

**U.S. District Court
Eastern District of California – Live System (Fresno)
CIVIL DOCKET FOR CASE #: 1:22-cv-01132-JLT-EPG**

Earth Island Institute v. United States National Park Service, et al.
Assigned to: District Judge Jennifer L. Thurston
Referred to: Magistrate Judge Erica P. Grosjean
Related Case: 1:22-cv-00710-JLT-EPG
Cause: 05:552 Freedom of Information Act

Date Filed: 09/06/2022
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Earth Island Institute
a non-profit corporation

represented by **Bridgett Ann Chevallier , PHV**
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V.

Defendant

United States National Park Service
*an agency of the United States
Department of the Interior*

represented by **Benjamin E. Hall , GOVT**
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Defendant

United States Department of the Interior

represented by **Benjamin E. Hall , GOVT**
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Date Filed	#	Docket Text
09/06/2022	<u>1</u>	COMPLAINT against All Defendants by Earth Island Institute. (Filing fee \$ 402, receipt number ACAEDC-10424263) (Buchele, Thomas) (Entered: 09/06/2022)
09/06/2022	<u>2</u>	CIVIL COVER SHEET by Earth Island Institute (Buchele, Thomas) (Entered: 09/06/2022)

09/06/2022	<u>3</u>	CORPORATE DISCLOSURE STATEMENT by Plaintiff Earth Island Institute. (Buchele, Thomas) (Entered: 09/06/2022)
09/06/2022	<u>4</u>	NOTICE of RELATED CASE(S) 1:22-cv-00710-AWI-EPG by Earth Island Institute. (Buchele, Thomas) (Entered: 09/06/2022)
09/07/2022	<u>5</u>	CLERK'S NOTICE to Attorney Thomas C. Buchele re <u>2</u> Civil Cover Sheet: Your document is not formatted properly, please flatten your PDF and re- file a properly formatted PDF. For information on how to flatten a pdf, please refer to our website under CM/ECF E-Filing > PDF Information > Page 7. If you need assistance, please contact the CM/ECF help desk at 866-884-5444. (Sant Agata, S) (Entered: 09/07/2022)
09/07/2022	<u>6</u>	SUMMONS ISSUED as to *United States Department of the Interior, United States National Park Service* with answer to complaint due within *30* days. Attorney *Thomas C. Buchele* *Earthrise Law Center* *10101 S Terwilliger Boulevard* *Portland, OR 97219* . (Rivera, O) (Entered: 09/07/2022)
09/07/2022	<u>7</u>	CIVIL NEW CASE DOCUMENTS ISSUED: Initial Scheduling Conference set for 12/22/2022 at 09:30 AM in Courtroom 7 (SKO) before Magistrate Judge Sheila K. Oberto. (Attachments: # <u>1</u> Consent Form, # <u>2</u> VDRP) (Rivera, O) (Entered: 09/07/2022)
09/07/2022	<u>8</u>	CIVIL COVER SHEET by Earth Island Institute (Buchele, Thomas) (Entered: 09/07/2022)
09/14/2022	<u>9</u>	PRO HAC VICE APPLICATION and PROPOSED ORDER submitted by Earth Island Institute for attorney Bridgett Ann Buss to appear Pro Hac Vice. (Filing fee \$ 225, receipt number ACAEDC-10439969) (Buchele, Thomas) (Entered: 09/14/2022)
09/16/2022	<u>10</u>	ORDER GRANTING <u>9</u> Application for Pro Hac Vice signed by Magistrate Judge Sheila K. Oberto on 9/16/2022. <i>Added attorney Bridgett Ann Buss, PHV for Earth Island Institute.</i> The Pro Hac Vice attorney is directed to request electronic filing access through PACER. (Lawrence, A) (Entered: 09/16/2022)
12/05/2022	<u>11</u>	ANSWER by United States Department of the Interior, United States National Park Service. Attorney Hall, Benjamin E. added.(Hall, Benjamin) (Entered: 12/05/2022)
12/13/2022	<u>12</u>	ORDER RELATING AND REASSIGNING CASE to 1:22-cv-0710 AWI-EPG, signed by District Judge Anthony W. Ishii on 12/12/2022.(Martin-Gill, S) (Entered: 12/13/2022)
12/13/2022	<u>13</u>	MOTION Reschedule Scheduling Conference set for December 22, 2022 re <u>7</u> Civil New Case Documents for AWI by Earth Island Institute. Motion Hearing set for 12/16/2022 at 10:00 AM in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. (Attachments: # <u>1</u> Proposed Order)(Buss, Bridgett) (Entered: 12/13/2022)
12/14/2022	<u>14</u>	ORDER signed by Magistrate Judge Erica P. Grosjean on December 14, 2022, as follows: Based on the parties' joint motion (ECF No. <u>13</u>), the Court will GRANT the parties' request. Accordingly, IT IS ORDERED that: 1) The scheduling conference currently set for December 22, 2022, is continued to January 31, 2023, at 11:00 AM before Magistrate Judge Erica P. Grosjean. To participate telephonically, each party is directed to use the following dial-in number and passcode: 1-888-251-2909; passcode 1024453 . The parties shall file a joint status report one full week prior to the conference.(Rooney, M) (Entered: 12/14/2022)
01/24/2023	<u>15</u>	MOTION Reschedule Scheduling Conference set for January 31, 2023 re <u>14</u> Order,, Set/Reset Deadlines and Hearings,, Order on Motion for Miscellaneous Relief,, by Earth Island Institute. Motion Hearing set for 1/27/2023 at 10:00 AM in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. (Attachments: # <u>1</u> Proposed Order)(Chevallier, Bridgett) (Entered: 01/24/2023)
01/24/2023	<u>16</u>	ORDER signed by Magistrate Judge Erica P. Grosjean on January 24, 2023 as follows: Based on the parties' joint motion (ECF No. <u>15</u>), the Court will GRANT the parties' request. Accordingly, IT IS ORDERED that: 1. The scheduling conference currently set for January 31, 2023, is continued to March 22, 2023, at 10:30 AM in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. To participate telephonically, each party is directed to use the following dial-in number and passcode:

		1-888-251-2909; passcode 1024453. The parties shall file a joint status report one full week prior to the conference. (Rooney, M) (Entered: 01/24/2023)
03/15/2023	<u>17</u>	MOTION Reschedule Scheduling Conference set for March 22, 2023 re <u>16</u> Order,, Set/Reset Deadlines and Hearings,, by Earth Island Institute. Motion Hearing set for 3/17/2023 at 10:00 AM in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. (Attachments: # <u>1</u> Proposed Order Proposed Order Rescheduling March 22, 2023, Scheduling Conference)(Chevallier, Bridgett) (Entered: 03/15/2023)
03/16/2023	<u>18</u>	ORDER GRANTING JOINT MOTION TO RESCHEDULE MARCH 22, 2023, SCHEDULING CONFERENCE. Order signed by Magistrate Judge Erica P. Grosjean on 3/16/2023; The scheduling conference currently set for March 22, 2023, is continued to May 2, 2023, at 10:30 AM before Magistrate Judge Erica P. Grosjean. To participate telephonically, each party is directed to use the following dial-in number and passcode: 1-888-251-2909; passcode 1024453. The parties shall file a joint status report one full week prior to the conference. (Kusamura, W) (Entered: 03/16/2023)
04/11/2023	<u>19</u>	ORDER REASSIGNING CASE signed by Chief Judge Kimberly J. Mueller: Due to the impending inactive retirement of District Judge *Anthony W. Ishii* from the bench of the Eastern District of California, this action is reassigned to *District Judge Jennifer L. Thurston* for all further proceedings. (Flores, E) (Entered: 04/11/2023)
04/25/2023	<u>20</u>	MOTION Reschedule May 2, 2023 Scheduling Conference re <u>18</u> Order,, Set/Reset Deadlines and Hearings,, Order on Motion for Miscellaneous Relief,, by Earth Island Institute. Motion Hearing set for 4/28/2023 at 10:00 AM in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. (Attachments: # <u>1</u> Proposed Order)(Buchele, Thomas) (Entered: 04/25/2023)
04/26/2023	<u>21</u>	ORDER signed by Magistrate Judge Erica P. Grosjean on April 26, 2023, as follows: Based on the parties' joint motion (ECF No. <u>20</u>), the Court will GRANT the parties' request. Accordingly, IT IS ORDERED that: 1. The scheduling conference currently set for May 2, 2023, is continued to June 15, 2023, at 10:30 AM in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. To participate telephonically, each party is directed to use the following dial-in number and passcode: 1-888-251-2909; passcode 1024453. The parties shall file a joint status report one full week prior to the conference. (Rooney, M) (Entered: 04/26/2023)
06/08/2023	<u>22</u>	MOTION Reschedule Scheduling Conference set for June 15, 2023 re <u>21</u> Order,, Set/Reset Deadlines and Hearings,, Order on Motion for Miscellaneous Relief,, by Earth Island Institute. Motion Hearing set for 6/9/2023 at 10:00 AM in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. (Attachments: # <u>1</u> Proposed Order)(Chevallier, Bridgett) (Entered: 06/08/2023)
06/09/2023	<u>23</u>	ORDER signed by Magistrate Judge Erica P. Grosjean on June 9, 2023. Based on the parties' joint motion (ECF No. <u>22</u>), the Court will GRANT the parties' request. Accordingly, IT IS ORDERED that: 1. The scheduling conference currently set for June 15, 2023, is reset to August 9, 2023, at 10:00 a.m., in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. To participate telephonically, each party is directed to use the following dial-in number and passcode: 1-888-251-2909; passcode 1024453. The parties shall file a joint status report one full week prior to the conference.(Rooney, M) (Entered: 06/09/2023)
08/02/2023	<u>24</u>	MOTION Reschedule August 9, 2023 Scheduling Conference re <u>23</u> Order,, Set/Reset Deadlines and Hearings,, Order on Motion for Miscellaneous Relief,, by Earth Island Institute. Motion Hearing set for 8/4/2023 at 10:00 AM in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. (Attachments: # <u>1</u> Proposed Order)(Buchele, Thomas) (Entered: 08/02/2023)
08/03/2023	25	MINUTE ORDER signed by Magistrate Judge Erica P. Grosjean on August 3, 2023: Based on the parties' joint motion (ECF No. <u>24</u>), IT IS ORDERED that the scheduling conference currently set for August 9, 2023, is reset to September 27, 2023, at 10:00 a.m. in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. To participate telephonically, each party is to use the following dial-in number and passcode: Dial-in number 1-888-251-2909; Passcode 1024453. (Text Only Entry) (Rooney, M) (Entered: 08/03/2023)

09/20/2023	<u>26</u>	MOTION Joint Motion to Reschedule September 27, 2023 Scheduling Conference re 25 Minute Order,,, Set/Reset Deadlines and Hearings,,, Order on Motion for Miscellaneous Relief,, by Earth Island Institute. Motion Hearing set for 9/22/2023 at 10:00 AM in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. (Attachments: # <u>1</u> Proposed Order)(Buchele, Thomas) (Entered: 09/20/2023)
09/22/2023	27	MINUTE ORDER signed by Magistrate Judge Erica P. Grosjean on September 22, 2023: Based on the parties' joint motion (ECF No. <u>26</u>), IT IS ORDERED that: 1. The parties' request (ECF No. <u>26</u>) is GRANTED; and 2. The scheduling conference currently set for September 27, 2023, is CONTINUED to November 13, 2023, at 10:30 a.m. The parties shall file a joint scheduling report one week prior. To participate telephonically, each party is to use the following dial-in number and passcode: Dial-in number 1-888-251-2909; Passcode 102445. (Text Only Entry) (Rooney, M) (Entered: 09/22/2023)
11/06/2023	<u>28</u>	STIPULATION and PROPOSED ORDER for Continuance of November 13, 2023 Scheduling Conference re 27 Minute Order,,, Set/Reset Deadlines and Hearings,,, Order on Motion for Miscellaneous Relief,, by Earth Island Institute. (Buchele, Thomas) (Entered: 11/06/2023)
11/07/2023	29	MINUTE ORDER signed by Magistrate Judge Erica P. Grosjean on November 7, 2023: On November 6, 2023, the parties filed a stipulation indicating that the parties have tentatively resolved the merits of this matter. (ECF No. <u>28</u>). Accordingly, the Court will VACATE the initial scheduling conference currently set for November 13, 2023, to be reset if necessary. Further, IT IS ORDERED that the parties shall file a joint report regarding the status of this case by no later than January 15, 2023. Alternatively, the parties may file appropriate dispositional documents. (Text Only Entry)(Rooney, M) (Entered: 11/07/2023)
01/16/2024	<u>30</u>	JOINT STATUS REPORT by Earth Island Institute. (Buchele, Thomas) (Entered: 01/16/2024)
01/17/2024	31	MINUTE ORDER signed by Magistrate Judge Erica P. Grosjean on January 17, 2024: Based on the parties' joint report (ECF No. <u>30</u>), IT IS ORDERED that the parties shall file a joint report regarding the status of this case by no later than March 4, 2024. Alternatively, the parties may file appropriate dispositional documents. (Text Only Entry)(Rooney, M) (Entered: 01/17/2024)
03/04/2024	<u>32</u>	JOINT STATUS REPORT by Earth Island Institute. (Chevallier, Bridgett) (Entered: 03/04/2024)
03/06/2024	33	MINUTE ORDER signed by Magistrate Judge Erica P. Grosjean on 3/6/2024: Based on the parties' joint report indicating that additional time is needed for Defendants to review Plaintiff's demand regarding attorney fees and costs (ECF No. <u>32</u>), IT IS ORDERED that the parties shall file a further joint status report within 45 days of this order. (Text Only Entry)(Rooney, M) (Entered: 03/06/2024)
04/18/2024	<u>34</u>	JOINT STATUS REPORT by United States Department of the Interior, United States National Park Service. (Hall, Benjamin) (Entered: 04/18/2024)
04/22/2024	35	MINUTE ORDER signed by Magistrate Judge Erica P. Grosjean on April 22, 2024: On April 18, 2024, the parties' submitted a status report stating that "Defendants require additional time to obtain necessary approvals for settlement of the fee demand." (ECF No. <u>34</u> at 1). The parties request that the Court set June 18, 2024, as the deadline for a further joint status report. (Id.) Based on the parties' report, IT IS ORDERED that the parties shall either file a notice of settlement or further joint status report by no later than June 18, 2024. (Text Only Entry)(Rooney, M) (Entered: 04/22/2024)
06/18/2024	<u>36</u>	NOTICE of SETTLEMENT by United States Department of the Interior, United States National Park Service. Dispositional Docs due by 8/23/2024. (Hall, Benjamin) (Entered: 06/18/2024)
06/20/2024	37	MINUTE ORDER signed by Magistrate Judge Erica P. Grosjean on 6/20/2024: As a notice of settlement has been filed (ECF No. <u>36</u>), the Court VACATES any and all deadlines and hearings currently pending before the Court. Further, based on the parties' request, (<i>id.</i> at 2), IT IS ORDERED that the parties shall file the appropriate dispositional document by no later than August 23, 2024. (Text Only Entry) (Navarro,

		F) (Entered: 06/20/2024)
08/22/2024	<u>38</u>	STIPULATION and PROPOSED ORDER for Extension of Time to File Dispositional Document by United States Department of the Interior, United States National Park Service. (Hall, Benjamin) (Entered: 08/22/2024)
08/23/2024	39	MINUTE ORDER (Text Only Entry) signed by Magistrate Judge Erica P. Grosjean on August 23, 2024: Based on the parties' joint stipulation (ECF No. <u>38</u>), the deadline to file dispositional documents (ECF No. 37) is extended to August 30, 2024. (Text Only Entry) (Navarro, F) (Entered: 08/23/2024)
08/29/2024	<u>40</u>	STIPULATION and PROPOSED ORDER for Further Extension of Time to File Dispositional Documents by United States Department of the Interior, United States National Park Service. (Hall, Benjamin) (Entered: 08/29/2024)
08/30/2024	41	MINUTE ORDER signed by Magistrate Judge Erica P. Grosjean on August 30, 2024: Based on the parties' joint stipulation for a further extension of time (ECF No. <u>40</u>), which indicates that all other issues are resolved and that the parties do not anticipate any further extensions, the deadline for filing dispositive documents is extended to October 11, 2024. (Text Only Entry) (Navarro, F) (Entered: 08/30/2024)