

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:22-cv-03708-TSC**

FUNCTIONAL GOVERNMENT INITIATIVE v. U.S.
DEPARTMENT OF TRANSPORTATION
Assigned to: Judge Tanya S. Chutkan
Cause: 05:552 Freedom of Information Act

Date Filed: 12/12/2022
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**FUNCTIONAL GOVERNMENT
INITIATIVE**

represented by **Richard William Goeken**
LUMEN LAW FIRM
1802 Vernon Street, NW
Suite 2040
Washington, DC 20009
(202) 931-6020
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF
TRANSPORTATION**

represented by **Bradley Silverman**
DOJ-USAO
Civil Division
601 D Street NW
Washington, DC 20001
(202) 252-2575
Email: bradley.silverman@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----------|--|
| 12/12/2022 | <u>1</u> | COMPLAINT against DEPARTMENT OF TRANSPORTATION (Filing fee \$ 402 receipt number ADCDC-9728913) filed by FUNCTIONAL GOVERNMENT INITIATIVE. (Attachments: # <u>1</u> Exhibit 1. FOIA Request from FGI to DOT dated July 12, 2022, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons to the Attorney General of the United States, # <u>4</u> Summons to the U.S. Attorney for the District of Columbia, # <u>5</u> Summons to the U.S. Department of Transportation)(Goeken, Richard) (Entered: 12/12/2022) |
| 12/13/2022 | | Case Assigned to Judge Tanya S. Chutkan. (zsl) (Entered: 12/13/2022) |
| 12/13/2022 | <u>2</u> | SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF TRANSPORTATION, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsl) (Entered: 12/13/2022) |
| 12/19/2022 | <u>3</u> | SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF TRANSPORTATION, U.S. Attorney and U.S. Attorney General (zed) (Entered: 12/19/2022) |
| 01/04/2023 | <u>4</u> | NOTICE of Appearance by Bradley Silverman on behalf of U.S. DEPARTMENT OF TRANSPORTATION (Silverman, Bradley) (Entered: 01/04/2023) |
| 01/23/2023 | <u>5</u> | ANSWER to Complaint by U.S. DEPARTMENT OF TRANSPORTATION.(Silverman, Bradley) (Entered: 01/23/2023) |

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| 01/23/2023 | | 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 March 6, 2023. The joint status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 01/23/23. (lcss) (Entered: 01/23/2023) |
| 01/24/2023 | | Set/Reset Deadlines: Joint Status Report due by 3/6/2023. (tb) (Entered: 01/24/2023) |
| 03/06/2023 | <u>6</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF TRANSPORTATION. (Silverman, Bradley) (Entered: 03/06/2023) |
| 03/07/2023 | | MINUTE ORDER: Upon consideration of the parties' <u>6</u> Joint Status Report, it is hereby ORDERED that the parties shall file another Joint Status Report by June 5, 2023, apprising the court of the status of Defendant's document search and production, along with any other necessary matters for moving this case forward. Signed by Judge Tanya S. Chutkan on 03/07/2023. (lcss) (Entered: 03/07/2023) |
| 03/08/2023 | | Set/Reset Deadlines: Joint Status Report due by 6/5/2023. (tb) (Entered: 03/08/2023) |
| 06/05/2023 | <u>7</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF TRANSPORTATION. (Silverman, Bradley) (Entered: 06/05/2023) |
| 06/06/2023 | | MINUTE ORDER: Upon consideration of the parties' <u>7</u> Joint Status Report, it is hereby ordered that the parties shall file another joint status report by July 5, 2023, and every 30 days thereafter. To the extent that the parties propose changing the status quo, the report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 06/06/2023. (lcss) (Entered: 06/06/2023) |
| 06/06/2023 | | Set/Reset Deadlines: Joint Status Report due by 7/5/2023. (nbn) (Entered: 06/06/2023) |
| 07/05/2023 | <u>8</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF TRANSPORTATION. (Silverman, Bradley) (Entered: 07/05/2023) |
| 08/04/2023 | <u>9</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF TRANSPORTATION. (Silverman, Bradley) (Entered: 08/04/2023) |
| 09/05/2023 | <u>10</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF TRANSPORTATION. (Silverman, Bradley) (Entered: 09/05/2023) |
| 10/04/2023 | <u>11</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF TRANSPORTATION. (Silverman, Bradley) (Entered: 10/04/2023) |
| 11/03/2023 | <u>12</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF TRANSPORTATION. (Silverman, Bradley) (Entered: 11/03/2023) |
| 12/04/2023 | <u>13</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF TRANSPORTATION. (Silverman, Bradley) (Entered: 12/04/2023) |
| 01/02/2024 | <u>14</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF TRANSPORTATION. (Silverman, Bradley) (Entered: 01/02/2024) |
| 02/01/2024 | <u>15</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF TRANSPORTATION. (Silverman, Bradley) (Entered: 02/01/2024) |
| 02/02/2024 | | MINUTE ORDER: Upon consideration of the parties' <u>15</u> Joint Status Report, it is hereby ordered that the parties shall file another joint status report by April 1, 2024, and every 90 days thereafter. To the extent that the parties propose changing the status quo, the report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 02/02/2024. (lcd) (Entered: 02/02/2024) |
| 02/02/2024 | | Set/Reset Deadlines: Joint Status Report due by 4/1/2024. (ztl) (Entered: 03/13/2024) |

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| 04/01/2024 | <u>16</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF TRANSPORTATION. (Silverman, Bradley) (Entered: 04/01/2024) |
| 06/29/2024 | <u>17</u> | NOTICE by FUNCTIONAL GOVERNMENT INITIATIVE (Goeken, Richard) (Entered: 06/29/2024) |
| 06/29/2024 | <u>18</u> | LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by FUNCTIONAL GOVERNMENT INITIATIVE (Goeken, Richard) (Entered: 06/29/2024) |
| 07/01/2024 | <u>19</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF TRANSPORTATION. (Silverman, Bradley) (Entered: 07/01/2024) |