

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:22-cv-03200-APM**

CHELMOWSKI v. FEDERAL COMMUNICATION  
COMMISSION  
Assigned to: Judge Amit P. Mehta  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/14/2022  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****JAMES CHELMOWSKI**

represented by **JAMES CHELMOWSKI**  
705 W. Central Road  
Mt. Prospect, IL 60056  
(847) 768-0000  
Email: [jchelmowski@comcast.net](mailto:jchelmowski@comcast.net)  
PRO SE

V.

**Defendant**

**FEDERAL COMMUNICATION  
COMMISSION  
FCC**

represented by **Kartik Narayan Venguswamy**  
DOJ-USAO  
601 D Street NW  
Washington, DC 20579  
(202) 252-1790  
Email: [kartik.venguswamy@usdoj.gov](mailto:kartik.venguswamy@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/14/2022	<u>1</u>	COMPLAINT against FEDERAL COMMUNICATION COMMISSION ( Filing fee \$ 402, receipt number 203274) filed by JAMES CHELMOWSKI. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Civil Cover Sheet)(zed). (Entered: 10/21/2022)
10/14/2022	2	MOTION for Emergency Injunctive Relief by JAMES CHELMOWSKI. (See Docket Entry <u>1</u> to view document). (zed) (Entered: 10/21/2022)
10/28/2022	<u>3</u>	SUMMONS (3) Issued Electronically as to FEDERAL COMMUNICATION COMMISSION, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zed) (Entered: 10/28/2022)
12/12/2022	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL COMMUNICATION COMMISSION served on 11/22/2022, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/22/2022., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/25/2022. ( Answer due for ALL FEDERAL DEFENDANTS by 12/25/2022.) (zed) (Entered: 12/16/2022)
12/21/2022	<u>5</u>	NOTICE of Non-Service by FEDERAL COMMUNICATION COMMISSION (Hudak, Brian) (Entered: 12/21/2022)
12/22/2022		MINUTE ORDER. Plaintiff is hereby directed to respond to Defendant's Notice of Non-Service by January 5, 2023, or to complete proper service by January 12, 2023. Failure to comply with the court's order may result in dismissal of this action. See Fed. R. Civ. P. 4(m). Signed by Judge Amit P. Mehta on 12/22/2022. (lcapm2) (Entered: 12/22/2022)

01/11/2023	<u>6</u>	RESPONSE re <u>5</u> Notice (Other) filed by JAMES CHELMOWSKI. (zed) (Entered: 01/12/2023)
01/11/2023	<u>7</u>	MOTION for CM/ECF Password by JAMES CHELMOWSKI. (zed) (Entered: 01/12/2023)
01/13/2023		MINUTE ORDER re: Plaintiff's <u>7</u> Motion by Self-Represented Litigant to Participate in Electronic Filing. Plaintiff is permitted to use his current CM/ECF username and password for purposes of filing in this matter. Signed by Judge Amit P. Mehta on 1/13/2023. (lcapm2) (Entered: 01/13/2023)
01/13/2023	<u>8</u>	MOTION for CM/ECF Password by JAMES CHELMOWSKI. (zed) (Entered: 01/20/2023)
01/20/2023		MINUTE ORDER denying as moot Plaintiff's <u>8</u> Motion for CM/ECF Password. Signed by Judge Amit P. Mehta on 1/20/2023. (lcapm2) (Entered: 01/20/2023)
01/30/2023	<u>9</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint by FEDERAL COMMUNICATION COMMISSION. (Venguswamy, Kartik) (Entered: 01/30/2023)
01/31/2023		MINUTE ORDER granting Defendant's <u>9</u> Opposed Motion for Extension of Time to Respond. Defendant's response to Plaintiff's Complaint shall now be due on or before March 1, 2023. Signed by Judge Amit P. Mehta on 1/31/2023. (lcapm2) (Entered: 01/31/2023)
03/01/2023	<u>10</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint by FEDERAL COMMUNICATION COMMISSION. (Venguswamy, Kartik) (Entered: 03/01/2023)
03/02/2023		MINUTE ORDER granting Defendant's <u>10</u> Second Motion for Extension of Time to Respond. Defendant's response to Plaintiff's Complaint shall be due on or before March 15, 2023. No further extensions will be granted absent extraordinary circumstances. Signed by Judge Amit P. Mehta on 3/2/2023. (lcapm2) (Entered: 03/02/2023)
03/15/2023	<u>11</u>	ANSWER to <u>1</u> Complaint by FEDERAL COMMUNICATION COMMISSION.(Venguswamy, Kartik) (Entered: 03/15/2023)
03/16/2023	<u>12</u>	ORDER. Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before March 30, 2023. The Joint Status Report shall include (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for stay is likely under Open America v. Watergate Special Prosecution Force, 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Amit P. Mehta on 03/16/2023. (lcapm2) (Entered: 03/16/2023)
03/30/2023	<u>13</u>	Joint STATUS REPORT by FEDERAL COMMUNICATION COMMISSION. (Attachments: # <u>1</u> Exhibit Plaintiff's Exhibits)(Venguswamy, Kartik) (Entered: 03/31/2023)
04/03/2023		MINUTE ORDER setting the following schedule for proceedings in this matter. Defendant's Motion for Summary Judgment shall be due on or before May 5, 2023. Plaintiff's Opposition and Cross-Motion shall be due on or before June 12, 2023. Defendant's Reply and Cross-Opposition shall be due on or before June 30, 2023. Plaintiff's Cross-Reply shall be due on or before July 28, 2023. Signed by Judge Amit P. Mehta on 4/3/2023. (lcapm2) (Entered: 04/03/2023)
05/05/2023	<u>14</u>	MOTION for Summary Judgment , MOTION to Dismiss by FEDERAL COMMUNICATION COMMISSION. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration Santini, # <u>4</u> Declaration McTaggart, # <u>5</u> Declaration Kost, # <u>6</u> Text of Proposed Order)(Venguswamy, Kartik) (Entered: 05/05/2023)
05/08/2023	<u>15</u>	ORDER advising Plaintiff to respond by June 12, 2023, to Defendant Federal Communication Commission's <u>14</u> Motion for Summary Judgment. If Plaintiff neither responds to the Motion nor files a motion for additional time in which to respond, the court may render a judgment in favor of Defendant. See the attached Order for

		additional details. Signed by Judge Amit P. Mehta on 05/08/2023. (lcapm2) (Entered: 05/08/2023)
05/16/2023	<u>16</u>	MOTION for Extension of Time to File Pleadings by JAMES CHELMOWSKI. (Attachment: # <u>1</u> Text of Proposed Order)(zed) (Entered: 05/17/2023)
05/19/2023	<u>17</u>	ORDER granting Plaintiff's <u>16</u> Consent Motion for Extension of Time to File Opposition and Cross-Motion. Plaintiff's Opposition and Cross-Motion shall now be due on or before July 10, 2023; Defendant's Reply and Cross-Opposition shall now be due on or before July 28, 2023; Plaintiff's Cross-Reply shall now be due on or before August 25, 2023. See attached Order for additional details. Signed by Judge Amit P. Mehta on 5/19/2023. (lcapm2) (Entered: 05/19/2023)
05/19/2023		Set/Reset Deadlines: Cross Motions due by 7/10/2023. Response to Cross Motions due by 7/28/2023. Reply to Cross Motions due by 8/25/2023. Responses due by 7/10/2023. Replies due by 7/28/2023. (zjch, ) (Entered: 05/19/2023)
07/03/2023	<u>18</u>	MOTION for Extension of Time to File Opposition and Cross Motion by JAMES CHELMOWSKI. (Attachment: # <u>1</u> Text of Proposed Order)(zjm) (Entered: 07/05/2023)
07/06/2023		MINUTE ORDER granting Plaintiff's <u>18</u> Motion for Extension of Time to File Opposition and Cross-motion. Plaintiff's Opposition and Cross-Motion shall be due on or before August 7, 2023; Defendant's Reply and Cross-Motion Opposition shall be due on or before August 25, 2023; Plaintiff's Cross-Motion Reply shall be due on or before September 22, 2023. Signed by Judge Amit P. Mehta on 7/6/2023. (lcapm2) (Entered: 07/06/2023)
08/07/2023	<u>19</u>	MOTION for Extension of Time to File Response by JAMES CHELMOWSKI. (Attachment: # <u>1</u> Text of Proposed Order).(zed) (Entered: 08/10/2023)
08/11/2023		MINUTE ORDER granting Plaintiff's <u>19</u> Motion for Extension of Time to File Opposition and Cross-motion. Plaintiff's Opposition and Cross-Motion shall be due on or before August 14, 2023; Defendant's Reply and Cross-Motion Opposition shall be due on or before September 4, 2023; Plaintiff's Cross-Motion Reply shall be due on or before September 29, 2023. Signed by Judge Amit P. Mehta on 8/11/2023. (lcapm2) (Entered: 08/11/2023)
08/14/2023	<u>20</u>	Cross-MOTION for Summary Judgment by JAMES CHELMOWSKI. (zed) (Entered: 08/18/2023)
08/14/2023	21	Memorandum in opposition to re <u>14</u> Motion for Summary Judgment, Motion to Dismiss, filed by JAMES CHELMOWSKI. (See Docket Entry <u>20</u> to view document). (zed) (Entered: 08/18/2023)
09/05/2023	<u>22</u>	MOTION for Leave to File Amended Cross Motion and Opposition by JAMES CHELMOWSKI. (zed) (Entered: 09/14/2023)
09/15/2023		MINUTE ORDER granting Plaintiff's <u>22</u> Motion for Leave to File Amended Cross-Motion and Opposition to Defendant's Motion for Summary Judgment and Motion to Dismiss. Plaintiff's motion was received on September 5, 2023, but not docketed until September 15, 2023. Plaintiff had requested until September 11, 2023, to file an amendment. With that date having passed, the court will grant leave file an amendment by September 20, 2023. Signed by Judge Amit P. Mehta on 09/15/23. (lcapm2) (Entered: 09/15/2023)
10/05/2023	<u>23</u>	MOTION for Extension of Time to File Response/Reply as to <u>14</u> MOTION for Summary Judgment MOTION to Dismiss by FEDERAL COMMUNICATION COMMISSION. (Venguswamy, Kartik) (Entered: 10/05/2023)
10/05/2023	<u>24</u>	MOTION for Leave to File Amended Cross-Motion and Opposition to Motion for Summary Judgment by JAMES CHELMOWSKI. (mg) (Entered: 10/10/2023)
10/06/2023		MINUTE ORDER granting Defendant's <u>23</u> Motion for Extension of Time to File Reply. Defendant's reply shall be due no later than three weeks after the date that Plaintiff's corrected Opposition to Defendant's Motion for Summary Judgment is docketed. Signed by Judge Amit P. Mehta on 10/6/23. (lcapm2) (Entered: 10/06/2023)

10/11/2023		Minute Order granting Plaintiff's <u>24</u> Consent Motion for Leave to File Amended Cross-Motion and Opposition to the Defendant's Motion for Summary Judgment and Motion to Dismiss. Plaintiff shall file his cross-motion and opposition by October 23, 2023. Signed by Judge Amit P. Mehta on 10/11/23. (lcapm2) (Entered: 10/11/2023)
10/23/2023	<u>25</u>	Consent MOTION for Extension of Time to File by JAMES CHELMOWSKI. (Attachments: # <u>1</u> Text of Proposed Order)(mg) (Entered: 10/26/2023)
10/27/2023	<u>26</u>	ORDER granting Plaintiff's <u>25</u> Consent Motion for Extension of Time. Plaintiff's Opposition and Cross-Motion shall be due on or before November 6, 2023. Defendant's Reply and Cross-Motion Opposition shall be due on or before November 27, 2023. Plaintiff's Cross-Motion Reply shall be due on or before December 26, 2023. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 10/27/23. (lcapm2) (Entered: 10/27/2023)
03/04/2024	<u>27</u>	MEMORANDUM OPINION AND ORDER granting in part and denying in part the FCC's <u>14</u> Motion for Summary Judgment and denying Plaintiff's <u>20</u> Cross-Motion for Summary Adjudication. The FCC's Motion is granted in all respects except that the agency has not fulfilled its duty of segregability as to the March 2021 Request. The FCC may renew its motion for summary judgment as to that remaining issue on or before March 28, 2024. Plaintiff's Cross-Motion for Summary Adjudication is denied. See attached Order for additional details. Signed by Judge Amit P. Mehta on 3/4/2023. (lcapm3) (Entered: 03/04/2024)
03/04/2024		Set/Reset Deadlines: Summary Judgment motions due by 3/28/2024. (zed) (Entered: 03/06/2024)
03/22/2024	<u>28</u>	MOTION for Extension of Time to <i>Renew Summary Judgment</i> by FEDERAL COMMUNICATION COMMISSION. (Venguswamy, Kartik) (Entered: 03/22/2024)
03/22/2024		MINUTE ORDER granting <u>28</u> Motion for Extension of Time to File Renewed Motion for Summary Judgment. Defendant shall file its renewed motion for summary judgment by April 5, 2024. Signed by Judge Amit P. Mehta on 3/22/24. (lcapm2) (Entered: 03/22/2024)
03/22/2024		Set/Reset Deadlines: Summary Judgment motions due by 4/5/2024. (znbn) (Entered: 03/22/2024)
04/05/2024	<u>29</u>	Second MOTION for Summary Judgment by FEDERAL COMMUNICATION COMMISSION. (Attachments: # <u>1</u> Declaration Christopher Santini, # <u>2</u> Text of Proposed Order)(Venguswamy, Kartik). Added MOTION to Dismiss on 4/8/2024 (mg). (Entered: 04/05/2024)
04/08/2024	<u>30</u>	ORDER advising Plaintiff to respond by May 5, 2024, to Defendant's <u>29</u> Motion for Summary Judgment. If Plaintiff neither responds to the Motion nor files a motion for additional time in which to respond, the court may render a judgment in favor of Defendant. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 04/08/2024. (lcapm2) (Entered: 04/08/2024)
05/02/2024	<u>31</u>	MOTION for Extension of Time to File Response/Reply by JAMES CHELMOWSKI. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(mg) (Entered: 05/06/2024)
05/08/2024		MINUTE ORDER granting Plaintiff's <u>31</u> Motion for Extension of Time to File Opposition and Cross Motion. Plaintiff shall file his opposition and any cross-motion by June 10, 2024. Signed by Judge Amit P. Mehta on 5/8/24. (lcapm2) (Entered: 05/08/2024)
05/09/2024		Set/Reset Deadlines/Hearings: Plaintiff's response to Motion for Summary Judgment and Cross Motion due by 6/10/2024. (zcdw) (Entered: 05/09/2024)
06/12/2024	<u>32</u>	MOTION for Extension of Time to File Response/Reply as to <u>29</u> Second MOTION for Summary Judgment MOTION to Dismiss by JAMES CHELMOWSKI. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(mg) (Entered: 06/17/2024)
06/18/2024		MINUTE ORDER granting <u>32</u> Corrected Pro Se Plaintiff's Motion for Extension of Time to File Plaintiff's Opposition and Cross-Motion. Plaintiff shall file his opposition and any cross-motion by June 24, 2024. Signed by Judge Amit P. Mehta on 6/18/24. (lcapm2) (Entered: 06/18/2024)

06/20/2024		Set/Reset Deadlines: Plaintiff's opposition and cross motion due by 6/24/2024. (zakb) (Entered: 06/20/2024)
------------	--	--