

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:23-cv-01510-JEB**

KITLINSKI v. U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS

Assigned to: Chief Judge James E. Boasberg

Related Case: 1:22-cv-02976-JEB

Cause: 05:552 Freedom of Information Act

Date Filed: 05/25/2023

Date Terminated: 08/29/2024

Jury Demand: None

Nature of Suit: 895 Freedom of Information Act

Jurisdiction: U.S. Government Defendant

**Plaintiff**

**DAREK KITLINSKI**

represented by **DAREK KITLINSKI**

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V.

**Defendant**

**U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS**

represented by **Fithawi Berhane**

U.S. ATTORNEY'S OFFICE

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**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/25/2023	<u>1</u>	COMPLAINT against U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS (Filing fee \$ 402, receipt number 204751) filed by DAREK J. KITLINSKI. (Attachments: # <u>1</u> Exhibits A – D, # <u>2</u> Civil Cover Sheet)(ztth) (Entered: 05/26/2023)
05/25/2023		SUMMONS (3) Issued as to U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS, U.S. Attorney and U.S. Attorney General. (ztth) (Entered: 05/26/2023)
05/25/2023	<u>2</u>	NOTICE OF RELATED CASE by DAREK J. KITLINSKI. Case related to Case No. 22-2976. (ztth) (Entered: 05/26/2023)
06/01/2023	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/1/2023. ( Answer due for ALL FEDERAL DEFENDANTS by 7/1/2023.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 06/01/2023., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS served on 6/1/2023 (zjm) (Entered: 06/07/2023)
06/27/2023	<u>4</u>	NEW Pro Se Consent To Receive Notices of Electronic Filing by DAREK J. KITLINSKI. (ztth) (Main Document 4 replaced on 6/30/2023) (ztth). (Entered: 06/29/2023)
06/27/2023	<u>5</u>	MOTION for CM/ECF Password by DAREK J. KITLINSKI. (ztth) (Entered: 06/29/2023)

06/30/2023		MINUTE ORDER: The Court ORDERS that Plaintiff's <u>5</u> Motion is GRANTED provided that he complies with all requirements of the Clerk's Office. So ORDERED by Chief Judge James E. Boasberg on 6/30/2023. (lcjeb2) (Entered: 06/30/2023)
07/03/2023	<u>6</u>	NOTICE of Appearance by Fithawi Berhane on behalf of U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS (Berhane, Fithawi) (Entered: 07/03/2023)
07/03/2023	<u>7</u>	ANSWER to <u>1</u> Complaint by U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS.(Berhane, Fithawi) (Entered: 07/03/2023)
07/05/2023		MINUTE ORDER: The Court ORDERS that the parties shall confer and submit a joint proposed briefing schedule by July 19, 2023. So ORDERED by Chief Judge James E. Boasberg on 7/5/2023. (lcjeb2) (Entered: 07/05/2023)
07/05/2023		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 7/19/2023. (znbn) (Entered: 07/07/2023)
07/19/2023	<u>8</u>	STATUS REPORT by U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS. (Berhane, Fithawi) (Entered: 07/19/2023)
07/19/2023	<u>9</u>	STATUS REPORT by DAREK KITLINSKI. (KITLINSKI, DAREK) (Entered: 07/19/2023)
07/20/2023	<u>10</u>	First MOTION for Hearing re <u>9</u> Status Report by DAREK KITLINSKI. (KITLINSKI, DAREK) (Entered: 07/20/2023)
07/20/2023		MINUTE ORDER: The Court ADOPTS the Defendant's <u>8</u> Status Report and ORDERS that it shall file a further status report by September 4, 2023. So ORDERED by Chief Judge James E. Boasberg on 07/20/2023. (lcjeb3) (Entered: 07/20/2023)
07/20/2023		MINUTE ORDER: The Court ORDERS that Plaintiff's <u>10</u> Motion for Hearing is DENIED. He does not raise issues that require the Court's intervention. So ORDERED by Chief Judge James E. Boasberg on 07/20/2023. (lcjeb3) (Entered: 07/20/2023)
07/20/2023		Set/Reset Deadlines: Status Report due by 9/4/2023. (nbn) (Entered: 07/20/2023)
09/05/2023	<u>11</u>	STATUS REPORT by U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS. (Berhane, Fithawi) (Entered: 09/05/2023)
09/06/2023		MINUTE ORDER: The Court ORDERS that if Plaintiff opposes the Government's proposal contained in its <u>11</u> Status Report, he shall file his position in a Status Report by September 12, 2023. So ORDERED by Chief Judge James E. Boasberg on 9/6/2023. (lcjeb2) (Entered: 09/06/2023)
09/12/2023	<u>12</u>	RESPONSE TO ORDER OF THE COURT re Order, filed by DAREK KITLINSKI. (KITLINSKI, DAREK); Modified text and docketing event on 9/18/2023 (ztth). (Entered: 09/12/2023)
09/13/2023		MINUTE ORDER: In light of the two <u>11</u> , <u>12</u> , Status Reports submitted, the Court agrees that the Government has not sufficiently explained why it needs two more months on a fairly basic request. The Court, accordingly, ORDERS that the parties shall file a further Joint Status Report by October 10, 2023. So ORDERED by Chief Judge James E. Boasberg on 9/13/2023. (lcjeb2) (Entered: 09/13/2023)
09/13/2023		Set/Reset Deadlines: Joint Status Report due by 10/10/2023. (nbn) (Entered: 09/13/2023)
09/13/2023		Set/Reset Deadlines: Joint Status Report due by 10/10/2023. (nbn) (Entered: 09/18/2023)
10/10/2023	<u>13</u>	STATUS REPORT by U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS. (Berhane, Fithawi) (Entered: 10/10/2023)
10/11/2023		MINUTE ORDER: The Court ADOPTS Defendant's <u>13</u> Status Report and ORDERS that Plaintiff shall file a further status report by November 28, 2023. So ORDERED by Chief Judge James E. Boasberg on 10/11/2023. (lcjeb2) (Entered: 10/11/2023)
10/11/2023		Set/Reset Deadlines: Joint Status Report due by 11/28/2023. (nbn) (Entered: 10/11/2023)

10/11/2023		Set/Reset Deadlines: Joint Status Report due by 11/28/2023. (nbn) (Entered: 10/12/2023)
10/12/2023	<u>14</u>	STATUS REPORT by U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS. (Berhane, Fithawi) (Entered: 10/12/2023)
10/12/2023		MINUTE ORDER: The Court ADOPTS Defendant's <u>14</u> Status Report and ORDERS that: 1) Defendant shall produce the responsive records at a rate of approximately 400 pages per month and complete its production by February 12, 2024; and 2) Plaintiff shall file a further status report within one week after Defendant's production is complete. So ORDERED by Chief Judge James E. Boasberg on 10/12/2023. (lcjeb2) (Entered: 10/12/2023)
10/12/2023		Set/Reset Deadlines: Defendant shall produce the responsive records at a rate of approximately 400 pages per month and complete its production by 2/12/2024. (znbn) (Entered: 10/12/2023)
12/04/2023	<u>15</u>	First MOTION to Compel <i>Compliance with Court's Minute Order and Request for a Status Conference</i> by DAREK KITLINSKI. (KITLINSKI, DAREK). Added MOTION for Hearing on 12/7/2023 (znmw). (Entered: 12/04/2023)
12/04/2023		MINUTE ORDER: The Court ORDERS that Plaintiff's <u>15</u> Motion to Compel is DENIED WITHOUT PREJUDICE for failure to comply with LCvR 7(m). So ORDERED by Chief Judge James E. Boasberg on 12/4/2023. (lcjeb2) (Entered: 12/04/2023)
12/06/2023	<u>16</u>	WITHDRAWN PURSUANT TO MINUTE ORDER FILED 12/7/2023.....Second MOTION to Compel <i>Compliance with Court's Minute Order and Request for a Status Conference</i> by DAREK KITLINSKI. (KITLINSKI, DAREK). Added MOTION for Hearing on 12/7/2023 (znmw). Modified on 12/8/2023 (znmw). (Entered: 12/06/2023)
12/07/2023	<u>17</u>	Unopposed MOTION to Withdraw <u>16</u> Second MOTION to Compel <i>Compliance with Court's Minute Order and Request for a Status Conference</i> MOTION for Hearing by DAREK KITLINSKI. (KITLINSKI, DAREK) (Entered: 12/07/2023)
12/07/2023		MINUTE ORDER: The Court ORDERS that: 1) Plaintiff's <u>17</u> Motion to Withdraw is GRANTED; and 2) His <u>16</u> Motion to Compel is WITHDRAWN. So ORDERED by Chief Judge James E. Boasberg on 12/7/2023. (lcjeb2) (Entered: 12/07/2023)
02/23/2024		MINUTE ORDER: The Court ORDERS that the parties shall file a Joint Status Report by March 1, 2024. So ORDERED by Chief Judge James E. Boasberg on 2/23/2024. (lcjeb2) (Entered: 02/23/2024)
02/23/2024		Set/Reset Deadlines: Joint Status Report due by 3/1/2024. (znbn) (Entered: 02/23/2024)
03/01/2024	<u>18</u>	STATUS REPORT by U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS. (Berhane, Fithawi) (Entered: 03/01/2024)
03/04/2024		MINUTE ORDER: The Court ORDERS that Plaintiff shall file a Status Report by March 11, 2024, indicating whether he wishes to proceed with the case after review of the produced documents. So ORDERED by Chief Judge James E. Boasberg on 3/4/2024. (lcjeb2) (Entered: 03/04/2024)
03/04/2024		Set/Reset Deadlines: Joint Status Report due by 3/11/2024. (znbn) (Entered: 03/05/2024)
03/11/2024	<u>19</u>	STATUS REPORT by DAREK KITLINSKI. (KITLINSKI, DAREK) (Entered: 03/11/2024)
03/12/2024		MINUTE ORDER: Given Plaintiff's <u>19</u> Status Report, the Court ORDERS that the parties shall submit a joint proposed briefing schedule by March 21, 2024. So ORDERED by Chief Judge James E. Boasberg on 3/12/2024. (lcjeb2) (Entered: 03/12/2024)
03/12/2024		Set/Reset Deadlines: Joint Status Report due by 3/21/2024. (znbn) (Entered: 03/13/2024)

03/21/2024	<u>20</u>	STATUS REPORT by U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS. (Berhane, Fithawi) (Entered: 03/21/2024)
03/21/2024	<u>21</u>	STATUS REPORT by DAREK KITLINSKI. (KITLINSKI, DAREK) (Entered: 03/21/2024)
03/22/2024		MINUTE ORDER: The Court ADOPTS Defendant's <u>20</u> Status Report and ORDERS that: 1) Defendant's Motion for Summary Judgment is due by June 3, 2024; 2) Plaintiff's Cross-Motion for Summary Judgment and Opposition to Defendant's Motion is due by July 15, 2024; 3) Defendant's Opposition to Plaintiff's Cross-Motion and Reply in further support of its Motion is due by August 26, 2024; and 4) Plaintiff's Reply in support of its Cross-Motion for Summary Judgment is due by September 30, 2024. So ORDERED by Chief Judge James E. Boasberg on 3/22/2024. (lcjeb2) (Entered: 03/22/2024)
03/22/2024		Set/Reset Deadlines: Summary Judgment motions due by 6/3/2024. Response to Motion for Summary Judgment due by 7/15/2024. Cross Motions due by 7/15/2024. Reply to Motion for Summary Judgment due by 8/26/2024. Response to Cross Motions due by 8/26/2024. Reply to Cross Motions due by 9/30/2024. (znbn) (Entered: 03/22/2024)
05/13/2024	<u>22</u>	STATUS REPORT by U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS. (Berhane, Fithawi) (Entered: 05/13/2024)
05/13/2024		MINUTE ORDER: Given the parties' <u>22</u> Joint Status Report, the Court ORDERS that: 1) The briefing schedule set on March 22, 2024, is VACATED; and 2) The parties shall submit a further JSR by June 10, 2024. So ORDERED by Chief Judge James E. Boasberg on 5/13/2024. (lcjeb2) (Entered: 05/13/2024)
05/13/2024		Set/Reset Deadlines: Joint Status Report due by 6/10/2024. (znbn) (Entered: 05/13/2024)
06/28/2024	<u>23</u>	STATUS REPORT by DAREK KITLINSKI. (KITLINSKI, DAREK) (Entered: 06/28/2024)
07/02/2024		MINUTE ORDER: As only Plaintiff has filed a Status Report as required, the Court ORDERS that the Government shall file one by July 3, 2024. So ORDERED by Chief Judge James E. Boasberg on 7/2/2024. (lcjeb2) (Entered: 07/02/2024)
07/02/2024		Set/Reset Deadlines: Government Status Report due by 7/3/2024. (znbn) (Entered: 07/02/2024)
07/03/2024	<u>24</u>	STATUS REPORT by U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS. (Berhane, Fithawi) (Entered: 07/03/2024)
07/03/2024		MINUTE ORDER: The Court ADOPTS the Government's <u>24</u> Status Report and ORDERS that it shall file a further status report by July 16, 2024. So ORDERED by Chief Judge James E. Boasberg on 7/3/2024. (lcjeb2) (Entered: 07/03/2024)
07/03/2024		Set/Reset Deadlines: Joint Status Report due by 7/16/2024. (znbn) (Entered: 07/05/2024)
07/16/2024	<u>25</u>	STATUS REPORT by U.S. EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS. (Berhane, Fithawi) (Entered: 07/16/2024)
07/16/2024		MINUTE ORDER: The Court ADOPTS the Defendant's <u>25</u> Status Report and ORDERS that Plaintiff shall file a status report by August 12, 2024, apprising the Court as to whether he intends to voluntarily dismiss this action or proceed with summary-judgment briefing. So ORDERED by Chief Judge James E. Boasberg on 7/16/2024. (lcjeb2) (Entered: 07/16/2024)
07/17/2024		Set/Reset Deadlines: Status Report due by 8/1/2024. (znbn) (Entered: 07/17/2024)
08/29/2024		MINUTE ORDER: As Plaintiff has not responded to the Court's Minute Order of July 16, 2024, indicating that he wishes to proceed with the case, the Court must assume that he is satisfied with the Government's FOIA production. The Court thus ORDERS that the case is DISMISSED WITH PREJUDICE. So ORDERED by Chief Judge James E. Boasberg on 08/29/2024. (lcjeb2) (Entered: 08/29/2024)