

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:23-cv-02178-TNM**

POWER THE FUTURE v. ENVIRONMENTAL
PROTECTION AGENCY et al
Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 07/27/2023
Date Terminated: 05/31/2024
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

POWER THE FUTURE

represented by **Christopher Cochran Horner**
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V.

Defendant

**ENVIRONMENTAL PROTECTION
AGENCY**

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Date Filed	#	Docket Text
07/27/2023	<u>1</u>	COMPLAINT against ENVIRONMENTAL PROTECTION AGENCY (Filing fee \$ 402 receipt number ADCDC-10235680) filed by POWER THE FUTURE. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Civil Cover Sheet)(Hardin, Matthew) (Entered: 07/27/2023)
07/27/2023		Case Assigned to Judge Trevor N. McFadden. (zsl) (Entered: 07/27/2023)
07/27/2023	<u>2</u>	SUMMONS (3) Issued Electronically as to ENVIRONMENTAL PROTECTION AGENCY, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsl) (Entered: 07/27/2023)
07/27/2023	<u>3</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 7/27/2023. (lctnm3) (Entered: 07/27/2023)
07/31/2023	<u>4</u>	NOTICE of Appearance by Christopher Cochran Horner on behalf of POWER THE FUTURE (Horner, Christopher) (Entered: 07/31/2023)
08/21/2023	<u>5</u>	NOTICE of Appearance by B. Kathryn Debrason on behalf of ENVIRONMENTAL PROTECTION AGENCY (Debrason, B.) (Entered: 08/21/2023)
08/26/2023	<u>6</u>	ANSWER to Complaint by ENVIRONMENTAL PROTECTION AGENCY.(znmw) (Entered: 08/28/2023)
09/01/2023		MINUTE ORDER: Before the Court are a Complaint and Answer in this FOIA case. It is hereby ORDERED that the parties meet and confer and that they then file a Joint Status Report proposing a schedule for proceeding in this matter. That JSR should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the JSR on or before September 29, 2023. Signed by Judge Trevor N. McFadden on 9/1/2023. (lctnm3) (Entered: 09/01/2023)
09/29/2023	<u>7</u>	Joint STATUS REPORT by ENVIRONMENTAL PROTECTION AGENCY. (Truong, John) (Entered: 09/29/2023)
09/30/2023		MINUTE ORDER: Having considered the parties' <u>7</u> Joint Status Report, the Court ORDERS the parties to submit a new JSR on or before November 28, 2023. SO ORDERED. Signed by Judge Trevor N. McFadden on 9/30/2023. (lctnm3) (Entered: 09/30/2023)
10/18/2023	<u>8</u>	NOTICE of Appearance by Kaitlin Kerry Eckrote on behalf of ENVIRONMENTAL PROTECTION AGENCY (Eckrote, Kaitlin) (Entered: 10/18/2023)
11/28/2023	<u>9</u>	Joint STATUS REPORT by ENVIRONMENTAL PROTECTION AGENCY. (Eckrote, Kaitlin) (Entered: 11/28/2023)
11/29/2023		MINUTE ORDER: The Court ORDERS the parties to file a further Joint Status Report on or before January 29, 2024, updating the Court on the status of this case. SO ORDERED. Signed by Judge Trevor N. McFadden on 11/29/2023. (lctnm3) (Entered: 11/29/2023)
01/29/2024	<u>10</u>	MOTION for Extension of Time to <i>File Joint Status Report</i> by POWER THE FUTURE. (Hardin, Matthew) (Entered: 01/29/2024)
01/29/2024	<u>11</u>	Joint STATUS REPORT by ENVIRONMENTAL PROTECTION AGENCY. (Debrason, B.) (Entered: 01/29/2024)
01/30/2024		MINUTE ORDER: Upon consideration of the parties' <u>11</u> Joint Status Report, the Court ORDERS the parties to file another report by March 29, 2024. If the parties have

		not filed a joint stipulation of dismissal by that date, the report shall propose a briefing schedule to resolve any outstanding issues. The Court DENIES AS MOOT Plaintiff's <u>10</u> Motion for Extension of Time to file a Joint Status Report. SO ORDERED. Signed by Judge Trevor N. McFadden on 01/30/2024. (lctnm1) (Entered: 01/30/2024)
03/29/2024	<u>12</u>	Joint STATUS REPORT by ENVIRONMENTAL PROTECTION AGENCY. (Debrason, B.) (Entered: 03/29/2024)
04/02/2024		MINUTE ORDER: Upon consideration of the parties' <u>12</u> Joint Status Report, the Court ORDERS the parties to file another JSR on or before May 29, 2024. If the parties execute their settlement agreement before that time, they shall promptly inform the Court. SO ORDERED. Signed by Judge Trevor N. McFadden on 4/1/2024. (lctnm3) (Entered: 04/02/2024)
04/26/2024	<u>13</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Joshua Ontell on behalf of ENVIRONMENTAL PROTECTION AGENCY Substituting for attorney B. Kathryn Debrason (Ontell, Joshua) (Entered: 04/26/2024)
05/29/2024	<u>14</u>	Joint STATUS REPORT by ENVIRONMENTAL PROTECTION AGENCY. (Ontell, Joshua) (Entered: 05/29/2024)
05/29/2024		MINUTE ORDER: Upon consideration of the parties' <u>14</u> Joint Status Report, the Court ORDERS the parties to file another JSR on or before July 9, 2024. If the parties execute their settlement agreement before that time, they shall promptly inform the Court. SO ORDERED . Signed by Judge Trevor N. McFadden on 5/29/2024. (lctnm3) (Entered: 05/29/2024)
05/30/2024	<u>15</u>	STIPULATION of Dismissal <i>with Prejudice</i> by ENVIRONMENTAL PROTECTION AGENCY. (Ontell, Joshua) (Entered: 05/30/2024)
05/31/2024		MINUTE ORDER: In light of the parties' <u>15</u> Stipulation of Dismissal, the Court ORDERS that this case is DISMISSED WITH PREJUDICE . Fed. R. Civ. P. 41(a)(1)(A)(ii). The Clerk of Court is directed to close this case. SO ORDERED . Signed by Judge Trevor N. McFadden on 5/30/2024. (lctnm3) (Entered: 05/31/2024)