

**U.S. District Court
 District of Columbia (Washington, DC)
 CIVIL DOCKET FOR CASE #: 1:23-cv-02586-CJN**

INFORMED CONSENT ACTION NETWORK v. NATIONAL
 INSTITUTES OF HEALTH

Assigned to: Judge Carl J. Nichols

Related Cases: [1:23-cv-02801-CJN](#)

[1:23-cv-03269-ABJ](#)

[1:23-cv-03270-CJN](#)

[1:23-cv-03361-JMC](#)

Date Filed: 09/06/2023

Jury Demand: None

Nature of Suit: 895 Freedom of
 Information Act

Jurisdiction: U.S. Government Defendant

Cause: 05:552 Freedom of Information Act

Plaintiff

**INFORMED CONSENT ACTION
 NETWORK**

represented by **Aaron Siri**
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V.

Defendant

**NATIONAL INSTITUTES OF
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Date Filed	#	Docket Text
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09/06/2023	<u>1</u>	COMPLAINT against NATIONAL INSTITUTES OF HEALTH (Filing fee \$ 402 receipt number ADCDC-10330383) filed by INFORMED CONSENT ACTION NETWORK. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Civil Cover Sheet, # <u>8</u> Summons to NIH, # <u>9</u> Summons to USAO, # <u>10</u> Summons to USAG)(Brehm, Elizabeth) (Entered: 09/06/2023)
09/06/2023	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by INFORMED CONSENT ACTION NETWORK (Brehm, Elizabeth) (Entered: 09/06/2023)
09/06/2023	<u>3</u>	NOTICE of Appearance by Aaron Siri on behalf of INFORMED CONSENT ACTION NETWORK (Siri, Aaron) (Entered: 09/06/2023)
09/06/2023		Case Assigned to Judge Carl J. Nichols. (zljn) (Entered: 09/06/2023)
09/06/2023	<u>4</u>	SUMMONS (3) Issued Electronically as to NATIONAL INSTITUTES OF HEALTH, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zljn) (Entered: 09/06/2023)
09/11/2023	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- R. Scott Pietrowski, Filing fee \$ 100, receipt number ADCDC-10342468. Fee Status: Fee Paid. by INFORMED CONSENT ACTION NETWORK. (Brehm, Elizabeth) (Entered: 09/11/2023)
09/19/2023	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/7/2023. Answer due for ALL FEDERAL DEFENDANTS by 10/7/2023. (Brehm, Elizabeth) (Entered: 09/19/2023)
09/19/2023	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 9/11/2023. (Brehm, Elizabeth) (Entered: 09/19/2023)
09/19/2023	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. NATIONAL INSTITUTES OF HEALTH served on 9/11/2023 (Brehm, Elizabeth) (Entered: 09/19/2023)
09/22/2023	<u>9</u>	ENTERED IN ERROR.....Cross MOTION for Summary Judgment by INFORMED CONSENT ACTION NETWORK. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Statement of Facts, # <u>5</u> Text of Proposed Order)(Brehm, Elizabeth) Modified on 9/22/2023 (zth). (Entered: 09/22/2023)
09/22/2023		NOTICE OF ERROR regarding <u>9</u> Cross MOTION for Summary Judgment . The following error(s) need correction: Document filed in the incorrect case. (zth) (Entered: 09/22/2023)
10/05/2023	<u>10</u>	NOTICE of Appearance by Dedra Seibel Curteman on behalf of All Defendants (Curteman, Dedra) (Entered: 10/05/2023)
10/05/2023	<u>11</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by NATIONAL INSTITUTES OF HEALTH. (Attachments: # <u>1</u> Text of Proposed Order)(Curteman, Dedra) (Entered: 10/05/2023)
10/10/2023	<u>12</u>	STANDING ORDER. Signed by Judge Carl J. Nichols on October 10, 2023. (lccjn2) (Entered: 10/10/2023)
10/10/2023		MINUTE ORDER. The Court having considered the <u>5</u> Motion for Leave to Appear Pro Hac Vice of R. Scott Pietrowski, and it appearing to the Court that the attorneys referenced therein meet the requirements for pro hac vice admission under Local Civil Rule 83.2(c), it is hereby ORDERED that the Motion is GRANTED. It is further ORDERED that R. Scott Pietrowski is ADMITTED to practice before the Court pro hac vice. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a) Click for instructions. SO ORDERED by Judge Carl J. Nichols on October 10, 2023. (lccjn2) (Entered: 10/10/2023)
10/17/2023	<u>13</u>	NOTICE of Appearance by Richard Scott Pietrowski on behalf of INFORMED CONSENT ACTION NETWORK (Pietrowski, Richard) (Entered: 10/17/2023)

11/09/2023	<u>14</u>	ANSWER to Complaint by NATIONAL INSTITUTES OF HEALTH.(Curteman, Dedra) (Entered: 11/09/2023)
11/22/2023		MINUTE ORDER. Before the Court in this Freedom of Information Act case are a Complaint and an Answer. Pursuant to Local Civil Rule 16.3, the requirements of Federal Rule of Civil Procedure 26(f) are inapplicable. It is hereby ORDERED that the Parties shall confer and file a Joint Status Report on or before December 15, 2023. The Joint Status Report shall address: (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for stay is likely under Open America v. Watergate Special Prosecution Force, 547 F.2d 605 (D.C. Cir. 1976); (5) the possibility of prioritizing documents responsive to Plaintiff's request[s] and any discussions regarding whether Plaintiffs request[s] can be narrowed; and (6) whether the Parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. So ORDERED by Judge Carl J. Nichols on November 22, 2023. (lccjn2) (Entered: 11/22/2023)
11/22/2023		Set/Reset Deadlines: Joint Status Report due by 12/15/2023. (zcam) (Entered: 11/27/2023)
11/27/2023	<u>15</u>	NOTICE OF RELATED CASE by All Defendants. Case related to Case No. 23-2801. (Curteman, Dedra) (Entered: 11/27/2023)
11/27/2023	<u>16</u>	NOTICE OF RELATED CASE by All Defendants. Case related to Case No. 23-3269. (Curteman, Dedra) (Entered: 11/27/2023)
11/27/2023	<u>17</u>	NOTICE OF RELATED CASE by All Defendants. Case related to Case No. 23-3270. (Curteman, Dedra) (Entered: 11/27/2023)
11/27/2023	<u>18</u>	NOTICE OF RELATED CASE by All Defendants. Case related to Case No. 23-3361. (Curteman, Dedra) (Entered: 11/27/2023)
11/29/2023	<u>19</u>	Consent MOTION to Consolidate Cases by NATIONAL INSTITUTES OF HEALTH. (Attachments: # <u>1</u> Text of Proposed Order)(Curteman, Dedra) (Entered: 11/29/2023)
12/12/2023	<u>20</u>	Joint STATUS REPORT by NATIONAL INSTITUTES OF HEALTH. (Curteman, Dedra) (Entered: 12/12/2023)
12/20/2023	<u>21</u>	ERRATA by NATIONAL INSTITUTES OF HEALTH re <u>19</u> Motion to Consolidate Cases. (Attachments: # <u>1</u> Text of Proposed Order)(Curteman, Dedra) (Entered: 12/20/2023)
01/02/2024	<u>22</u>	Consent MOTION to Consolidate Cases by NATIONAL INSTITUTES OF HEALTH. (Attachments: # <u>1</u> Text of Proposed Order)(Curteman, Dedra) (Entered: 01/02/2024)
01/02/2024	<u>23</u>	Consent MOTION to Consolidate Cases by NATIONAL INSTITUTES OF HEALTH. (Attachments: # <u>1</u> Text of Proposed Order)(Curteman, Dedra) (Entered: 01/02/2024)
01/02/2024	<u>24</u>	Consent MOTION to Consolidate Cases by NATIONAL INSTITUTES OF HEALTH. (Attachments: # <u>1</u> Text of Proposed Order)(Curteman, Dedra) (Entered: 01/02/2024)
02/26/2024		MINUTE ORDER. Although the Court does not believe that the referenced cases satisfy the standard in LCvR 40.5, in light of the parties' consent regarding consolidation, it is ORDERED that the <u>19</u> , <u>22</u> , <u>23</u> , and <u>24</u> consent motions to consolidate are GRANTED. It is further ORDERED that 23-cv-2586 (CJN), 23-cv-2801 (CJN), 23-cv-3361 (JMC), 23-cv-3269 (ABJ), and 23-cv-3270 (RC) are consolidated. It is further ORDERED that all future filings in these consolidated actions shall be made in 23-cv-2586. So ORDERED by Judge Carl J. Nichols on February 26, 2024. (lccjn2) (Entered: 02/26/2024)
02/26/2024		Cases Consolidated: The following cases have been consolidated with this case: 23-cv-2801, 23-cv-3361, 23-cv-3269, 23-cv-3270. pursuant to Order on Motion to Consolidate Cases,,,,,,,,,,,,. From this date forward, all pleadings shall be filed ONLY in this case. Parties are advised NOT to elect the SPREAD TEXT option when filing in ECF, as this will result in repetitive docketing. (zdp) (Entered: 03/21/2024)
03/28/2024	<u>25</u>	Joint STATUS REPORT by NATIONAL INSTITUTES OF HEALTH. (Curteman, Dedra) (Entered: 03/28/2024)

05/29/2024	<u>26</u>	Joint STATUS REPORT by NATIONAL INSTITUTES OF HEALTH. (Curteman, Dedra) (Entered: 05/29/2024)
06/13/2024		MINUTE ORDER. The <u>11</u> Motion for Extension of Time is GRANTED nunc pro tunc. So ORDERED by Judge Carl J. Nichols on June 13, 2024. (lccjn2) (Entered: 06/13/2024)
08/27/2024	<u>27</u>	Joint STATUS REPORT by NATIONAL INSTITUTES OF HEALTH. (Curteman, Dedra) (Entered: 08/27/2024)
08/30/2024		MINUTE ORDER. The Court is in receipt of the <u>27</u> Joint Status Report. It is ORDERED that the parties shall file a Joint Status Report on October 29, 2024, and every 60 days thereafter, until either party moves for a briefing schedule for dispositive motions, files a dispositive motion, or the case is terminated. So ORDERED by Judge Carl J. Nichols on August 30, 2024. (lccjn2) (Entered: 08/30/2024)