

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:23-cv-02591-TJK**

NATIONAL PUBLIC RADIO, INC. et al v. FEDERAL
BUREAU OF PRISONS
Assigned to: Judge Timothy J. Kelly
Cause: 05:552 Freedom of Information Act

Date Filed: 09/06/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**NATIONAL PUBLIC RADIO, INC.**

represented by **Matthew E. Kelley**
BALLARD SPAHR LLP
1909 K Street, NW
12th Floor
Washington, DC 20006
(202) 508-1112
Fax: (202) 661-2299
Email: kelleym@ballardspahr.com
ATTORNEY TO BE NOTICED

Plaintiff

FERNANDO ALFONSO III
an individual

represented by **Matthew E. Kelley**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant**FEDERAL BUREAU OF PRISONS**

represented by **Kartik Narayan Venguswamy**
DOJ-USAO
601 D Street NW
Washington, DC 20579
(202) 252-1790
Email: kartik.venguswamy@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/06/2023	<u>1</u>	COMPLAINT against FEDERAL BUREAU OF PRISONS (Filing fee \$ 402 receipt number ADCDC-10329739) filed by NATIONAL PUBLIC RADIO, INC., FERNANDO ALFONSO III. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Summons Fed. Bureau of Prisons, # <u>8</u> Summons Attorney General, # <u>9</u> Summons US Attorney, # <u>10</u> Civil Cover Sheet)(Kelley, Matthew) (Entered: 09/06/2023)
09/06/2023	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by NATIONAL PUBLIC RADIO, INC. (Kelley, Matthew) (Entered: 09/06/2023)
09/07/2023		Case Assigned to Judge Timothy J. Kelly. (zcb) (Entered: 09/07/2023)
09/07/2023	<u>3</u>	SUMMONS (3) Issued Electronically as to FEDERAL BUREAU OF PRISONS, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zcb) (Entered: 09/07/2023)
09/14/2023	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/8/2023. Answer due for ALL FEDERAL DEFENDANTS by 10/8/2023. (Kelley, Matthew) (Entered: 09/14/2023)

09/14/2023	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL BUREAU OF PRISONS served on 9/12/2022 (Kelley, Matthew) (Entered: 09/14/2023)
09/14/2023	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 09/14/2023. (Kelley, Matthew) (Entered: 09/14/2023)
10/20/2023	<u>7</u>	MOTION for Entry of Default by FERNANDO ALFONSO III, NATIONAL PUBLIC RADIO, INC.. (Attachments: # <u>1</u> Exhibit A – summonses)(Kelley, Matthew) (Entered: 10/20/2023)
10/24/2023	<u>8</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by FEDERAL BUREAU OF PRISONS. (Venguswamy, Kartik) (Entered: 10/24/2023)
10/25/2023		MINUTE ORDER: It is hereby ORDERED, <i>nunc pro tunc</i> and for good cause shown, that Defendant's <u>8</u> Consent Motion for Extension of Time to File Answer is GRANTED. Defendant shall file its answer by November 9, 2023. It is further ORDERED that Plaintiff's <u>7</u> Motion for Entry of Default is DENIED AS MOOT. Signed by Judge Timothy J. Kelly on 10/25/2023. (lctjk3) (Entered: 10/25/2023)
11/09/2023	<u>9</u>	ANSWER to Complaint by FEDERAL BUREAU OF PRISONS.(Venguswamy, Kartik) (Entered: 11/09/2023)
11/15/2023		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall meet, confer, and file a joint proposed schedule for briefing or disclosure by December 4, 2023. Signed by Judge Timothy J. Kelly on 11/15/2023. (lctjk3) (Entered: 11/15/2023)
12/04/2023	<u>10</u>	Joint STATUS REPORT by FEDERAL BUREAU OF PRISONS. (Venguswamy, Kartik) (Entered: 12/04/2023)
12/06/2023		MINUTE ORDER: Upon consideration of the parties' <u>10</u> Joint Status Report, it is hereby ORDERED that the parties shall file, by February 2, 2024, a further joint status report. Signed by Judge Timothy J. Kelly on 12/6/2023. (lctjk3) (Entered: 12/06/2023)
02/02/2024	<u>11</u>	Joint STATUS REPORT by FEDERAL BUREAU OF PRISONS. (Venguswamy, Kartik) (Entered: 02/02/2024)
02/06/2024		MINUTE ORDER: Upon consideration of the parties' <u>11</u> Joint Status Report, it is hereby ORDERED that the parties shall file, by April 2, 2024, a further joint status report. Signed by Judge Timothy J. Kelly on 2/6/2024. (lctjk3) (Entered: 02/06/2024)
04/02/2024	<u>12</u>	Joint STATUS REPORT by FEDERAL BUREAU OF PRISONS. (Venguswamy, Kartik) (Entered: 04/02/2024)
04/08/2024		MINUTE ORDER: Upon consideration of the parties' <u>12</u> Joint Status Report, it is hereby ORDERED that the parties shall file, by June 3, 2024, a further joint status report. Signed by Judge Timothy J. Kelly on 4/8/2024. (lctjk3) (Entered: 04/08/2024)
05/16/2024	<u>13</u>	Joint STATUS REPORT <i>and Proposed Briefing Schedule</i> by FEDERAL BUREAU OF PRISONS. (Venguswamy, Kartik) (Entered: 05/16/2024)
05/21/2024		MINUTE ORDER: Upon consideration of the parties' <u>13</u> Joint Status Report, it is hereby ORDERED that the following schedule will govern proceedings: Defendant shall file a motion for summary judgment by July 11, 2024; Plaintiffs shall file a consolidated opposition and cross-motion for summary judgment by July 25, 2024; Defendant shall file a consolidated opposition and reply by August 22, 2024; and Plaintiffs shall file any reply by August 29, 2024. Signed by Judge Timothy J. Kelly on 5/21/2024. (lctjk3) (Entered: 05/21/2024)
05/21/2024		Set/Reset Deadlines: Cross Motion due by 7/25/2024. Response to Cross Motion due by 8/22/2024. Reply to Cross Motion due by 8/29/2024. (zkh) (Entered: 05/21/2024)
07/10/2024	<u>14</u>	Joint MOTION to Stay re Order,,, Set Deadlines,, by FEDERAL BUREAU OF PRISONS. (Venguswamy, Kartik) (Entered: 07/10/2024)
07/18/2024		MINUTE ORDER: Upon consideration of the parties' <u>14</u> Joint Motion for Stay, it is hereby ORDERED, <i>nunc pro tunc</i> to July 11, 2024, that the motion is GRANTED. It is further ORDERED that this case is STAYED until August 21, 2024. It is further

		ORDERED that the parties shall file a joint status report, by August 21, 2024, setting forth their proposal for how this case should proceed. Signed by Judge Timothy J. Kelly on 7/18/2024. (lctjk3) (Entered: 07/18/2024)
07/18/2024		Case Stayed. (zkh) (Entered: 07/22/2024)
08/21/2024	<u>15</u>	Joint STATUS REPORT by FEDERAL BUREAU OF PRISONS. (Venguswamy, Kartik) (Entered: 08/21/2024)
08/22/2024		MINUTE ORDER: Upon consideration of the parties' <u>15</u> Joint Status Report, it is hereby ORDERED that the parties shall file, by October 23, 2024, a further joint status report. Signed by Judge Timothy J. Kelly on 8/22/2024. (lctjk3) (Entered: 08/22/2024)