

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:24-cv-02049-RFL**

The War Horse News et al v. United States Department of
Defense et al
Assigned to: Judge Rita F. Lin
Cause: 05:552 Freedom of Information Act

Date Filed: 04/04/2024
Date Terminated: 06/24/2024
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

The War Horse News

represented by **Annie Yue Shi**
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Plaintiff

Sonner Kehrt

represented by **Annie Yue Shi**
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V.

Defendant

United States Department of Defense

represented by **David Michael DeVito**
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Defendant

United States Army

represented by **David Michael DeVito**
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Date Filed	#	Docket Text
04/04/2024	<u>1</u>	COMPLAINT <i>for Declaratory and Injunctive Relief for Violation of the Freedom of Information Act, 5 U.S.C § 552 et seq.</i> against United States Department of Defense; United States Army (Filing fee \$ 405, receipt number ACANDC–19290247.). Filed by The War Horse News, Sonner Kehrt. (Attachments: # <u>1</u> Exhibit A–G, # <u>2</u> Civil Cover Sheet)(Shi, Annie) (Filed on 4/4/2024) (Entered: 04/04/2024)
04/04/2024	2	Case assigned to Judge Charles R. Breyer. Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E–Filing A New Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening . Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges . Upon receipt, the summons will be issued and returned electronically. A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. (kmg, COURT STAFF) (Filed on 4/4/2024) (Entered: 04/04/2024)
04/04/2024	<u>3</u>	Initial Case Management Scheduling Order with ADR Deadlines: Notice: The assigned judge participates in the Cameras in the Courtroom Pilot Project. See General Order No. 65 and http://cand.uscourts.gov/cameras. Case Management Statement due by 7/19/2024. Initial Case Management Conference set for 7/26/2024 08:30 AM in San Francisco, – Videoconference Only. (Attachments: # <u>1</u> Notice of Eligibility for Video Recording)(mcl, COURT STAFF) (Filed on 4/4/2024) (Entered: 04/04/2024)
04/04/2024	<u>4</u>	ORDER OF RECUSAL. Signed by Judge Charles R. Breyer on 4/4/2024. (ls, COURT STAFF) (Filed on 4/4/2024) (Entered: 04/04/2024)
04/05/2024	<u>5</u>	ORDER REASSIGNING CASE. Case reassigned using a proportionate, random, and blind system pursuant to General Order No. 44 to Judge Rita F. Lin for all further proceedings. Judge Charles R. Breyer no longer assigned to case, Notice: The assigned judge participates in the Cameras in the Courtroom Pilot Project. See General Order No. 65 and http://cand.uscourts.gov/cameras.. Signed by Clerk on 4/5/2024. (Attachments: # <u>1</u> Notice of Eligibility for Video Recording)(ark, COURT STAFF) (Filed on 4/5/2024) (Entered: 04/05/2024)
04/08/2024	6	CLERK'S NOTICE SETTING CASE MANAGEMENT CONFERENCE UPON REASSIGNMENT: Notice is hereby given that an Initial Case Management Conference is set before Judge Rita F. Lin upon reassignment. For a copy of Judge Lin's Standing Order and other information, please refer to the Court's website at https://www.cand.uscourts.gov/judges/lin-rita-f-rfl/ . Initial Case Management Conference set for 7/24/2024 10:00 AM in San Francisco – Videoconference Only. Case Management Statement due by 7/17/2024. This proceeding will be held via a Zoom webinar. Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/judges/lin-rita-f-rfl/ General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited. Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/ . <i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (mkl, COURT STAFF) (Filed on 4/8/2024) (Entered: 04/08/2024)

04/17/2024	<u>7</u>	Rule 7.1 Disclosures by Sonner Kehrt, The War Horse News (Shi, Annie) (Filed on 4/17/2024) (Entered: 04/17/2024)
04/19/2024	<u>8</u>	Proposed Summons. (Shi, Annie) (Filed on 4/19/2024) (Entered: 04/19/2024)
04/19/2024	<u>9</u>	Summons Issued as to United States Army, United States Department of Defense, U.S. Attorney and U.S. Attorney General. (mcl, COURT STAFF) (Filed on 4/19/2024) (Entered: 04/19/2024)
05/02/2024	<u>10</u>	<p>CLERK'S NOTICE Advancing Case Management Conference:</p> <p>Due to the Court's unavailability, the Initial Case Management Conference set for 7/24/2024 is advanced to <u>7/17/2024</u> 10:00 AM in San Francisco – Videoconference Only. Case Management Statement due by 7/10/2024.</p> <p>This proceeding will be held via a Zoom webinar.</p> <p>Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/judges/lin-rita-f-rfl/</p> <p>General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited.</p> <p>Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mkl, COURT STAFF) (Filed on 5/2/2024) (Entered: 05/02/2024)</p>
05/15/2024	<u>11</u>	NOTICE of Appearance by David Michael DeVito (DeVito, David) (Filed on 5/15/2024) (Entered: 05/15/2024)
05/15/2024	<u>12</u>	STIPULATION re <u>1</u> Complaint, filed by United States Army, United States Department of Defense. (DeVito, David) (Filed on 5/15/2024) (Entered: 05/15/2024)
06/20/2024	<u>13</u>	STIPULATION WITH PROPOSED ORDER TO TRANSFER VENUE TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA PURSUANT TO 28 U.S.C. § 1404(a) AND STIPULATION TO EXTEND TIME TO RESPOND TO COMPLAINT filed by United States Army, United States Department of Defense. (DeVito, David) (Filed on 6/20/2024) (Entered: 06/20/2024)
06/21/2024	<u>14</u>	ORDER by Judge Rita F. Lin denying without prejudice <u>13</u> Stipulation. The parties' stipulation to transfer this case to the U.S. District Court for the District of Columbia is DENIED WITHOUT PREJUDICE to refile in a manner that complies with the requirements of 28 U.S.C. § 1404(a). While the stipulation satisfies § 1404(a)'s consent clause, it fails to provide any information on which the Court could conclude that the transfer serves "the convenience of parties and witnesses" and is "in the interest of justice." 28 U.S.C. § 1404(a); see also Young v. iFinex Inc., No. C19-1902, 2020 WL 42248, at *2 (W.D. Wash. Jan. 3, 2020) (denying parties' stipulation to transfer venue that provided no information to assess whether transfer would serve the convenience of parties and witnesses and be in the interest of justice). (This is a text-only entry generated by the court. There is no document associated with this entry.) (rflc3, COURT STAFF) (Filed on 6/21/2024) (Entered: 06/21/2024)
06/24/2024	<u>15</u>	STIPULATION WITH PROPOSED ORDER TO TRANSFER VENUE TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA PURSUANT TO 28 U.S.C. § 1404(a) AND STIPULATION TO EXTEND TIME TO RESPOND TO COMPLAINT filed by United States Army, United States Department of Defense. (DeVito, David) (Filed on 6/24/2024) (Entered: 06/24/2024)
06/24/2024	<u>16</u>	ORDER by Judge Rita F. Lin granting <u>15</u> Stipulation to Transfer Case to the United States District Court for the District of Columbia. (mkl, COURT STAFF) (Filed on 6/24/2024) (Entered: 06/24/2024)

06/25/2024		Case electronically transferred to the United States District Court for the District of Columbia. New case number – 1:24-cv-01834. (mcl, COURT STAFF) (Filed on 6/25/2024) Modified on 6/25/2024 (mcl, COURT STAFF). (Entered: 06/25/2024)
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