

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:22-cv-01128-MHC**

Moore Injury Law, LLC et al v. United States Department of Labor
Assigned to: Judge Mark H. Cohen
Cause: 05:552 Freedom of Information Act

Date Filed: 03/21/2022
Date Terminated: 03/04/2024
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Moore Injury Law, LLC

represented by **Eric Hertz**
Eric J. Hertz, P.C.
Suite 210
8300 Dunwoody Place
Atlanta, GA 30350
404-577-8111
Fax: 404-577-8116
Email: hertz@hertz-law.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeffrey E. Gewirtz
Eric J. Hertz, P.C.
Suite 210
8300 Dunwoody Place
Atlanta, GA 30350
678-613-3807
Fax: 888-387-7132
Email: jeff@jgewirtzlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Kevin G. Moore

represented by **Eric Hertz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeffrey E. Gewirtz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

United States Department of Labor

represented by **Adam D. Nugent**
United States Attorney's Office
75 Ted Turner SW
Suite 600
Atlanta, GA 30303
404-581-6000
Email: adam.nugent@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
------------	---	-------------

03/21/2022	<u>1</u>	COMPLAINT for Declaratory and Injunctive Relief filed by Moore Injury Law, LLC, Kevin G. Moore. (Filing fee \$402, receipt number AGANDC-11669794) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3.1, # <u>4</u> Exhibit 3.2, # <u>5</u> Exhibit 3.3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5.1, # <u>8</u> Exhibit 5.2, # <u>9</u> Exhibit 5.3.1, # <u>10</u> Exhibit 5.3.2, # <u>11</u> Exhibit 5.3.3, # <u>12</u> Exhibit 5.3.4, # <u>13</u> Exhibit 5.3.5, # <u>14</u> Exhibit 6.1, # <u>15</u> Exhibit 6.2, # <u>16</u> Exhibit 7.1, # <u>17</u> Exhibit 7.2, # <u>18</u> Exhibit 8, # <u>19</u> Exhibit 9.1, # <u>20</u> Exhibit 9.2, # <u>21</u> Exhibit 9.3, # <u>22</u> Exhibit 9.4, # <u>23</u> Exhibit 9.5, # <u>24</u> Exhibit 10.1, # <u>25</u> Exhibit 10.2, # <u>26</u> Civil Cover Sheet)(cavc) Please visit our website at http://www.gand.uscourts.gov/commonly-used-forms to obtain Pretrial Instructions and Pretrial Associated Forms which includes the Consent To Proceed Before U.S. Magistrate form. (Additional attachment(s) added on 3/22/2022: # <u>27</u> Corrected Main Document) (cavc). (Entered: 03/22/2022)
03/21/2022	<u>2</u>	Electronic Summons Issued as to United States Department of Labor. (Attachments: # <u>1</u> Summons OSHA West, # <u>2</u> Summons OSHA, # <u>3</u> Summons U.S. Attorney, # <u>4</u> Summons United)(cavc) (Entered: 03/22/2022)
03/23/2022	<u>3</u>	STANDING ORDER REGARDING CIVIL LITIGATION Signed by Judge Mark H. Cohen on 3/23/2022. (tmf) (Entered: 03/24/2022)
04/18/2022	<u>4</u>	AFFIDAVIT of Service for Summons and Complaint , as to US Department of Labor. (Hertz, Eric) (Entered: 04/18/2022)
04/25/2022	<u>5</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint,, with Brief In Support by United States Department of Labor. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order)(Nugent, Adam) (Entered: 04/25/2022)
04/25/2022	<u>6</u>	ORDER granting <u>5</u> Motion for Extension of Time to Answer. United States Department of Labor Answer due 5/27/2022. Signed by Judge Mark H. Cohen on 4/25/2022. (tmf) (Entered: 04/25/2022)
05/24/2022	<u>7</u>	Unopposed MOTION for Extension of Time re: <u>1</u> Complaint,, <i>to file a responsive pleading</i> with Brief In Support by United States Department of Labor. (Attachments: # <u>1</u> Text of Proposed Order)(Nugent, Adam) Modified on 5/24/2022 to edit relief(tmf). (Entered: 05/24/2022)
05/24/2022	<u>8</u>	ORDER granting <u>7</u> Motion for Extension of Time to Answer re <u>7</u> Motion for Extension of Time to File Answer, United States Department of Labor Answer due 7/26/2022. Signed by Judge Mark H. Cohen on 5/24/2022. (tmf) (Entered: 05/24/2022)
07/26/2022	<u>9</u>	ANSWER to <u>1</u> COMPLAINT by United States Department of Labor. Discovery ends on 12/23/2022.(Nugent, Adam) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 07/26/2022)
08/25/2022	<u>10</u>	JOINT PRELIMINARY REPORT AND DISCOVERY PLAN filed by United States Department of Labor. (Nugent, Adam) (Entered: 08/25/2022)
09/12/2022	<u>11</u>	SCHEDULING ORDER: re: <u>10</u> Joint Preliminary Report and Discovery Plan. Upon review of the information contained in the Joint Preliminary Report and Discovery Plan form completed and filed by the parties, the Court orders that the time limits for adding parties, amending the pleadings, filing motions, completing discovery, and discussing settlement are as set out in the Federal Rules of Civil Procedure and the Local Rules of this Court, except as herein modified: The discovery period shall be for FOUR (4) MONTHS, beginning August 26, 2022 and ending on December 23, 2022. See document for further specifics. Signed by Judge Mark H. Cohen on 9/12/2022. (tmf) (Entered: 09/12/2022)
10/24/2022	<u>12</u>	Notice for Leave of Absence for the following date(s): November 18, 2022 – November 28, 2022, by Adam D. Nugent. (Nugent, Adam) (Entered: 10/24/2022)
12/02/2022	<u>13</u>	ORDER: A review of the docket in this case shows that Plaintiffs have not complied with Local Rule 3.3 of this Court requiring that a Certificate of Interested Persons and Corporate Disclosure Statement be filed at the time of the non-governmental party's first appearance. LR 3.3A, NDGa. It is hereby ORDERED that Plaintiffs file their Certificate of Interested Persons and Corporate Disclosure Statement, if applicable, within ten (10) days of the date of this Order. Signed by Judge Mark H. Cohen on 12/2/2022. (tmf) (Entered: 12/02/2022)

12/08/2022	<u>14</u>	Certificate of Interested Persons by Kevin G. Moore. (Hertz, Eric) (Entered: 12/08/2022)
12/14/2022		Clerks Notation re <u>14</u> Certificate of Interested Persons reviewed by Mark H. Cohen. (lme) (Entered: 12/14/2022)
12/23/2022	<u>15</u>	Joint MOTION for Extension of Time to Disclose Information with Brief In Support by United States Department of Labor. (Nugent, Adam) Modified on 1/3/2023 to edit relief(tmf). (Entered: 12/23/2022)
01/03/2023	<u>16</u>	ORDER: Having considered the Joint Motion to Extend Time for Disclosure of Information, it is hereby: ORDERED AND ADJUDGED that the Motion is GRANTED. The discovery / disclosure period is hereby extended through and including March 23, 2023. The parties shall notify the Court by March 23, 2023 regarding the status of document production and whether a dispute remains regarding the production of documents. Signed by Judge Mark H. Cohen on 1/3/2023. (tmf) (Entered: 01/03/2023)
03/22/2023	<u>17</u>	Joint MOTION for Extension of Time For Disclosure of Information <i>submitted</i> by United States Department of Labor. (Attachments: # <u>1</u> Text of Proposed Order)(Nugent, Adam) (Entered: 03/22/2023)
03/23/2023	<u>18</u>	Amended Joint MOTION for Extension of Time For Disclosure of Information <i>submitted March 22,2023</i> by United States Department of Labor. (Attachments: # <u>1</u> Text of Proposed Order)(Nugent, Adam) Modified on 3/23/2023 to edit text and relief(tmf). (Entered: 03/23/2023)
03/23/2023	<u>19</u>	ORDER: The discovery / disclosure period is hereby extended through and including May 22, 2023. The parties shall notify the Court by May 22, 2023 regarding the status of document production and whether a dispute remains regarding the production of documents. Signed by Judge Mark H. Cohen on 3/23/2023. (tmf) (Entered: 03/23/2023)
05/24/2023		Submission of <u>19</u> Order to District Judge Mark H. Cohen. (tht) (Entered: 05/24/2023)
06/22/2023	<u>20</u>	NOTICE of Leave of Absence by United States Department of Labor <i>June 27, 2023 to July 7, 2023</i> (Nugent, Adam) Modified on 6/23/2023 to edit event and add requested dates(tmf). (Entered: 06/22/2023)
06/23/2023		Notification of Docket Correction re <u>20</u> NOTICE of Leave of Absence by United States Department of Labor <i>June 27, 2023 to July 7, 2023</i> (Nugent, Adam) Modified on 6/23/2023 to edit event and add requested dates(tmf). (Entered: 06/23/2023)
07/14/2023	<u>21</u>	Joint MOTION for Extension of Time for disclosure of information with Brief In Support by United States Department of Labor. (Nugent, Adam) (Entered: 07/14/2023)
07/14/2023	<u>22</u>	ORDER granting <u>21</u> Joint MOTION for Extension of Time for disclosure of information. Having considered the Joint Motion to Extend Time for Disclosure of Information, it is hereby: ORDERED AND ADJUDGED that the Motion is GRANTED. The discovery / disclosure period is hereby extended through and including October 12, 2023. The parties shall notify the Court by October 12, 2023, regarding the status of document production and whether a dispute remains regarding the production of documents. Signed by Judge Mark H. Cohen on 7/14/2023. (tmf) (Entered: 07/14/2023)
10/12/2023	<u>23</u>	Joint MOTION for Extension of Time to disclose information with Brief In Support by United States Department of Labor. (Nugent, Adam) Modified on 10/13/2023 to edit relief(tmf). (Entered: 10/12/2023)
10/13/2023	<u>24</u>	ORDER: Having considered the <u>23</u> Joint Motion to Extend Time for Disclosure of Information, it is hereby: ORDERED AND ADJUDGED that the Motion is GRANTED. The discovery / disclosure period is hereby extended through and including December 11, 2023. The parties shall notify the Court by December 11,2023 regarding the status of document production and whether a dispute remains regarding the production of documents. Signed by Judge Mark H. Cohen on 10/12/2023. (tmf) (Entered: 10/13/2023)

12/13/2023		Submission of <u>24</u> Order on Motion for Extension of Time to Complete Discovery, to District Judge Mark H. Cohen. (lme) (Entered: 12/13/2023)
12/18/2023	<u>25</u>	Joint MOTION for Extension of Time to disclose information with Brief In Support by United States Department of Labor. (Nugent, Adam) Modified on 12/18/2023 to edit relief(tmf). (Entered: 12/18/2023)
12/18/2023	<u>26</u>	ORDER ON JOINT MOTION TO EXTEND TIME FOR DISCLOSURE OF INFORMATION: Having considered the Joint Motion to Extend Time for Disclosure of Information/ it is hereby: ORDERED AND ADJUDGED that the Motion is GRANTED The discovery / disclosure period is hereby extended through and including February 16, 2024. The parties shall notify the Court by February 16, 2024 regarding the status of document production and whether a dispute remains regarding the production of documents. Signed by Judge Mark H. Cohen on 12/18/2023. (tmf) (Entered: 12/18/2023)
02/28/2024	<u>27</u>	STATUS REPORT ORDER. More than sixty days have elapsed, and the parties have not provided the required notification "regarding the status of document production and whether a dispute remains" <u>26</u> . Accordingly, it is hereby ORDERED that the parties shall file a written status update withing seven (7) days of the date of this Order advising the Court as to the status of Defendant's document production. Signed by Judge Mark H. Cohen on 2/28/2024. (dgr) (Entered: 02/28/2024)
03/01/2024	<u>28</u>	NOTICE of Stipulation of Dismissal <i>and Stipulation of the Parties</i> filed by Kevin G. Moore (Gewirtz, Jeffrey) Modified on 3/4/2024 to correct event type and docket text (dgr). (Entered: 03/01/2024)
03/04/2024		Clerk's Entry of Dismissal APPROVING <u>28</u> Notice of Stipulation of Dismissal pursuant to Fed.R.Civ.P.41(a)(1)(A)(ii). (dgr) (Entered: 03/04/2024)
03/04/2024		Civil Case Terminated. (dgr) (Entered: 03/04/2024)