

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:23-cv-01894-TSC**

WHITNEY v. NATIONAL ARCHIVES AND RECORDS
ADMINISTRATION et al
Assigned to: Judge Tanya S. Chutkan
Cause: 05:552 Freedom of Information Act

Date Filed: 06/29/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

JOEL WHITNEY

represented by **Merrick Jason Wayne**
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V.

Defendant

**NATIONAL ARCHIVES AND
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Defendant

**CENTRAL INTELLIGENCE
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*Litigation Division, Office of General
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represented by **B. Kathryn Debrason**
(See above for address)
TERMINATED: 04/23/2024
LEAD ATTORNEY
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Kaitlin Kerry Eckrote
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LEAD ATTORNEY
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Kimberly Stratton
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LEAD ATTORNEY
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Diana Viggiano Valdivia
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/29/2023	<u>1</u>	COMPLAINT against CENTRAL INTELLIGENCE AGENCY, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (Filing fee \$ 402 receipt number ADCDC-10173916) filed by JOEL WHITNEY. (Attachments: # <u>1</u> Exhibit 1-6, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons)(Topic, Matthew) (Entered: 06/29/2023)
06/29/2023	<u>2</u>	NOTICE of Appearance by Matthew Topic on behalf of JOEL WHITNEY (Topic, Matthew) (Entered: 06/29/2023)
06/29/2023	<u>3</u>	SEALED DOCUMENT filed by JOEL WHITNEY(This document is SEALED and only available to authorized persons.)(Topic, Matthew) (Entered: 06/29/2023)
06/30/2023		Case Assigned to Judge Tanya S. Chutkan. (zrtw) (Entered: 06/30/2023)
06/30/2023	<u>4</u>	SUMMONS (4) Issued Electronically as to CENTRAL INTELLIGENCE AGENCY, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zrtw) (Entered: 06/30/2023)
07/24/2023	<u>5</u>	NOTICE of Appearance by B. Kathryn Debrason on behalf of CENTRAL INTELLIGENCE AGENCY, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (Debrason, B. Kathryn) (Entered: 07/24/2023)
07/31/2023	<u>6</u>	MOTION for Extension of Time to <i>Respond to Complaint</i> by CENTRAL INTELLIGENCE AGENCY, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Debrason, B. Kathryn) (Entered: 07/31/2023)

08/01/2023		MINUTE ORDER: Defendants' <u>6</u> Unopposed Motion for Extension of Time is hereby GRANTED. Defendants shall have through and including August 30, 2023, to respond to the Complaint in this action. Signed by Judge Tanya S. Chutkan on 8/1/23. (lcja) (Entered: 08/01/2023)
08/28/2023	<u>7</u>	ANSWER to Complaint by CENTRAL INTELLIGENCE AGENCY, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.(Debrason, B.) (Entered: 08/29/2023)
08/30/2023		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 October 16, 2023. The joint status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 8/30/2023. (lcb) (Entered: 08/30/2023)
08/30/2023		Set/Reset Deadlines: Joint Status Report due by 10/16/2023. (zed) (Entered: 08/31/2023)
10/16/2023	<u>8</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of JOEL WHITNEY (Wayne, Merrick) (Entered: 10/16/2023)
10/16/2023	<u>9</u>	NOTICE of Appearance by Diana Viggiano Valdivia on behalf of All Defendants (Valdivia, Diana) (Entered: 10/16/2023)
10/16/2023	<u>10</u>	Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Attachments: # <u>1</u> Text of Proposed Order (Defendants' Proposal), # <u>2</u> Text of Proposed Order (Plaintiff's Proposal))(Valdivia, Diana) (Entered: 10/16/2023)
10/17/2023		MINUTE ORDER: Upon consideration of the parties' <u>10</u> Joint Status Report, it is hereby ORDERED that Defendant National Archives and Records Administration shall produce the responsive records within 30 days of the completion of the equity-holding agencies' review. The parties shall file their next Joint Status Report on January 15, 2024, and every 90 days thereafter. To the extent the parties request a change to the status quo, the report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 10/17/23. (lce) (Entered: 10/17/2023)
10/17/2023	<u>11</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Kaitlin Kerry Eckrote on behalf of CENTRAL INTELLIGENCE AGENCY, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION Substituting for attorney Diana V. Valdivia (Eckrote, Kaitlin) (Entered: 10/17/2023)
01/12/2024	<u>12</u>	Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Debrason, B.) (Entered: 01/12/2024)
04/15/2024	<u>13</u>	Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Debrason, B.) (Entered: 04/15/2024)
04/23/2024	<u>14</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Kimberly Stratton on behalf of All Defendants Substituting for attorney B. Kathryn Debrason (Stratton, Kimberly) (Entered: 04/23/2024)
07/15/2024	<u>15</u>	Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Stratton, Kimberly) (Entered: 07/15/2024)