

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:22-cv-03381-DLF**

PROJECT ON GOVERNMENT OVERSIGHT, INC. v. U.S.
OFFICE OF SPECIAL COUNSEL
Assigned to: Judge Dabney L. Friedrich
Cause: 05:552 Freedom of Information Act

Date Filed: 11/04/2022
Date Terminated: 03/19/2024
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**PROJECT ON GOVERNMENT
OVERSIGHT, INC.**

represented by **Anne L. Weismann**
5335 Wisconsin Avenue, NW
Suite 640
Washington, DC 20015
(301) 717-6610
Email: weismann.anne@gmail.com
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. OFFICE OF SPECIAL
COUNSEL**

represented by **Dedra Seibel Curteman**
DOJ-USAO
US Attorney's Office, Civil Division
601 D Street, NW
Washington, DC 20530
(202) 252-2550
Email: dedra.curteman@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/04/2022	<u>1</u>	COMPLAINT against U.S. OFFICE OF SPECIAL COUNSEL (Filing fee \$ 402 receipt number ADCDC-9649359) filed by PROJECT ON GOVERNMENT OVERSIGHT, INC.. (Attachments: # <u>1</u> Summons Attorney General, # <u>2</u> Summons Off. of Special Counsel, # <u>3</u> Summons U.S. Attorney, # <u>4</u> Civil Cover Sheet)(Weismann, Anne) (Entered: 11/04/2022)
11/04/2022	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by PROJECT ON GOVERNMENT OVERSIGHT, INC. (Weismann, Anne) (Entered: 11/04/2022)
11/07/2022		Case Assigned to Judge Dabney L. Friedrich. (zcb) (Entered: 11/07/2022)
11/07/2022	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. OFFICE OF SPECIAL COUNSEL, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zcb) (Entered: 11/07/2022)
11/16/2022	<u>4</u>	STANDARD ORDER for civil cases. See text for details. Signed by Judge Dabney L. Friedrich on November 16, 2022. (lcldf1) (Entered: 11/16/2022)
11/29/2022	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/18/2022. Answer due for ALL FEDERAL DEFENDANTS by 12/18/2022. (Weismann, Anne) (Entered: 11/29/2022)
11/29/2022	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/18/22. (Weismann, Anne) (Entered: 11/29/2022)

12/14/2022	<u>7</u>	NOTICE of Appearance by Dedra Seibel Curteman on behalf of All Defendants (Curteman, Dedra) (Entered: 12/14/2022)
12/14/2022	<u>8</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by U.S. OFFICE OF SPECIAL COUNSEL. (Attachments: # <u>1</u> Text of Proposed Order)(Curteman, Dedra) (Entered: 12/14/2022)
12/14/2022		MINUTE ORDER granting the defendant's <u>8</u> Consent Motion for Extension of Time to Respond. The defendants shall answer, move to dismiss, or otherwise respond to the plaintiff's complaint on or before January 18, 2023. So Ordered by Judge Dabney L. Friedrich on December 14, 2022. (lcldf1) (Entered: 12/14/2022)
12/23/2022	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. OFFICE OF SPECIAL COUNSEL served on 12/13/2022 (Weismann, Anne) (Entered: 12/23/2022)
01/18/2023	<u>10</u>	ANSWER to Complaint by U.S. OFFICE OF SPECIAL COUNSEL.(Curteman, Dedra) (Entered: 01/18/2023)
01/18/2023		MINUTE ORDER requiring the parties to MEET AND CONFER and file a joint status report proposing a schedule for further proceedings. The status report should address the status of the plaintiff's FOIA request, including the anticipated number of documents responsive to the request and the anticipated date(s) for release of the requested documents. The parties shall file the joint status report on or before February 1, 2023. Signed by Judge Dabney L. Friedrich on January 18, 2023. (lcldf1) (Entered: 01/18/2023)
02/01/2023	<u>11</u>	PROPOSED BRIEFING SCHEDULE by U.S. OFFICE OF SPECIAL COUNSEL. (Attachments: # <u>1</u> Text of Proposed Order)(Curteman, Dedra) (Entered: 02/01/2023)
02/01/2023		MINUTE ORDER. Upon consideration of the parties' <u>11</u> Joint Proposal for Scheduling, it is ORDERED that the defendant shall file any motion for summary judgment on or before April 19, 2023; the plaintiff shall file any opposition and cross-motion for summary judgment on or before May 3, 2023; the defendant shall file any opposition and reply on or before May 24, 2023; and the plaintiff shall file any reply on or before June 7, 2023. So Ordered by Judge Dabney L. Friedrich on February 1, 2023. (lcldf1) (Entered: 02/01/2023)
04/18/2023	<u>12</u>	Unopposed MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by U.S. OFFICE OF SPECIAL COUNSEL. (Attachments: # <u>1</u> Text of Proposed Order)(Curteman, Dedra) (Entered: 04/18/2023)
04/19/2023		MINUTE ORDER granting the defendant's <u>12</u> Unopposed Motion for Extension of Time. The defendant shall file any motion for summary judgment on or before May 1, 2023; the plaintiff shall file any opposition and cross-motion for summary judgment on or before May 15, 2023; the defendant shall file any opposition and reply on or before June 5, 2023; and the plaintiff shall file any reply on or before June 19, 2023. So Ordered by Judge Dabney L. Friedrich on April 19, 2023. (lcldf1) (Entered: 04/19/2023)
05/01/2023	<u>13</u>	MOTION for Summary Judgment by U.S. OFFICE OF SPECIAL COUNSEL. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Declaration, # <u>9</u> Declaration, # <u>10</u> Statement of Facts, # <u>11</u> Text of Proposed Order)(Curteman, Dedra) (Entered: 05/01/2023)
05/15/2023	<u>14</u>	Memorandum in opposition to re <u>13</u> Motion for Summary Judgment, filed by PROJECT ON GOVERNMENT OVERSIGHT, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order)(Weismann, Anne) (Entered: 05/15/2023)
05/15/2023	<u>15</u>	Cross MOTION for Summary Judgment by PROJECT ON GOVERNMENT OVERSIGHT, INC.. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A, # <u>3</u> Statement of Facts, # <u>4</u> Text of Proposed Order)(Weismann, Anne) (Entered: 05/15/2023)
06/05/2023	<u>16</u>	REPLY to opposition to motion re <u>13</u> MOTION for Summary Judgment filed by U.S. OFFICE OF SPECIAL COUNSEL. (Attachments: # <u>1</u> Declaration Corrected, # <u>2</u> Statement of Facts Response to Plaintiff's)(Curteman, Dedra) (Entered: 06/05/2023)

06/05/2023	<u>17</u>	Memorandum in opposition to re <u>15</u> Motion for Summary Judgment filed by U.S. OFFICE OF SPECIAL COUNSEL. (Attachments: # <u>1</u> Declaration Corrected, # <u>2</u> Statement of Facts Response to Plaintiff's)(Curteman, Dedra) (Entered: 06/05/2023)
06/19/2023	<u>18</u>	REPLY to opposition to motion re <u>15</u> Cross MOTION for Summary Judgment filed by PROJECT ON GOVERNMENT OVERSIGHT, INC.. (Weismann, Anne) (Entered: 06/19/2023)
02/12/2024		MINUTE ORDER. On or before <u>February 20, 2024</u> , the defendant shall submit an affidavit or declaration clarifying: (1) whether Subject 1, Subject 2, or Subject 3 is one of the thirteen senior Trump Administration officials listed in the Office of Special Counsel's November 9, 2021 <i>Investigation of Political Activities by Senior Trump Administration Officials During the 2020 Presidential Election</i> ; and if so, (2) whether any of the letters sent to Subjects 1 through 3 that remain at issue in this litigation arise out of or relate to the conduct discussed in the Office's report. <i>Cf. Citizens for Responsibility & Ethics in Wash. v. U.S. Dept of Justice</i> , 854 F.3d 675, 861–63 (D.C. Cir. 2017). If the Office answers "yes" to either question, the Court will solicit targeted supplemental briefing from both sides as to the applicability of FOIA's Exception 7(C) to the relevant letters. So Ordered by Judge Dabney L. Friedrich on February 12, 2024. (lcldf1) (Entered: 02/12/2024)
02/12/2024		Set/Reset Deadlines: Affidavit of Declaration due by 2/20/2024. (zjch,) (Entered: 02/13/2024)
02/20/2024	<u>19</u>	NOTICE of Filing Millsaps Second Supplemental Declaration by U.S. OFFICE OF SPECIAL COUNSEL (Attachments: # <u>1</u> Millsaps Second Supplemental Declaration)(Curteman, Dedra) (Entered: 02/20/2024)
02/20/2024	<u>20</u>	ERRATA by U.S. OFFICE OF SPECIAL COUNSEL re <u>19</u> Notice (Other). (Attachments: # <u>1</u> Millsaps Second Supplemental Declaration)(Curteman, Dedra) (Entered: 02/20/2024)
03/19/2024	<u>21</u>	ORDER granting the defendant's <u>13</u> Motion for Summary Judgment and denying the plaintiff's <u>15</u> Cross–Motion for Summary Judgment. See text for details. The Clerk of Court is directed to close this case. Signed by Judge Dabney L. Friedrich on March 19, 2024. (lcldf1) (Entered: 03/19/2024)
03/19/2024	<u>22</u>	MEMORANDUM OPINION regarding the defendant's <u>13</u> Motion for Summary Judgment and the plaintiff's <u>15</u> Cross–Motion for Summary Judgment. See text for details. Signed by Judge Dabney L. Friedrich on March 19, 2024. (lcldf1) (Entered: 03/19/2024)