

**United States District Court
Northern District of Illinois – CM/ECF NextGen 1.7.1.1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:23-cv-04599**

Aland v. U.S Department of the Interior, et al
Assigned to: Honorable LaShonda A. Hunt
Cause: 05:552 Freedom of Information Act

Date Filed: 07/17/2023
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Robert H. Aland**

represented by **Robert H. Aland**
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PRO SE

V.

Defendant**U.S Department of the Interior**

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Defendant**U.S. Fish & Wildlife Service**

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Date Filed	#	Docket Text
07/17/2023	<u>1</u>	COMPLAINT filed by Robert H. Aland. (Exhibits) (rc,) (Entered: 07/17/2023)
07/17/2023	<u>2</u>	CIVIL Cover Sheet. (rc,) (Entered: 07/17/2023)
07/17/2023	<u>3</u>	PRO SE Appearance by Plaintiff Robert H. Aland. (rc,) (Entered: 07/17/2023)
07/17/2023	<u>5</u>	SUMMONS Issued as to U.S Department of the Interior, U.S. Fish & Wildlife Service, U.S. Attorney, and U.S. Attorney General. (rc,) (Additional attachment(s) added on

		7/17/2023: # <u>1</u> (Entered: 07/17/2023)
07/17/2023		CASE ASSIGNED to the Honorable LaShonda A. Hunt. Designated as Magistrate Judge the Honorable Young B. Kim. Case assignment: Random assignment. (rc,) (Entered: 07/17/2023)
07/17/2023		CLERK'S NOTICE: Pursuant to Local Rule 73.1(b), a United States Magistrate Judge of this court is available to conduct all proceedings in this civil action. If all parties consent to have the currently assigned United States Magistrate Judge conduct all proceedings in this case, including trial, the entry of final judgment, and all post-trial proceedings, all parties must sign their names on the attached <u>Consent To form. This consent form is eligible for filing only if executed by all parties. The parties can also express their consent to jurisdiction by a magistrate judge in any joint filing, including the Joint Initial Status Report or proposed Case Management Order.</u> (rc,) (Entered: 07/17/2023)
07/20/2023	<u>6</u>	MINUTE entry before the Honorable LaShonda A. Hunt: This case has been assigned to the calendar of Judge LaShonda A. Hunt. The parties are ordered to file a Joint Initial Status Report for New Case by 10/3/23. A template for the report can be found on Judge Hunt's webpage on the Court's website under "New and Reassigned Cases." A telephonic initial status hearing is set for 10/10/23, at 10:00 AM. Attorneys/Parties should appear for the hearing by calling the Toll-Free Number: 877-336-1828, Access Code: 4082461. Members of the public and media may call in to listen to the hearing. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting court proceedings. Emailed notice. (cdh,) (Entered: 07/20/2023)
08/04/2023	<u>7</u>	Entered in Error. (rc,) Modified on 8/10/2023 (rc,). (Entered: 08/10/2023)
08/04/2023	<u>9</u>	AFFIDAVIT PROVING SERVICE Returned Executed by Robert H. Aland as to U.S Department of the Interior served on 7/17/2023, answer due 9/15/2023; U.S. Fish & Wildlife Service served on 7/17/2023, answer due 9/15/2023. (Attachments) (Received for Docketing 08/09/2023) (rc,) (Entered: 08/10/2023)
08/10/2023	<u>8</u>	NOTICE of Correction regarding summons issued,, summons issued as to USA, <u>7</u> . (rc,) (Entered: 08/10/2023)
08/16/2023	<u>10</u>	DESIGNATION of Sarah Fattahi Terman as U.S. Attorney for Defendant U.S Department of the Interior (Terman, Sarah) (Entered: 08/16/2023)
08/16/2023	<u>11</u>	ANSWER to Complaint by U.S Department of the Interior(Terman, Sarah) (Entered: 08/16/2023)
09/27/2023	<u>12</u>	MOTION by Plaintiff Robert H. Aland(1) more definite statement; (2) Adequate searches; , (3) limited discovery, (4) Vaughn Index; (5) in camera review; and , (6) records production. (Exhibits) (rc,) (Entered: 09/28/2023)
09/29/2023	<u>13</u>	MINUTE entry before the Honorable LaShonda A. Hunt: Plaintiff's motion (1) more definite statement; (2) Adequate searches; (3) limited discovery; (4) Vaughn Index; (5) in camera review; and (6) records production <u>12</u> will be heard at the initial status hearing currently set for 10/10/23. The initial status report date of 10/3/23 remains set. Emailed notice. (cdh,) (Entered: 09/29/2023)
10/03/2023	<u>14</u>	STATUS Report (<i>Joint</i>) by U.S Department of the Interior, U.S. Fish & Wildlife Service (Terman, Sarah) (Entered: 10/03/2023)
10/06/2023	<u>15</u>	MINUTE entry before the Honorable LaShonda A. Hunt: Plaintiff's motion (1) more definite statement; (2) Adequate searches; (3) limited discovery; (4) Vaughn Index; (5) in camera review; and (6) records production <u>12</u> and the initial status set for 10/10/23 at 10:00 AM is reset to 10/10/23 at 9:45 AM. Time change only. Attorneys/Parties should appear for the hearing by calling the Toll-Free Number: 877-336-1828,

		Access Code: 4082461. Members of the public and media may call in to listen to the hearing. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting court proceedings. Emailed notice. (cdh,) (Entered: 10/06/2023)
10/10/2023	<u>16</u>	MINUTE entry before the Honorable LaShonda A. Hunt: Motion hearing held telephonically. For all the reasons stated on the record, Plaintiff's Motion for (1) a More Definite Statement <u>1</u> ; (2) Adequate searches; (3) limited discovery; (4) Vaughn Index; (5) in camera review; and (6) records production <u>12</u> is denied without prejudice. By 10/20/23, parties are directed to meet and confer on 1) the administrative appeal process; 2) scope and topics of discovery sought in this lawsuit; 3) whether the government agrees to voluntarily provide the information the plaintiff; 4) any other case-management or scheduling issues the parties wish to raise, and file a joint status report. The Court will set further dates after reviewing the parties' submission. Emailed notice. (cdh,) (Entered: 10/10/2023)
10/19/2023	<u>17</u>	STATUS Report (<i>Joint</i>) by U.S Department of the Interior (Terman, Sarah) (Entered: 10/19/2023)
10/20/2023	<u>18</u>	MINUTE entry before the Honorable LaShonda A. Hunt: The Court has reviewed the parties' joint status report <u>17</u> . A telephonic status hearing is set for 10/31/23, at 10:30 AM. Attorneys/Parties should appear for the hearing by calling the Toll-Free Number: 877-336-1828, Access Code: 4082461. Members of the public and media may call in to listen to the hearing. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting court proceedings. Emailed notice. (cdh,) (Entered: 10/20/2023)
10/30/2023	<u>19</u>	MINUTE entry before the Honorable LaShonda A. Hunt: Due to an unanticipated scheduling conflict, the Court must reset the telephonic hearing currently scheduled for 10/31/23, to 11/9/23, at 10:00 AM. The Court apologizes to the parties and their attorneys for any inconvenience. Attorneys/Parties should appear for the hearing by calling the Toll-Free Number: 877-336-1828, Access Code: 4082461. Members of the public and media may call in to listen to the hearing. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting court proceedings. Emailed notice. (cdh,) (Entered: 10/30/2023)
11/09/2023	<u>20</u>	MINUTE entry before the Honorable LaShonda A. Hunt: Motion hearing held telephonically. Briefing schedule on the anticipated motion for summary judgment is as follows: Defendants' brief and supporting materials are due by 12/11/23. Plaintiff's oral request to respond within seven days is permitted; Plaintiff's response brief in opposition and supporting materials are due by 12/18/23. Defendants' reply brief and supporting materials are due by 1/16/24. The Court will issue a ruling by mail. Emailed notice. (cdh,) (Entered: 11/09/2023)
12/11/2023	<u>21</u>	MOTION by Defendants U.S Department of the Interior, U.S. Fish & Wildlife Service for summary judgment (Terman, Sarah) (Entered: 12/11/2023)
12/11/2023	<u>22</u>	MEMORANDUM <i>in Support of Motion for Summary Judgment</i> (Terman, Sarah) (Entered: 12/11/2023)
12/11/2023	<u>23</u>	RULE 56 Statement <i>in Support of Motion for Summary Judgment</i> (Attachments: # <u>1</u> Exhibit A. FOIA request, # <u>2</u> Exhibit B. Willis declaration, # <u>3</u> Exhibit C. No records response, # <u>4</u> Exhibit D. Fairman declaration, # <u>5</u> Exhibit E. FOIA response 1, # <u>6</u> Exhibit F. FOIA response 2, # <u>7</u> Exhibit G. Appeal, # <u>8</u> Exhibit H. Strayhorn declaration, # <u>9</u> Exhibit I. FOIA response 3, # <u>10</u> Exhibit J. FOIA response 4, # <u>11</u> Exhibit K. Vaughn index, # <u>12</u> Exhibit L. FOIA response 5)(Terman, Sarah) (Entered: 12/11/2023)
12/11/2023	<u>24</u>	Notice to Pro Se Litigant by U.S Department of the Interior, U.S. Fish & Wildlife Service (Terman, Sarah) (Entered: 12/11/2023)
12/12/2023	<u>25</u>	MINUTE entry before the Honorable LaShonda A. Hunt: Defendant's Motion for Summary Judgment <u>21</u> is taken under advisement for ruling by mail. The briefing

		schedule set by the Court on 11/9/2023 <u>20</u> stands. Plaintiff's response brief in opposition and supporting materials are due by 12/18/2023. Defendant's reply brief and supporting materials are due by 1/16/2024. Emailed notice. (cdh,) (Entered: 12/12/2023)
12/17/2023	<u>26</u>	UNOPPOSED MOTION by Plaintiff Robert H. Aland for extension of deadline. (rc,) (Entered: 12/18/2023)
12/19/2023	<u>27</u>	MINUTE entry before the Honorable LaShonda A. Hunt: Plaintiff's Unopposed Motion for Extension of Deadline <u>26</u> is granted. Parties are reminded that all motions must be noticed for presentment before Judge Hunt in accordance with her case management procedures. Emailed notice. (cdh,) (Entered: 12/19/2023)
12/21/2023	<u>28</u>	MEMORANDUM of Law by Robert H. Aland in Opposition to defendant's motion for summary judgment <u>21</u> . (Exhibits) (rc,) (Entered: 12/22/2023)
12/21/2023	<u>29</u>	RESPONSE by Plaintiff Robert H. Aland to defendant's Local Rule 56 statement, <u>23</u> . (rc,) (Entered: 12/22/2023)
12/21/2023	<u>30</u>	STATEMENT by Robert H. Aland Local Rule 56.1(B)(3) Statement of additional material facts. (rc,) (Entered: 12/22/2023)
12/22/2023	<u>31</u>	CERTIFICATE of Service by Plaintiff Robert H. Aland regarding memorandum in opposition to motion <u>28</u> , statement <u>30</u> , Response <u>29</u> . (rc,) (Entered: 12/26/2023)
12/28/2023	<u>32</u>	<u>ANNUAL REMINDER: Pursuant to Local Rule 3.2 (Notification of Affiliates), any nongovernmental party, other than an individual or sole proprietorship, must file a statement identifying all its affiliates known to the party after diligent review or, if the party has identified no affiliates, then a statement reflecting that fact must be filed. An affiliate is defined as follows: any entity or individual owning, directly or indirectly (through ownership of one or more other entities), 5% or more of a party. The statement is to be electronically filed as a PDF in conjunction with entering the affiliates in CM/ECF as prompted. As a reminder to counsel, parties must supplement their statements of affiliates within thirty (30) days of any change in the information previously reported. This minute order is being issued to all counsel of record to remind counsel of their obligation to provide updated information as to additional affiliates if such updating is necessary. If counsel has any questions regarding this process, this LINK will provide additional information. Signed by the Executive Committee on 12/28/2023; Mailed notice. (tg,) (Entered: 12/28/2023)</u>
01/07/2024	<u>33</u>	MOTION by Plaintiff Robert H. Aland for leave to file. (rc,) (Entered: 01/08/2024)
01/07/2024	<u>34</u>	MEMORANDUM by Robert H. Aland in Opposition to defendant's motion for summary judgment <u>33</u> . (rc,) (Entered: 01/08/2024)
01/09/2024	<u>35</u>	MINUTE entry before the Honorable LaShonda A. Hunt: Plaintiff's Unopposed Motion for Leave to File Oversized Brief in Opposition to Defendants' Motion for Summary Judgment <u>33</u> is granted. Plaintiff is reminded that all motions must be noticed for presentment before Judge Hunt in accordance with her case management procedures. Emailed notice. (cdh,) (Entered: 01/09/2024)
01/16/2024	<u>36</u>	REPLY by Defendant U.S Department of the Interior <i>in Support of Motion for Summary Judgment</i> (Terman, Sarah) (Entered: 01/16/2024)
01/16/2024	<u>37</u>	RESPONSE by Defendant U.S Department of the Interior to statement <u>30</u> of <i>additional facts</i> (Terman, Sarah) (Entered: 01/16/2024)
01/26/2024	<u>38</u>	MOTION by Plaintiff Robert H. Aland for leave to file sur-reply in opposition to defendants' motion for summary judgment. (rc,) (Entered: 01/29/2024)
01/26/2024	<u>39</u>	SUR-REPLY by Plaintiff Robert H. Aland in opposition to defendants' motion for summary judgment. (rc,) (Entered: 01/29/2024)

01/30/2024	<u>40</u>	MINUTE entry before the Honorable LaShonda A. Hunt: Plaintiff's unopposed motion for leave to file sur-reply in opposition to Defendants' motion for summary judgment <u>38</u> is granted. No further briefing will be permitted on Defendants' motion <u>21</u> . The Court will rule in due course. Once again, plaintiff is reminded that all motions must be noticed for presentment before Judge Hunt in accordance with her case management procedures. Emailed notice. (cdh,) (Entered: 01/30/2024)
02/07/2024	<u>41</u>	LETTER from Robert Aland dated 2/3/2024. (ph,) (Entered: 02/12/2024)