

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-02015-RDM**

SENSEYE, INC. v. U.S. DEPARTMENT OF THE ARMY
Assigned to: Judge Randolph D. Moss
Demand: \$0
Case in other court: Virginia Eastern, 1:21-cv-00605
Cause: 05:552 Freedom of Information Act

Date Filed: 07/28/2021
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: Federal Question

Plaintiff

SENSEYE, INC.

represented by **Kraig Jennett**
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V.

Defendant

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Date Filed	#	Docket Text
05/13/2021	<u>1</u>	Complaint (Filing fee \$ 402, receipt number AVAEDC-7787530.), filed by SENSEYE, INC.. (Attachments: # <u>1</u> Civil Cover Sheet)(Green, Alexander) (Attachment 1 replaced with non fillable form on 5/14/2021) (dvanm,) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 05/13/2021)
05/13/2021		Initial Case Assignment to District Judge Leonie M. Brinkema and Magistrate Judge Theresa Carroll Buchanan. (dvanm,) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 05/14/2021)
05/20/2021	<u>2</u>	Proposed Summons re <u>1</u> Complaint by SENSEYE, INC.. (Green, Alexander) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 05/20/2021)
05/24/2021		Notice of Correction re <u>2</u> Proposed Summons. The filing user has been notified to file proposed summons for the US Attorney and the Attorney General. (dvanm,) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 05/24/2021)
06/01/2021	<u>3</u>	Proposed Summons re <u>1</u> Complaint by SENSEYE, INC.. (Green, Alexander) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 06/01/2021)
06/02/2021	<u>4</u>	Summons Issued as to U.S. Department of the Army, U.S. Attorney and U.S. Attorney General NOTICE TO ATTORNEY: Print out two electronically issued summons and one copy of the attachments for each defendant to be served with the complaint. (Attachments: # <u>1</u> Notice)(dvanm,) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 06/02/2021)

07/07/2021	<u>5</u>	MOTION to Dismiss <i>for Improper Venue</i> by U.S. Department of the Army. (Kimball, Kimere) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 07/07/2021)
07/07/2021	<u>6</u>	MOTION to Transfer Case (<i>in the alternative</i>) by U.S. Department of the Army. (Kimball, Kimere) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 07/07/2021)
07/07/2021	<u>7</u>	Memorandum in Support re <u>6</u> MOTION to Transfer Case (<i>in the alternative</i>), <u>5</u> MOTION to Dismiss <i>for Improper Venue</i> filed by U.S. Department of the Army. (Attachments: # <u>1</u> Exhibit DEX 1 (Jackson Decl), # <u>2</u> Exhibit DEX 2 (Connolly Decl))(Kimball, Kimere) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 07/07/2021)
07/07/2021	<u>8</u>	Notice of Hearing Date set for July 30, 2021 re <u>6</u> MOTION to Transfer Case (<i>in the alternative</i>), <u>5</u> MOTION to Dismiss <i>for Improper Venue</i> (Kimball, Kimere) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 07/07/2021)
07/07/2021		Set Deadlines as to <u>5</u> MOTION to Dismiss <i>for Improper Venue</i> , <u>6</u> MOTION to Transfer Case (<i>in the alternative</i>). Motion Hearing set for 7/30/2021 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (clar,) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 07/08/2021)
07/21/2021	<u>9</u>	STIPULATION re <u>6</u> MOTION to Transfer Case (<i>in the alternative</i>) – <i>Joint Stipulation and Proposed Order Transferring Case to the U.S. District Court for the District of Columbia</i> by SENSEYE, INC.. (Attachments: # <u>1</u> Proposed Order)(Green, Alexander) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 07/21/2021)
07/21/2021	<u>10</u>	ORDERED that the Motion to Transfer to Appropriate Venue (Dkt. No. 6) be GRANTED; and it is FURTHER ORDERED that Defendant's alternative Motion to Dismiss for Improper Venue (Dkt. No. 5) be DENIED AS WITHDRAWN; and it is FURTHER ORDERED that the above-captioned action be TRANSFERRED in its entirety to the U.S. District Court for the District of Columbia; and it is FURTHER ORDERED that the Clerk of this Court take all necessary actions to transfer the above-captioned action in its entirety to the U.S. District Court for the District of Columbia. Signed by District Judge Leonie M. Brinkema on 07/21/2021. (jlan) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 07/21/2021)
07/21/2021		Case transferred to District of of Columbia. (jlan) [Transferred from Virginia Eastern on 7/28/2021.] (Entered: 07/21/2021)
07/28/2021	<u>11</u>	Case transferred in from District of Virginia Eastern; Case Number 1:21-cv-00605. Original file certified copy of transfer order and docket sheet received. (Entered: 07/28/2021)
07/28/2021	<u>12</u>	STANDING ORDER: It is hereby ORDERED that the parties shall comply with the directives set forth in the attached Standing Order. See document for details. Signed by Judge Randolph D. Moss on 7/28/2021. (lcrdm2) (Entered: 07/28/2021)
07/28/2021		MINUTE ORDER: It is hereby ORDERED that the parties shall file a joint status report on or before August 18, 2021, addressing the status of the FOIA request at issue in this case and proposing a schedule for further proceedings. Signed by Judge Randolph D. Moss on 7/28/2021. (lcrdm2) (Entered: 07/28/2021)
08/17/2021	<u>13</u>	NOTICE of Appearance by Jessica B. Colsia on behalf of U.S. DEPARTMENT OF THE ARMY (Colsia, Jessica) (Entered: 08/17/2021)
08/17/2021	<u>14</u>	ANSWER to <u>1</u> Complaint, by U.S. DEPARTMENT OF THE ARMY.(Colsia, Jessica) (Entered: 08/17/2021)
08/18/2021		MINUTE ORDER: It is hereby ORDERED that, on or before September 9, 2021, 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 telephonically for an Initial Scheduling Conference on September 16, 2021, at 2:00 p.m. The courtroom deputy clerk will provide the parties with the necessary dial-in information. Signed by Judge Randolph D. Moss on 08/18/2021. (lcrdm2) (Entered: 08/18/2021)

08/18/2021	<u>15</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Colsia, Jessica) (Entered: 08/18/2021)
09/09/2021	<u>16</u>	STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Colsia, Jessica) (Entered: 09/09/2021)
09/10/2021		MINUTE ORDER: Upon consideration of Defendant's status report, Dkt. <u>16</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before October 29, 2021. Signed by Judge Randolph D. Moss on 09/10/2021. (lcrdm2) (Entered: 09/10/2021)
09/15/2021		MINUTE ORDER: In light of the parties' most recent status report, Dkt. <u>16</u> , the telephonic Initial Scheduling Conference set for September 16, 2021, at 2:00 p.m. is VACATED and RESCHEDULED for November 9, 2021, at 9:00 a.m. The Courtroom Deputy Clerk will provide the parties with the necessary dial-in information. Signed by Judge Randolph D. Moss on 09/15/2021. (lcrdm2) (Entered: 09/15/2021)
10/12/2021		MINUTE ORDER: Due to a scheduling conflict in the Court's calendar, it is hereby ORDERED that the telephonic initial scheduling conference set for November 9, 2021 at 9:00 a.m. is RESCHEDULED for November 29, 2021, at 9:30 a.m. The parties shall use the same teleconference number and access code. Signed by Judge Randolph D. Moss on 10/12/2021. (lcrdm2) Modified on 10/12/2021 to edit hearing type (kt). (Entered: 10/12/2021)
10/12/2021		Set/Reset Hearings: Initial Scheduling Conference set for 11/29/2021, at 9:30 AM, by telephone, before Judge Randolph D. Moss. (kt) (Entered: 10/12/2021)
10/29/2021	<u>17</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Colsia, Jessica) (Entered: 10/29/2021)
11/01/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>17</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before November 23, 2021. Signed by Judge Randolph D. Moss on 11/1/2021. (lcrdm2) (Entered: 11/01/2021)
11/23/2021	<u>18</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Colsia, Jessica) (Entered: 11/23/2021)
11/24/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>18</u> , it is hereby ORDERED that the initial scheduling conference set for November 29, 2021, is VACATED and RESCHEDULED for January 7, 2022, at 2:00 p.m., to occur via Zoom. It is further ORDERED that the parties shall submit a further joint status report on or before December 23, 2021. The Courtroom Deputy Clerk will provide the necessary Zoom login information. Signed by Judge Randolph D. Moss on 11/24/2021. (lcrdm2) (Entered: 11/24/2021)
12/23/2021	<u>19</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (zjf) (Entered: 12/27/2021)
01/07/2022		Minute Entry for proceedings held before Judge Randolph D. Moss: Video (Zoom) Initial Scheduling Conference held on 1/7/2022. Joint Status Report due by 1/28/2022. (Court Reporter: Jeff Hook.) (kt) (Entered: 01/07/2022)
01/28/2022	<u>20</u>	NOTICE of Appearance by Jane M. Lyons on behalf of U.S. DEPARTMENT OF THE ARMY (Lyons, Jane) (Entered: 01/28/2022)
01/28/2022	<u>21</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Lyons, Jane) (Entered: 01/28/2022)
01/31/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>21</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before March 1, 2022. Signed by Judge Randolph D. Moss on 1/31/2022. (lcrdm2) (Entered: 01/31/2022)
02/24/2022	<u>22</u>	NOTICE of Appearance by Kraig Jennett on behalf of SENSEYE, INC. (Jennett, Kraig) (Entered: 02/24/2022)
02/24/2022	<u>23</u>	NOTICE of Appearance by John Haberland on behalf of U.S. DEPARTMENT OF THE ARMY (Haberland, John) (Entered: 02/24/2022)

02/27/2022	<u>24</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to SENSEYE, INC.. Attorney Alexander Richard Green terminated. (Green, Alexander) (Entered: 02/27/2022)
02/28/2022	<u>25</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 02/28/2022)
03/01/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>25</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before May 3, 2022. Signed by Judge Randolph D. Moss on 3/1/2022. (lcrdm2) (Entered: 03/01/2022)
05/03/2022	<u>26</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 05/03/2022)
05/04/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>26</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before June 28, 2022. Signed by Judge Randolph D. Moss on 5/4/2022. (lcrdm2) (Entered: 05/04/2022)
06/28/2022	<u>27</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 06/28/2022)
07/01/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>27</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before August 26, 2022. Signed by Judge Randolph D. Moss on 7/1/2022. (lcrdm2) (Entered: 07/01/2022)
08/25/2022	<u>28</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 08/25/2022)
08/25/2022		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>28</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before October 26, 2022. Signed by Judge Randolph D. Moss on 08/25/2022. (lcrdm2) (Entered: 08/25/2022)
10/26/2022	<u>29</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 10/26/2022)
10/26/2022		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>29</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before December 20, 2022. Signed by Judge Randolph D. Moss on 10/26/2022. (lcrdm2) (Entered: 10/26/2022)
12/19/2022	<u>30</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 12/19/2022)
12/20/2022		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>30</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before February 17, 2023. Signed by Judge Randolph D. Moss on 12/20/2022. (lcrdm2) (Entered: 12/20/2022)
02/15/2023	<u>31</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 02/15/2023)
02/15/2023		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>31</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before April 21, 2023. Signed by Judge Randolph D. Moss on 2/15/2023. (lcrdm2) (Entered: 02/15/2023)
04/20/2023	<u>32</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 04/20/2023)
04/24/2023		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>32</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before May 25, 2023. Signed by Judge Randolph D. Moss on 4/24/2023. (lcrdm2) (Entered: 04/24/2023)
05/24/2023	<u>33</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haberland, John) (Entered: 05/24/2023)

05/24/2023		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. <u>33</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before June 29, 2023. Signed by Judge Randolph D. Moss on 5/24/2023. (lcrdm2) (Entered: 05/24/2023)
06/23/2023	<u>34</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Patrick Doyle on behalf of U.S. DEPARTMENT OF THE ARMY Substituting for attorney John Haberland, Jessica Colsia (Doyle, Patrick) (Entered: 06/23/2023)
06/28/2023	<u>35</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Doyle, Patrick) (Entered: 06/28/2023)
06/29/2023		MINUTE ORDER: In light of the parties' Joint Status Report, Dkt. <u>35</u> , it is hereby ORDERED that the parties shall direct their attention to the Court's standing order, Dkt. <u>12</u> , and particularly to the requirement for a pre-motion conference and notices. Signed by Judge Randolph D. Moss on 6/29/2023. (lcrdm2) (Entered: 06/29/2023)
07/12/2023	<u>36</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Doyle, Patrick) (Entered: 07/12/2023)
07/13/2023		MINUTE ORDER: In light of the parties' Joint Status Report, Dkt. <u>36</u> , it is hereby ORDERED that (1) Defendant shall provide search declarations and Vaughn indices, if any, to Plaintiff on or before August 4, 2023; (2) Defendant shall file a notice on or before August 11, 2023 to request a pre-motion conference; (3) Plaintiff will respond to Defendant's notice no later than August 18, 2023; and (4) if Defendant has not submitted a pre-motion conference notice by August 11, 2023, the parties shall submit a joint status report on or before that date. Signed by Judge Randolph D. Moss on 7/13/2023. (lcrdm2) (Entered: 07/13/2023)
08/03/2023	<u>37</u>	Consent MOTION for Extension of Time to <i>Provide Documents</i> by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Doyle, Patrick) (Entered: 08/03/2023)
08/03/2023		MINUTE ORDER: Upon consideration of the Consent Motion for Extension of Time, Dkt. <u>37</u> , it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that (1) Defendant shall provide search declarations and Vaughn indices, if any, to Plaintiff on or before August 25, 2023; (2) Defendant shall file a notice on or before September 1, 2023 to request a pre-motion conference; and (3) Plaintiff shall respond to Defendant's notice on or before September 8, 2023. If Defendant fails to submit a pre-motion conference notice on or before September 1, 2023, the parties shall submit a joint status report on that date instead. Signed by Judge Randolph D. Moss on 8/3/2023. (lcrdm2) (Entered: 08/03/2023)
09/01/2023	<u>38</u>	NOTICE <i>Requesting Pre-Motion Conference</i> by U.S. DEPARTMENT OF THE ARMY (Doyle, Patrick) (Entered: 09/01/2023)
09/01/2023		MINUTE ORDER: Upon consideration of Defendant's Notice Requesting Pre-Motion Conference <u>38</u> , it is hereby ORDERED that the parties appear for a pre-motion conference on November 2, 2023, at 2:00 p.m., in Courtroom 8. The parties shall comply with the directives set forth in Section 10 of the Standing Order <u>12</u> . Signed by Judge Randolph D. Moss on 09/01/2023. (lcrdm2) (Entered: 09/01/2023)
09/01/2023	39	MOTION for Pre-Motion Conference by U.S. DEPARTMENT OF THE ARMY. (See Docket Entry <u>38</u> to view document) (zjm) Modified on 9/5/2023 (zjm). (Entered: 09/05/2023)
09/07/2023	<u>40</u>	RESPONSE re 39 MOTION for Hearing filed by SENSEYE, INC.. (Jennett, Kraig) (Entered: 09/07/2023)
09/10/2023	<u>41</u>	NOTICE of Appearance by Joseph William Eshelman, III on behalf of SENSEYE, INC. (Eshelman, Joseph) (Entered: 09/10/2023)
11/01/2023	<u>42</u>	Consent MOTION to Continue <i>Pre-Motion Conference</i> by SENSEYE, INC.. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Jennett, Kraig) (Entered: 11/01/2023)
11/01/2023		MINUTE ORDER: Upon consideration of Plaintiff's Consent Motion for Continuance, Dkt. <u>42</u> , it is hereby ORDERED that the motion is GRANTED. The pre-motion conference currently scheduled for Nov. 2, 2023, is VACATED and RESCHEDULED

		for Nov. 17, 2023, at 10:00 a.m. in Courtroom 8. Signed by Judge Randolph D. Moss on 11/1/23. (lcrdm2) (Entered: 11/01/2023)
11/17/2023		Minute Entry for proceedings held before Judge Randolph D. Moss: Pre-motion Conference held on 11/17/2023. Parties to meet and confer and file a joint status report on or before 2/1/24. Government to file opening brief by 3/1/24; Opposition/Cross Motions filed on or before 4/5/2024. Opposition/Reply to be filed on or before by 5/3/2024. Final Reply due on or before 5/17/2024. (Court Reporter Tammi Sefranek) (zglw) (Entered: 11/17/2023)
02/01/2024	<u>43</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF THE ARMY. (Doyle, Patrick) (Entered: 02/01/2024)
03/01/2024	<u>44</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order, # <u>4</u> Declaration Jackson, # <u>5</u> Declaration Jackson Supp.)(Doyle, Patrick) (Entered: 03/01/2024)
04/03/2024	<u>45</u>	Memorandum in opposition to re <u>44</u> Motion for Summary Judgment filed by SENSEYE, INC.. (Attachments: # <u>1</u> Exhibit 1 – Information Paper dated July 2020, # <u>2</u> Exhibit 2 – Affidavit of David Zakariaie, # <u>3</u> Exhibit 3 – March 11, 2024 Email from P. Doyle, # <u>4</u> Text of Proposed Order)(Eshelman, Joseph) (Entered: 04/03/2024)
04/03/2024	<u>46</u>	MEMORANDUM re <u>45</u> <i>Statement of Material Facts in Genuine Dispute</i> . (Eshelman, Joseph) Modified event title and link on 4/9/2024 (znmw). (Entered: 04/03/2024)
04/05/2024	<u>47</u>	Memorandum in opposition to re <u>44</u> Motion for Summary Judgment (<i>Corrected</i>) filed by SENSEYE, INC.. (Eshelman, Joseph) (Entered: 04/05/2024)
05/03/2024	<u>48</u>	REPLY to opposition to motion re <u>44</u> MOTION for Summary Judgment filed by U.S. DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Exhibit Vaughn Index, # <u>2</u> Declaration Jackson Second Supp.)(Doyle, Patrick) (Entered: 05/03/2024)
07/01/2024	<u>49</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Alane Ballweg on behalf of U.S. DEPARTMENT OF THE ARMY Substituting for attorney Patrick Doyle (Ballweg, Alane) (Entered: 07/01/2024)