

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:21-cv-01522-TSC**

ADVANCE MAGAZINE PUBLISHERS, INC. v. U.S.  
DEPARTMENT OF DEFENSE et al  
Assigned to: Judge Tanya S. Chutkan  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/04/2021  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**APM REPORTS**  
*TERMINATED: 06/14/2023*

represented by **Joshua Loevy**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

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**ATTORNEY TO BE NOTICED**

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**ATTORNEY TO BE NOTICED**

**Plaintiff**

**ADVANCE MAGAZINE  
PUBLISHERS, INC.**

represented by **Joshua Loevy**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Matthew Topic**  
(See above for address)

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Merrick Jason Wayne**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Stephen Stich Match**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**U.S. DEPARTMENT OF DEFENSE**

represented by **John Moustakas**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
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*TERMINATED: 01/14/2024  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Thomas Duffey**  
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*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Dedra Seibel Curteman**  
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US Attorney's Office, Civil Division  
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*TERMINATED: 07/05/2022*

**Michael A. Tilghman, II**  
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*TERMINATED: 09/13/2022*

**Defendant**

**U.S. AIR FORCE**

represented by **John Moustakas**  
(See above for address)  
*TERMINATED: 01/14/2024  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Thomas Duffey**  
(See above for address)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Dedra Seibel Curteman**  
(See above for address)  
*TERMINATED: 07/05/2022*

**Michael A. Tilghman , II**  
(See above for address)  
*TERMINATED: 09/13/2022*

**Defendant**

**U.S. DEPARTMENT OF THE ARMY**

represented by **John Moustakas**  
(See above for address)  
*TERMINATED: 01/14/2024*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Thomas Duffey**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Dedra Seibel Curteman**  
(See above for address)  
*TERMINATED: 07/05/2022*

**Michael A. Tilghman , II**  
(See above for address)  
*TERMINATED: 09/13/2022*

**Defendant**

**U.S. MARINE CORPS**

represented by **John Moustakas**  
(See above for address)  
*TERMINATED: 01/14/2024*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Thomas Duffey**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Dedra Seibel Curteman**  
(See above for address)  
*TERMINATED: 07/05/2022*

**Michael A. Tilghman , II**  
(See above for address)  
*TERMINATED: 09/13/2022*

**Defendant**

**U.S. DEPARTMENT OF THE NAVY**

represented by **John Moustakas**  
(See above for address)  
*TERMINATED: 01/14/2024*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Thomas Duffey**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Dedra Seibel Curteman**

(See above for address)  
*TERMINATED: 07/05/2022*

**Michael A. Tilghman , II**  
(See above for address)  
*TERMINATED: 09/13/2022*

**Defendant**

**U.S. SPECIAL OPERATIONS  
COMMAND**

represented by **John Moustakas**  
(See above for address)  
*TERMINATED: 01/14/2024*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Thomas Duffey**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Dedra Seibel Curteman**  
(See above for address)  
*TERMINATED: 07/05/2022*

**Michael A. Tilghman , II**  
(See above for address)  
*TERMINATED: 09/13/2022*

**Defendant**

**UNITED STATES CENTRAL  
COMMAND**

represented by **John Moustakas**  
(See above for address)  
*TERMINATED: 01/14/2024*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Thomas Duffey**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Dedra Seibel Curteman**  
(See above for address)  
*TERMINATED: 07/05/2022*

**Michael A. Tilghman , II**  
(See above for address)  
*TERMINATED: 09/13/2022*

Date Filed	#	Docket Text
06/04/2021	<u>1</u>	COMPLAINT against U.S. AIR FORCE, U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND ( Filing fee \$ 402 receipt number ADCDC-8503517) filed by APM REPORTS. (Attachments: # <u>1</u> Exhibit 1-10, # <u>2</u> Exhibit 11-20, # <u>3</u> Exhibit 21-30, # <u>4</u> Exhibit 31-38, # <u>5</u> Civil Cover Sheet, # <u>6</u> Summons)(Topic, Matthew) (Entered: 06/04/2021)
06/04/2021	<u>2</u>	NOTICE of Appearance by Matthew Topic on behalf of APM REPORTS (Topic, Matthew) (Entered: 06/04/2021)
06/04/2021		Case Assigned to Judge Tanya S. Chutkan. (adh, ) (Entered: 06/04/2021)

06/04/2021	<u>3</u>	SUMMONS (9) Issued Electronically as to U.S. AIR FORCE, U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(adh, ) (Entered: 06/04/2021)
07/19/2021	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. AIR FORCE served on 6/21/2021 (Topic, Matthew) (Entered: 07/19/2021)
07/19/2021	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF THE ARMY served on 6/17/2021 (Topic, Matthew) (Entered: 07/19/2021)
07/19/2021	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. CENTRAL COMMAND served on 6/21/2021 (Topic, Matthew) (Entered: 07/19/2021)
07/19/2021	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF DEFENSE served on 6/17/2021 (Topic, Matthew) (Entered: 07/19/2021)
07/19/2021	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF THE NAVY served on 6/21/2021 (Topic, Matthew) (Entered: 07/19/2021)
07/19/2021	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. MARINE CORPS served on 6/21/2021 (Topic, Matthew) (Entered: 07/19/2021)
07/19/2021	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. SPECIAL OPERATIONS COMMAND served on 6/21/2021 (Topic, Matthew) (Entered: 07/19/2021)
07/19/2021	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 06/22/2021. (Topic, Matthew) (Entered: 07/19/2021)
07/19/2021	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/22/2021. Answer due for ALL FEDERAL DEFENDANTS by 7/22/2021. (Topic, Matthew) (Entered: 07/19/2021)
07/21/2021	<u>13</u>	ANSWER to Complaint by U.S. AIR FORCE, U.S. CENTRAL COMMAND, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND.(Tilghman, Michael) (Entered: 07/21/2021)
10/28/2021		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address 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, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues no later than 12/9/22. The joint status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 10/28/21. (DJS) (Entered: 10/28/2021)
11/02/2021		Set/Reset Deadlines: Joint Status Report due by 12/9/2022. (tb) (Entered: 11/02/2021)
12/09/2021	<u>14</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Tilghman, Michael) (Entered: 12/09/2021)
12/30/2021		MINUTE ORDER: Having considered the parties' joint status report, it is hereby ordered that the parties shall file another joint report by 2/7/22 and every 60 days thereafter. To the extent the report contains a proposal to change the status quo, the

		report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 12/30/21. (DJS) (Entered: 12/30/2021)
12/30/2021		Set/Reset Deadlines: Joint Status Report due by 2/7/2022. (jth) (Entered: 12/30/2021)
01/06/2022		Set/Reset Deadlines: Joint Status Report due by 2/7/2022. (tb) (Entered: 01/06/2022)
02/07/2022	<u>15</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Tilghman, Michael) (Entered: 02/07/2022)
04/07/2022	<u>16</u>	NOTICE of Appearance by Joshua Loevy on behalf of APM REPORTS (Loevy, Joshua) (Entered: 04/07/2022)
04/08/2022	<u>17</u>	NOTICE of Appearance by Dedra Seibel Curteman on behalf of All Defendants (Curteman, Dedra) (Entered: 04/08/2022)
04/08/2022	<u>18</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Curteman, Dedra) (Entered: 04/08/2022)
06/07/2022	<u>19</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Curteman, Dedra) (Entered: 06/07/2022)
07/05/2022	<u>20</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. Attorney Dedra Seibel Curteman terminated. (Curteman, Dedra) (Entered: 07/05/2022)
08/05/2022	<u>21</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Tilghman, Michael) (Entered: 08/05/2022)
09/13/2022	<u>22</u>	NOTICE OF SUBSTITUTION OF COUNSEL by John Moustakas on behalf of U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND Substituting for attorney Michael A. Tilghman, II (Moustakas, John) (Entered: 09/13/2022)
10/04/2022	<u>23</u>	STATUS REPORT by APM REPORTS. (Loevy, Joshua) (Entered: 10/04/2022)
10/11/2022	<u>24</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Moustakas, John) (Entered: 10/11/2022)
12/09/2022	<u>25</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Moustakas, John) (Entered: 12/09/2022)
02/07/2023	<u>26</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Moustakas, John) (Entered: 02/07/2023)
02/21/2023	<u>27</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of APM REPORTS (Wayne, Merrick) (Entered: 02/21/2023)
02/22/2023		RESOLVED...NOTICE of Provisional/Government Not Certified Status re NOTICE of Appearance by Merrick Jason Wayne on behalf of BUZZFEED INC., JASON LEOPOLD (Wayne, Merrick),

		<p>Your attorney renewal/government certification has not been received. As a result, your membership with the U.S. District &amp; Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Civil Rule 83.9, you must immediately correct your membership status by following the appropriate instructions on this page of our website:  <a href="https://www.dcd.uscourts.gov/attorney-renewal">https://www.dcd.uscourts.gov/attorney-renewal</a>.</p> <p>Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 3/1/2023. (zbaj) Modified on 2/23/2023 (znmw). Modified on 3/2/2023 (zbaj). (Entered: 02/22/2023)</p>
04/10/2023	<u>28</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Moustakas, John) (Entered: 04/10/2023)
05/25/2023	<u>29</u>	NOTICE of Appearance by Stephen Stich Match on behalf of APM REPORTS (Match, Stephen) (Entered: 05/25/2023)
05/26/2023	<u>30</u>	Unopposed MOTION to Substitute Party by APM REPORTS. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Match, Stephen) (Entered: 05/26/2023)
06/09/2023	<u>31</u>	Joint STATUS REPORT by APM REPORTS. (Wayne, Merrick) (Entered: 06/09/2023)
06/14/2023		MINUTE ORDER: Granting <u>30</u> Unopposed Motion to Substitute Party. Advance Magazine Publishers, Inc. is substituted in the place and stead of American Public Media Reports as plaintiff in this action. It is further ORDERED that Advance Magazine Publishers, Inc. is deemed to have adopted all American Public Media Reports' filings in this action. Accordingly, the Clerk of the Court shall update the docket, including the case caption. Signed by Judge Tanya S. Chutkan on 6/14/23. (lcsr) (Entered: 06/14/2023)
08/18/2023	<u>32</u>	Joint STATUS REPORT by ADVANCE MAGAZINE PUBLISHERS, INC.. (Wayne, Merrick) (Entered: 08/18/2023)
08/24/2023		MINUTE ORDER: Upon consideration of the parties' <u>32</u> Joint Status Report, the parties shall file another joint status report by September 14, 2023 and every 60 days thereafter. To the extent that parties propose a change in the status quo, the report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 8/24/23. (lca) (Entered: 08/24/2023)
08/24/2023		Set/Reset Deadlines: Status Report due by 9/14/2023 and every 60 days thereafter. (zed) (Entered: 08/25/2023)
09/14/2023	<u>33</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Moustakas, John) (Entered: 09/14/2023)
11/13/2023	<u>34</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Moustakas, John) (Entered: 11/13/2023)
01/11/2024	<u>35</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Duffey, Thomas) (Entered: 01/11/2024)
01/14/2024	<u>36</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Thomas Duffey on behalf of U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND Substituting for attorney John Moustakas (Duffey, Thomas) (Entered: 01/14/2024)
03/04/2024	<u>37</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES

		CENTRAL COMMAND. (Duffey, Thomas) (Entered: 03/04/2024)
05/03/2024	<u>38</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Duffey, Thomas) (Entered: 05/03/2024)
07/02/2024	<u>39</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Duffey, Thomas) (Entered: 07/02/2024)
09/03/2024	<u>40</u>	Joint STATUS REPORT by U.S. AIR FORCE, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF THE ARMY, U.S. DEPARTMENT OF THE NAVY, U.S. MARINE CORPS, U.S. SPECIAL OPERATIONS COMMAND, UNITED STATES CENTRAL COMMAND. (Duffey, Thomas) (Entered: 09/03/2024)