

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:22-cv-01254-ACR**

BROCKMAN v. INTERNAL REVENUE SERVICE  
Assigned to: Judge Ana C. Reyes  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/06/2022  
Date Terminated: 06/21/2024  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**ROBERT T. BROCKMAN**  
*TERMINATED: 11/14/2022*

represented by **Anthony Joseph DeRiso , III**  
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**Plaintiff**

**DOROTHY K. BROCKMAN**  
*in her capacity as Independent Executor  
of the Estate of Robert T. Brockman*

represented by **Anthony Joseph DeRiso , III**  
(See above for address)  
*PRO HAC VICE*

ATTORNEY TO BE NOTICED

**Frank J. Jackson**

(See above for address)

PRO HAC VICE

ATTORNEY TO BE NOTICED

**Kathryn Keneally**

(See above for address)

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**Michael Joseph Scarduzio**

(See above for address)

PRO HAC VICE

ATTORNEY TO BE NOTICED

**Irina K. Bleustein**

(See above for address)

ATTORNEY TO BE NOTICED

V.

**Defendant**

**INTERNAL REVENUE SERVICE**

represented by **Kieran O'Neill Carter**  
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Date Filed	#	Docket Text
05/06/2022	<u>1</u>	COMPLAINT against INTERNAL REVENUE SERVICE ( Filing fee \$ 402 receipt number ADCDC-9220062) filed by ROBERT T. BROCKMAN. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Civil Cover Sheet)(Bleustein, Irina) (Entered: 05/06/2022)
05/06/2022	<u>2</u>	SEALED DOCUMENT filed by ROBERT T. BROCKMAN(This document is SEALED and only available to authorized persons.)(Bleustein, Irina) (Entered: 05/06/2022)
05/09/2022		Case Assigned to Judge Florence Y. Pan. (znm) (Entered: 05/09/2022)
05/09/2022	<u>3</u>	SUMMONS (3) Issued Electronically as to INTERNAL REVENUE SERVICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(znm) (Entered: 05/09/2022)
05/10/2022	<u>4</u>	STANDING ORDER: The parties are hereby ORDERED to comply with the directives set forth in the attached Standing Order. See document for details. Signed by Judge Florence Y. Pan on 5/10/22. (lcaa) (Entered: 05/10/2022)
05/10/2022	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Kathryn Keneally, Filing fee \$ 100, receipt number ADCDC-9225394. Fee Status: Fee Paid. by ROBERT T. BROCKMAN. (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Bleustein, Irina) (Entered: 05/10/2022)
05/10/2022	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Frank J. Jackson, Filing fee \$ 100, receipt number ADCDC-9225487. Fee Status: Fee Paid. by ROBERT T. BROCKMAN. (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed

		Order)(Bleustein, Irina) (Entered: 05/10/2022)
05/10/2022	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Michael J. Scarduzio, Filing fee \$ 100, receipt number ADCDC–9225540. Fee Status: Fee Paid. by ROBERT T. BROCKMAN. (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Bleustein, Irina) (Entered: 05/10/2022)
05/10/2022	<u>8</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Anthony J. DeRiso, Filing fee \$ 100, receipt number ADCDC–9225561. Fee Status: Fee Paid. by ROBERT T. BROCKMAN. (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Bleustein, Irina) (Entered: 05/10/2022)
05/10/2022		MINUTE ORDER granting <u>5</u> MOTION for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Kathryn Keneally is admitted pro hac vice in this matter as counsel for Plaintiff Robert T. Brockman. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a)</b> <a href="#">Click for instructions</a> . Signed by Judge Florence Y. Pan on 5/10/22. (lcaa) (Entered: 05/10/2022)
05/10/2022		MINUTE ORDER granting <u>6</u> MOTION for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Frank J. Jackson is admitted pro hac vice in this matter as counsel for Plaintiff Robert T. Brockman. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a)</b> <a href="#">Click for instructions</a> . Signed by Judge Florence Y. Pan on 5/10/22. (lcaa) (Entered: 05/10/2022)
05/10/2022		MINUTE ORDER granting <u>7</u> MOTION for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Michael J. Scarduzio is admitted pro hac vice in this matter as counsel for Plaintiff Robert T. Brockman. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a)</b> <a href="#">Click for instructions</a> . Signed by Judge Florence Y. Pan on 5/10/22. (lcaa) (Entered: 05/10/2022)
05/10/2022		MINUTE ORDER granting <u>8</u> MOTION for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Anthony J. DeRiso is admitted pro hac vice in this matter as counsel for Plaintiff Robert T. Brockman. <b>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a)</b> <a href="#">Click for instructions</a> . Signed by Judge Florence Y. Pan on 5/10/22. (lcaa) (Entered: 05/10/2022)
05/11/2022	<u>9</u>	NOTICE of Appearance by Michael Joseph Scarduzio on behalf of ROBERT T. BROCKMAN (Scarduzio, Michael ) (Entered: 05/11/2022)
05/11/2022	<u>10</u>	NOTICE of Appearance by Anthony Joseph DeRiso, III on behalf of ROBERT T. BROCKMAN (DeRiso, Anthony) (Entered: 05/11/2022)
05/12/2022	<u>11</u>	NOTICE of Appearance by Frank J. Jackson on behalf of ROBERT T. BROCKMAN (Jackson, Frank) (Entered: 05/12/2022)
05/12/2022	<u>12</u>	NOTICE of Appearance by Kathryn Keneally on behalf of ROBERT T. BROCKMAN (Keneally, Kathryn) (Entered: 05/12/2022)
05/23/2022	<u>13</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/16/2022. Answer due for ALL FEDERAL DEFENDANTS by 6/15/2022. (Bleustein, Irina) (Entered: 05/23/2022)
05/23/2022	<u>14</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 05/16/2022. (Bleustein, Irina) (Entered: 05/23/2022)
05/23/2022	<u>15</u>	NOTICE of Appearance by Kieran O'Neill Carter on behalf of INTERNAL REVENUE SERVICE (Carter, Kieran) (Entered: 05/23/2022)
06/06/2022	<u>16</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. INTERNAL REVENUE SERVICE served on 5/16/2022 (Bleustein, Irina) (Entered: 06/06/2022)

06/15/2022	<u>17</u>	ANSWER to Complaint by INTERNAL REVENUE SERVICE.(Carter, Kieran) (Entered: 06/15/2022)
06/17/2022	<u>18</u>	ORDER directing the parties to file a joint status report proposing a schedule for litigation of this case on or before June 30, 2022. Signed by Judge Florence Y. Pan on 6/17/22. (lcaa) (Entered: 06/17/2022)
06/17/2022		Set/Reset Deadlines: Joint Status Report due by 6/30/2022. (zacr) (Entered: 06/17/2022)
06/30/2022	<u>19</u>	Joint STATUS REPORT by INTERNAL REVENUE SERVICE. (Carter, Kieran) (Entered: 06/30/2022)
07/05/2022		MINUTE ORDER. Upon consideration of the parties' <u>19</u> Joint Status Report, Defendant is directed to provide a status report to Plaintiff every 30 days, and the parties are directed to file a joint status report on or before September 29, 2022, and every 90 days thereafter. Under the circumstances, a status hearing in 30 days, as requested by Plaintiff, is unlikely to be productive. Signed by Judge Florence Y. Pan on 7/5/22. (lcaa) (Entered: 07/05/2022)
07/05/2022		Set/Reset Deadlines: Joint Status Report due by 9/29/2022. (smc) (Entered: 07/05/2022)
08/26/2022	<u>20</u>	SUGGESTION OF DEATH Upon the Record as to Robert T. Brockman by ROBERT T. BROCKMAN. (Scarduzio, Michael ) (Entered: 08/26/2022)
09/23/2022		Judge Florence Y. Pan has been elevated to serve on the U.S. Court of Appeals for the D.C. Circuit. She is therefore no longer assigned to this case, and this matter has been reassigned to the Calendar Committee, which will oversee it until it is assigned to another district judge. Any questions should be directed to Judge Pan's former deputy clerk, Samantha Calloway, at 202-354-3163 or samantha_calloway@dcd.uscourts.gov. (ztnr) (Entered: 09/23/2022)
09/29/2022	<u>21</u>	Joint STATUS REPORT by ROBERT T. BROCKMAN. (Scarduzio, Michael ) (Entered: 09/29/2022)
09/30/2022		MINUTE ORDER: Upon consideration of <u>21</u> the parties' Joint Status Report, it is hereby ORDERED that the IRS shall, in the anticipation of a near term substitution of party, continue to <i>process</i> potentially responsive documents without delay. Signed by Judge Rudolph Contreras on 9-30-2022. (lcrc3) (Entered: 09/30/2022)
11/10/2022	<u>22</u>	Consent MOTION to Substitute Party by ROBERT T. BROCKMAN. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Text of Proposed Order)(Scarduzio, Michael ) (Entered: 11/10/2022)
11/14/2022		MINUTE ORDER: It is hereby ORDERED that the <u>22</u> Consent Motion for Substitution of Plaintiff made pursuant to Federal Rule of Civil Procedure 25(a) is GRANTED. Dorothy K. Brockman, in her capacity as Independent Executor of the Estate of Robert T. Brockman, shall be substituted for Robert T. Brockman, deceased, as Plaintiff in this action. SO ORDERED. Signed by Judge Rudolph Contreras on 11-14-2022. (lcrc3) (Entered: 11/14/2022)
12/28/2022	<u>23</u>	Joint STATUS REPORT by DOROTHY K. BROCKMAN. (Scarduzio, Michael ) (Entered: 12/28/2022)
12/29/2022		NOTICE OF ERROR re <u>23</u> Status Report; emailed to mscarduzio@jonesday.com, cc'd 8 associated attorneys -- The PDF file you docketed contained errors: 1. <b>Please note the following for future filings; do not refile document</b> , 2. FYI: DO NOT REFILE. Attorney signature must match ECF login/password in all future filings. (zed, ) (Entered: 12/29/2022)
02/24/2023		Case directly reassigned to District Judge Ana C. Reyes. Circuit Judge Florence Y. Pan is no longer assigned to the case. (ztnr) (Entered: 02/24/2023)
03/14/2023	<u>24</u>	MOTION for Scheduling Order <i>Concerning FOIA Document Production</i> by DOROTHY K. BROCKMAN. (Attachments: # <u>1</u> Affidavit Declaration of Michael J. Scarduzio and Exhibits, # <u>2</u> Text of Proposed Order Proposed Order)(Scarduzio, Michael ). Added MOTION for Hearing on 3/15/2023 (znmw). (Entered: 03/14/2023)

03/15/2023		MINUTE ORDER: Defendant is hereby directed to file its opposition, if any, to Plaintiff's <u>24</u> MOTION for a Status Conference and Proposed Production Schedule on or before March 17, 2023. Signed by Judge Ana C. Reyes on 3/15/2023. (lcsj) (Entered: 03/15/2023)
03/17/2023		Set/Reset Deadlines/Hearings: Response to <u>24</u> and Proposed Production Schedule due by 3/17/2023. (zcdw) (Entered: 03/17/2023)
03/17/2023	<u>25</u>	RESPONSE re <u>24</u> MOTION for Scheduling Order <i>Concerning FOIA Document Production</i> MOTION for Hearing filed by INTERNAL REVENUE SERVICE. (Carter, Kieran) (Entered: 03/17/2023)
03/20/2023		MINUTE ORDER: The Court directs Plaintiff to file her reply, if any, to Defendant's <u>25</u> Response to Plaintiff's Motion for a Status Conference and Proposed Production Schedule, on or before March 22, 2023. Signed by Judge Ana C. Reyes on 3/20/2023. (lcsj) (Entered: 03/20/2023)
03/20/2023		Set/Reset Deadlines/Hearings: Reply to <u>25</u> due by 3/22/2023. (zcdw) (Entered: 03/20/2023)
03/22/2023	<u>26</u>	REPLY to opposition to motion re <u>24</u> MOTION for Scheduling Order <i>Concerning FOIA Document Production</i> MOTION for Hearing filed by DOROTHY K. BROCKMAN. (Attachments: # <u>1</u> Affidavit March 22, 2023 Declaration of Michael J. Scarduzio)(Scarduzio, Michael ) (Entered: 03/22/2023)
03/28/2023	<u>27</u>	Joint STATUS REPORT by DOROTHY K. BROCKMAN. (Scarduzio, Michael ) (Entered: 03/28/2023)
03/29/2023	<u>28</u>	STANDING ORDER: The parties are directed to read Judge Reyes's attached Standing Order in Civil Cases in its entirety. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Ana C. Reyes on 3/29/2023. (lcsj) (Entered: 03/29/2023)
06/16/2023		MINUTE ORDER. Plaintiff's <u>24</u> Motion for a Status Conference and Production Schedule is DENIED. It is hereby ORDERED that the parties shall confer and propose a joint production schedule that requires production of not less than 500 and not more than 2,500 pages per month. It is FURTHER ORDERED that, prior to either party filing a new motion for a production schedule, the parties must (1) meet and confer in person two times to narrow or eliminate disputes and (2) file a joint status report updating the Court on the meet and confers with a joint proposed briefing schedule. It is FURTHER ORDERED that the Internal Revenue Service will provide a production status update every 45 days, starting July 5, 2023. Signed by Judge Ana C. Reyes on 6/16/2023. (lcsj) (Entered: 06/16/2023)
07/06/2023	<u>29</u>	STATUS REPORT by INTERNAL REVENUE SERVICE. (Carter, Kieran) (Entered: 07/06/2023)
08/21/2023	<u>30</u>	STATUS REPORT by INTERNAL REVENUE SERVICE. (Carter, Kieran) (Entered: 08/21/2023)
10/05/2023	<u>31</u>	STATUS REPORT by INTERNAL REVENUE SERVICE. (Carter, Kieran) (Entered: 10/05/2023)
11/01/2023	<u>32</u>	NOTICE of Change of Address by Frank J. Jackson (Jackson, Frank) (Entered: 11/01/2023)
11/20/2023	<u>33</u>	STATUS REPORT by INTERNAL REVENUE SERVICE. (Carter, Kieran) (Entered: 11/20/2023)
11/27/2023	<u>34</u>	NOTICE of Change of Address by Michael Joseph Scarduzio (Scarduzio, Michael ) (Entered: 11/27/2023)
01/04/2024	<u>35</u>	STATUS REPORT by INTERNAL REVENUE SERVICE. (Carter, Kieran) (Entered: 01/04/2024)
02/20/2024	<u>36</u>	STATUS REPORT by INTERNAL REVENUE SERVICE. (Carter, Kieran) (Entered: 02/20/2024)

04/08/2024	<u>37</u>	STATUS REPORT by INTERNAL REVENUE SERVICE. (Carter, Kieran) (Entered: 04/08/2024)
06/21/2024	<u>38</u>	STIPULATION of Dismissal ( <i>Joint</i> ) by INTERNAL REVENUE SERVICE. (Carter, Kieran) (Entered: 06/21/2024)