

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-01965-CKK**

LUNDERGAN v. FEDERAL BUREAU OF INVESTIGATION Date Filed: 07/20/2021
Assigned to: Judge Colleen Kollar-Kotelly Jury Demand: None
Case: [1:21-cv-02525-CKK](#) Nature of Suit: 895 Freedom of Information Act
Cause: 05:552 Freedom of Information Act Jurisdiction: U.S. Government Defendant

Plaintiff**GERALD G. LUNDERGAN**

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V.

Defendant**FEDERAL BUREAU OF INVESTIGATION**

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Date Filed	#	Docket Text
07/20/2021	<u>1</u>	COMPLAINT against FEDERAL BUREAU OF INVESTIGATION (Filing fee \$ 402 receipt number ADCDC-8612411) filed by GERALD G LUNDERGAN. (Attachments: # <u>1</u> Civil Cover Sheet CIVIL COVER SHEET, # <u>2</u> Summons SUMMONS)(Hopwood, Shon) (Entered: 07/20/2021)

07/20/2021		Case Assigned to Judge Colleen Kollar-Kotelly. (adh,) (Entered: 07/20/2021)
07/20/2021	<u>2</u>	SUMMONS (1) Issued Electronically as to FEDERAL BUREAU OF INVESTIGATION. (Attachments: # <u>1</u> Notice and Consent)(adh,) (Entered: 07/20/2021)
07/27/2021	<u>3</u>	ORDER ESTABLISHING PROCEDURES FOR CASES ASSIGNED TO JUDGE COLLEEN KOLLAR-KOTELLY. Signed by Judge Colleen Kollar-Kotelly on 7/27/2021. (DM) (Entered: 07/27/2021)
08/05/2021	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/27/2021. Answer due for ALL FEDERAL DEFENDANTS by 8/26/2021. (Hopwood, Shon) (Entered: 08/05/2021)
08/05/2021	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL BUREAU OF INVESTIGATION served on 7/27/2021 (Hopwood, Shon) (Entered: 08/05/2021)
08/05/2021	<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 7/28/2021. (Hopwood, Shon) (Entered: 08/05/2021)
08/10/2021	<u>7</u>	NOTICE of Appearance by Stephanie R. Johnson on behalf of FEDERAL BUREAU OF INVESTIGATION (Johnson, Stephanie) (Entered: 08/10/2021)
08/26/2021	<u>8</u>	ANSWER to Complaint by FEDERAL BUREAU OF INVESTIGATION.(Johnson, Stephanie) (Entered: 08/26/2021)
09/07/2021	<u>9</u>	ORDER requiring the parties to meet and confer and file a Joint Status Report by no later than OCTOBER 8, 2021. See Order for details. Signed by Judge Colleen Kollar-Kotelly on 9/7/21. (lcckk3) (Entered: 09/07/2021)
09/07/2021		Set/Reset Deadlines: Joint Meet & Confer Statement due by 10/8/2021. (dot) (Entered: 09/07/2021)
09/28/2021	<u>10</u>	NOTICE of Appearance by Kyle Singhal on behalf of GERALD G. LUNDERGAN (Singhal, Kyle) (Entered: 09/28/2021)
09/28/2021	<u>11</u>	NOTICE OF RELATED CASE by GERALD G. LUNDERGAN. Case related to Case No. 21-cv-2525. (Singhal, Kyle) (Entered: 09/28/2021)
10/06/2021	<u>12</u>	Joint MOTION for Extension of Time to <i>Meet, Confer, and File Joint Status Report</i> by GERALD G. LUNDERGAN. (Singhal, Kyle) (Entered: 10/06/2021)
10/07/2021		MINUTE ORDER. The Court is in receipt of Plaintiff's <u>12</u> Agreed Motion for Extension of Meet and Confer Deadline, in which Plaintiff requests an extension of time to file a Joint Status Report responsive to the Court's <u>9</u> Order. Plaintiff recently filed another FOIA case, 21-cv-2525, which has been assigned to this Court. Plaintiff seeks an extension of time to meet and confer with Defendant and file a joint status report so that he can first review the answer in the related case. Defendant consents to Plaintiff's requested extension. The Court GRANTS Plaintiff's <u>12</u> motion and VACATES the deadline for the parties to meet and confer and file a joint status report. The Court shall set a new deadline for the parties to meet and confer and file a joint status report in response to its <u>9</u> Order upon receipt of the answer to the Complaint in the related case. Signed by Judge Colleen Kollar-Kotelly on 10/7/21. (lcckk3) (Entered: 10/07/2021)
01/19/2022		MINUTE ORDER. In its October 7, 2021 Minute Order, the Court indicated that it would set a "new deadline for the parties to meet and confer and file a joint status report" upon receipt of the answer to the Complaint in <i>Lundergan v. Executive Office for United States Attorneys</i> , Case No. 21-cv-2525 (CKK). Defendant filed the answer to the Complaint in that case on January 18, 2022 and the Court ordered the parties to meet and confer and file a joint status report by no later than March 4, 2022. Accordingly, the Court ORDERS the parties in this case to meet and confer and file a joint status report addressing the topics in the Court's <u>9</u> Order by no later than MARCH 4, 2022.. Signed by Judge Colleen Kollar-Kotelly on 1/19/22. (lcckk3) (Entered: 01/19/2022)

01/19/2022		Set/Reset Deadlines: Joint Meet & Confer Statement due by 3/4/2022. (dot) (Entered: 01/19/2022)
03/04/2022	<u>13</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Stephanie) (Entered: 03/04/2022)
03/07/2022	<u>14</u>	ORDER. Signed by Judge Colleen Kollar-Kotelly on 3/7/22. (lcckk3) (Entered: 03/07/2022)
03/07/2022		Set/Reset Deadlines: Joint Status Report due by 5/6/2022. (dot) (Entered: 03/08/2022)
05/06/2022	<u>15</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Stephanie) (Entered: 05/06/2022)
05/18/2022	<u>16</u>	ORDER directing the parties to file a further Joint Status Report by June 1, 2022. Please see Order for details. Signed by Judge Colleen Kollar-Kotelly on 5/18/22. (lcckk3) (Entered: 05/18/2022)
05/18/2022		Set/Reset Deadlines: Joint Status Report due by 6/1/2022. (dot) (Entered: 05/19/2022)
06/01/2022	<u>17</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Stephanie) (Entered: 06/01/2022)
06/02/2022	<u>18</u>	ORDER: Joint Status Report due by 8/1/2022. See Order for details. Signed by Judge Colleen Kollar-Kotelly on 06/2/2022. (DM) (Entered: 06/02/2022)
08/01/2022	<u>19</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Stephanie) (Entered: 08/01/2022)
08/02/2022	<u>20</u>	ORDER directing Defendant to file a supplemental status report by AUGUST 9, 2022. Please see Order for details. Signed by Judge Colleen Kollar-Kotelly on 8/2/22. (lcckk3) (Entered: 08/02/2022)
08/02/2022		Set/Reset Deadlines: Defendant's Supplemental Status Report due by 8/9/2022. (dot) (Entered: 08/03/2022)
08/09/2022	<u>21</u>	Supplemental STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Stephanie) (Entered: 08/09/2022)
08/10/2022		MINUTE ORDER. The Court is in receipt of Defendant's <u>21</u> Supplemental Status Report, in which Defendant indicates that it no longer intends to rely on Exemption 7(A) to justify its withholdings in response to Plaintiff's FOIA request. Plaintiff may file a response to Defendant's <u>21</u> Supplemental Status Report by no later than 3:00pm on AUGUST 11, 2022 , providing Plaintiff's position on Defendant's proposed schedule for proceeding. Otherwise, the Court shall adopt Defendant's proposed schedule. Signed by Judge Colleen Kollar-Kotelly on 8/10/22. (lcckk3) (Entered: 08/10/2022)
08/11/2022	<u>22</u>	RESPONSE re <u>21</u> Supplemental STATUS REPORT, <i>Plaintiff's Response to Defendant's Supplemental Status Report</i> filed by GERALD G. LUNDERGAN. (Singhal, Kyle) Modified on 8/11/2022 to correct docket text/link (zjm). (Entered: 08/11/2022)
08/11/2022	<u>23</u>	REPLY re <u>21</u> Status Report (<i>reply to Plaintiffs response to Defendants supplemental response</i>) filed by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Stephanie) Modified on 8/11/2022 to correct event (zjm). (Entered: 08/11/2022)
08/11/2022	<u>24</u>	ORDER directing Defendant to release certain records by AUGUST 26, 2022 and SEPTEMBER 9, 2022; directing parties to file a Joint Status Report by SEPTEMBER 30, 2022 and every 60 days thereafter. <i>Please see Order for details.</i> Signed by Judge Colleen Kollar-Kotelly on 8/11/22. (lcckk3) (Entered: 08/11/2022)
08/11/2022		Set/Reset Deadlines: Joint Status Report due by 9/30/2022 and every 60 days thereafter. (dot) (Entered: 08/15/2022)
09/30/2022	<u>25</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Johnson, Stephanie) (Entered: 09/30/2022)
09/30/2022		MINUTE ORDER. The Court is in receipt of the parties' <u>25</u> Joint Status Report, in which Defendant reports that it has processed approximately 1,400 pages of potentially

		responsive records and released 371 pages in two productions on August 16 and September 9, 2022. There are approximately 6,300 pages of potentially responsive records remaining and the FBI intends to process approximately 500 pages per month and release documents that have been cleared on the 9th day of each month (except for its next release, which will occur on October 7). The Court previously ordered the parties to submit joint status reports every 60 days. Plaintiff requests that the parties instead file joint status reports every 30 days. Defendant does not oppose Plaintiff's request at this time. Accordingly, the Court ORDERS that the parties shall file their next status report by no later than OCTOBER 31, 2022 and every 30 days thereafter, updating the Court on the status of Defendant's response to Plaintiff's FOIA request and whether any further proceedings are necessary. If the parties require more immediate attention, they may file a status report between deadlines. Signed by Judge Colleen Kollar-Kotelly on 9/30/22. (lcckk3) (Entered: 09/30/2022)
09/30/2022		Set/Reset Deadlines: Joint Status Report due by 10/31/2022 and every 30 days thereafter, updating the Court on the status of Defendant's response to Plaintiff's FOIA request and whether any further proceedings are necessary. (dot) (Entered: 10/03/2022)
10/31/2022	<u>26</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Sam Escher on behalf of FEDERAL BUREAU OF INVESTIGATION Substituting for attorney Stephanie R. Johnson (Escher, Sam) (Entered: 10/31/2022)
10/31/2022	<u>27</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 10/31/2022)
11/01/2022	<u>28</u>	ORDER directing parties to file Joint Status Report by NOVEMBER 30, 2022 and every thirty days thereafter. See Order for more details. Signed by Judge Colleen Kollar-Kotelly on 11/1/22. (lcckk3) (Entered: 11/01/2022)
11/01/2022		Set/Reset Deadlines: Joint Status Report due by 11/30/2022. (dot) (Entered: 11/01/2022)
11/30/2022	<u>29</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 11/30/2022)
12/30/2022	<u>30</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 12/30/2022)
01/30/2023	<u>31</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 01/30/2023)
03/01/2023	<u>32</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 03/01/2023)
03/31/2023	<u>33</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 03/31/2023)
04/28/2023	<u>34</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 04/28/2023)
05/22/2023	<u>35</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 05/22/2023)
06/29/2023	<u>36</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 06/29/2023)
07/27/2023	<u>37</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 07/27/2023)
08/31/2023	<u>38</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 08/31/2023)
09/28/2023	<u>39</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 09/28/2023)
09/29/2023		MINUTE ORDER. The Court is in receipt of the <u>39</u> Joint Status Report, in which Defendant provides an update on their processing of documents responsive to Plaintiff's FOIA request. The parties propose that they file a joint status report every

		ninety days instead of every thirty days, as is currently ordered. The Court AMENDS the <u>28</u> Order to direct the parties to file a Joint Status Report every ninety (90) days. Accordingly, the next report will be due December 27, 2023. Signed by Judge Colleen Kollar-Kotelly on 9/29/23. (lcckk3) (Entered: 09/29/2023)
09/29/2023		Set/Reset Deadlines: Joint Status Report due by 12/27/2023, and directs the parties to file a Joint Status Report every ninety (90) days. (dot) (Entered: 10/02/2023)
12/24/2023	<u>40</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 12/24/2023)
03/27/2024	<u>41</u>	Joint MOTION for Extension of Time to <i>Submit Joint Status Report</i> by FEDERAL BUREAU OF INVESTIGATION. (Attachments: # <u>1</u> Text of Proposed Order)(Escher, Sam) (Entered: 03/27/2024)
03/28/2024		MINUTE ORDER. The Court is in receipt of the <u>41</u> Joint Motion for an Extension of Time to submit their next Joint Status Report, in which the parties explain that Defendant Agency's processor is dealing with a family emergency, and his supervisor is out of the office. Plaintiff consents to the request. The Court GRANTS the <u>41</u> Motion and ORDERS the parties to file a Joint Status Report by APRIL 3, 2024 and every ninety (90) days thereafter. Signed by Judge Colleen Kollar-Kotelly on 3/28/24. (lcckk3) (Entered: 03/28/2024)
03/28/2024		Set/Reset Deadlines: Joint Status Report due by 4/3/2024 and every ninety (90) days thereafter. (dot) (Entered: 03/28/2024)
03/30/2024	<u>42</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 03/30/2024)
07/02/2024	<u>43</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 07/02/2024)
07/03/2024		MINUTE ORDER. The Court is in receipt of the parties' <u>43</u> Joint Status Report, in which they indicate that Defendant has continued to review potentially responsive materials. Defendant has indicated to Plaintiff that "even though the paper portion of the FBI's document releases is complete the media releases may take an additional year or more to process." Defendant wants to file another joint status report by October 1, 2024, in accordance with the Court's March 28, 2024 Minute Order. Plaintiff indicates that, in light of the potential lengthy processing time of media releases, they want to file an earlier joint status report by August 1, 2024 to present a proposed course of action. The Court ORDERS the parties to file a joint status report by AUGUST 1, 2024 updating the Court on the status of Defendant's response to Plaintiff's FOIA request as well as outlining any course of action proposed by Plaintiff. Signed by Judge Colleen Kollar-Kotelly on 7/3/24. (lcckk3) (Entered: 07/03/2024)
07/03/2024		Set/Reset Deadlines: Joint Status Report due by 8/1/2024, updating the Court on the status of Defendant's response to Plaintiff's FOIA request as well as outlining any course of action proposed by Plaintiff. (dot) (Entered: 07/18/2024)
08/01/2024	<u>44</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Escher, Sam) (Entered: 08/01/2024)
08/12/2024	<u>45</u>	ORDER directing parties to file Joint Status Report by SEPTEMBER 30, 2024 and every ninety (90) days thereafter. See Order for more details. Signed by Judge Colleen Kollar-Kotelly on 8/12/2024. (lcdf) (Entered: 08/12/2024)
08/12/2024		Set/Reset Deadlines: Joint Status Report due by 9/30/2024, and every ninety (90) days thereafter. (dot) (Entered: 08/12/2024)