U.S. District Court District of Columbia (Washington, DC) CIVIL DOCKET FOR CASE #: 1:23-cv-02761-ACR

VIVEK 2024 v. DEPARTMENT OF JUSTICE Assigned to: Judge Ana C. Reyes Cause: 05:552 Freedom of Information Act Date Filed: 09/20/2023 Date Terminated: 05/21/2024 Jury Demand: None Nature of Suit: 895 Freedom of Information Act Jurisdiction: U.S. Government Defendant

represented by Phillip Michael Gordon

HOLTZMAN VOGEL BARAN TORCHINSKY & JOSEFIAK PLLC 15405 John Marshall Highway Haymarket, VA 20169 540–341–8808 Email: pgordon@holtzmanvogel.com ATTORNEY TO BE NOTICED

V.

Plaintiff VIVEK 2024

Defendant DEPARTMENT OF JUSTICE

represented by Sarah Suwanda

U.S. DEPARTMENT OF JUSTICE Civil Division, Federal Programs 1100 L Street NW Washington, DC 20005 202–305–3196 Email: <u>sarah.m.suwanda@usdoj.gov</u> *LEAD ATTORNEY ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
09/20/2023	<u>1</u>	COMPLAINT against DEPARTMENT OF JUSTICE (Filing fee \$ 402 receipt number ADCDC–10366311) filed by VIVEK 2024. (Attachments: # 1 Exhibit 01, # 2 Exhibit 02, # 3 Exhibit 03, # 4 Exhibit 04, # 5 Exhibit 05, # 6 Exhibit 06, # 7 Exhibit 07, # 8 Exhibit 08, # 9 Summons DOJ, # 10 Summons Merrick Garland, # 11 Summons US Atty, DC, # 12 Civil Cover Sheet Civil Cover Sheet)(Gordon, Phillip) (Attachment 12 replaced on 9/21/2023 with non–fillable Coversheet and reflect paid filing fee) (zcb). (Entered: 09/20/2023)
09/21/2023	2	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by VIVEK 2024 (Gordon, Phillip) (Entered: 09/21/2023)
09/21/2023		Case Assigned to Judge Randolph D. Moss. (zcb) (Entered: 09/21/2023)
09/21/2023	<u>3</u>	SUMMONS (3) Issued Electronically as to DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zcb) (Entered: 09/21/2023)
09/25/2023	<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 Randolph D. Moss on 9/25/2023. (lcrdm1) (Entered: 09/25/2023)
10/11/2023	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 09/27/2023. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Gordon, Phillip) (Entered: 10/11/2023)

10/11/2023	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF JUSTICE served on 9/27/2023 (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Gordon, Phillip) (Entered: 10/11/2023)
10/11/2023	7	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/22/2023. Answer due for ALL FEDERAL DEFENDANTS by 10/22/2023. (Gordon, Phillip) (Entered: 10/11/2023)
10/23/2023	<u>8</u>	NOTICE of Appearance by Sarah Suwanda on behalf of All Defendants (Suwanda, Sarah) (Entered: 10/23/2023)
10/23/2023	2	ANSWER to Complaint by DEPARTMENT OF JUSTICE.(Suwanda, Sarah) (Entered: 10/23/2023)
10/23/2023		MINUTE ORDER: It is ORDERED that, on or before November 9, 2023, the parties shall confer and file a joint status report addressing (1) any documents still to be produced pursuant to FOIA; (2) an anticipated schedule for processing and producing any such documents; and (3) any substantive areas of disagreement between the parties. It is further ORDERED that the parties shall appear for an Initial Scheduling Conference on November 16, 2023, at 9:30 a.m. in Courtroom 8. Signed by Judge Randolph D. Moss on 10/23/2023. (lcrdm1) (Entered: 10/23/2023)
11/09/2023	<u>10</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Suwanda, Sarah) (Entered: 11/09/2023)
11/10/2023		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>10</u> , the parties are hereby ORDERED to file a further joint status report on or before December 12, 2023. It is further ORDERED that the Initial Scheduling Conference scheduled on November 16, 2023 is VACATED. Signed by Judge Randolph D. Moss on 11/10/2023. (lcrdm1) (Entered: 11/10/2023)
12/12/2023	<u>11</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Suwanda, Sarah) (Entered: 12/12/2023)
12/21/2023	<u>12</u>	Case directly reassigned to Judge Ana C. Reyes by consent as related. Judge Randolph D. Moss is no longer assigned to the case. (ztnr) (Entered: 12/21/2023)
12/21/2023		MINUTE ORDER. In their <u>11</u> Joint Status Report, the parties state that they "agree[] that it would be appropriate to consolidate this case with . . . Vivek 2024 v. DOJ, No. 1:23–cv–02228–ACR (D.D.C.)." The Court agrees. "Pursuant to [Federal Rule of Civil Procedure] 42(a), a district court has authority to order consolidation when actions involving a 'common question of law or fact' are pending before the court." <i>Nat'l Ass'n of Mortg. Brokers v. Bd. of Governors of the Fed. Rsrv. Sys.</i> , 770 F. Supp. 2d 283, 286 (D.D.C. 2011) (citation omitted) (quoting Fed. R. Civ. P. 42(a)). This case and case number 1:23–cv–02228, also pending before this Court, are both Freedom of Information Act actions brought by the same Plaintiff/requester against the same Defendant/agency, and so involve "common question[s] of law or fact." Fed. R. Civ. P. 42(a). The Court therefore exercises its "purely discretionary power" to "consolidate [these] related cases <i>sua sponte.</i> ." <i>Nat'l Ass'n of Mortg. Brokers</i> , 770 F. Supp. 2d at 286. Accordingly, the Clerk of Court is hereby DIRECTED to consolidate this case with <i>Vivek 2024 v. Department of Justice</i> , No. 1:23–cv–02228. The parties should make all
		future filings only in case number 1:23–cv–02228 and should identify both cases in each filing's caption. Signed by Judge Ana C. Reyes on 12/21/2023. (lcar3) (Entered: 12/21/2023)
12/21/2023		Cases Consolidated. This case has been consolidated with case 23cv2228 pursuant to Minute Order filed 12/21/2023. From this date forward, all pleadings shall be filed ONLY in the lead case, 23cv2228. Parties are advised NOT to elect the SPREAD TEXT option when filing in ECF, as this will result in repetitive docketing. (znmw) (Entered: 12/21/2023)