaintiffs Complaint by January 22, 2024. Signed by Judge Roy K. Altman on 12/19/2023. (lcr) (Entered: 12/19/2023)
01/17/2024	<u>24</u>	Second MOTION for Extension of Time to File Response/Reply/Answer as to <u>1</u> Complaint, by Defense Logistics Agency, Department of Defense. (Raurell, Carlos) (Entered: 01/17/2024)
01/17/2024	<u>25</u>	<p><b>PAPERLESS ORDER granting in part <u>8</u></b> the Defendants' Unopposed Motion for Extension of Time to Respond to Complaint (the "Motion"). This is a Freedom of Information Act ("FOIA") case, in which the Plaintiff "requests that this Court enter a judgment for Plaintiff... [o]rder[ing] Defendants, by a date certain, to produce all non-exempt records or portions of records responsive to Plaintiff's [FOIA] request and a <i>Vaughn</i> index of any withheld records or portions of records." <i>Id.</i> at 9. The Defendants — the U.S. Department of Defense and its component, Defense Logistics Agency ("DLA") — tell us that "DLA has now completed its search for responsive material and is nearing completion of its review of the material it has located. Defendant DLA expects to issue its final response, including production of non-exempt responsive records, to Plaintiff on or before January 31, 2024. The Defendant agency believes that its response to the pending FOIA request will render moot Plaintiff's Complaint in this action. Accordingly, to allow time for the issuance of the agency's final response and Plaintiff's review of the same, Defendant respectfully requests another extension of 30 days, through February 21, 2024, to respond to Plaintiffs Complaint if necessary." <i>Id.</i> at 1–2.</p> <p>Because the Defendant plans to "issue its final response, including production of non-exempt responsive records" by January 31, 2024, we don't think it makes sense to order the Defendants to respond to the Complaint by February 21, 2024. Therefore, by January 31, 2024, the Defendants shall file a notice on the docket telling us whether they've "complete[d] processing [the] Plaintiff's June 22, 2023 FOIA request and produce[d] all non-exempt material." <i>Id.</i> at 1. In the meantime, the Defendants' deadline to respond to the Complaint is <b>STAYED</b>. The Clerk of Court is directed to <b>CLOSE</b> this case for administrative purposes.</p> <p>Signed by Judge Roy K. Altman on 1/17/2024. (lcr) (Entered: 01/17/2024)</p>
01/17/2024		Civil Case Terminated per DE 25 Order. Closing Case. (kpe) (Entered: 01/18/2024)
01/31/2024	<u>26</u>	Defendant's NOTICE OF ISSUANCE OF FINAL RESPONSE AND PRODUCTION OF NON-EXEMPT MATERIAL RESPONSIVE TO PLAINTIFFS FOIA REQUEST by Defense Logistics Agency, Department of Defense re 25 Order on Motion for Extension of Time to File Response/Reply/Answer,,,,,, (Attachments: # <u>1</u> Exhibit Final FOIA Response Letter, # <u>2</u> Exhibit Responsive Records) (Raurell, Carlos) (Entered: 01/31/2024)