

**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CIVIL DOCKET FOR CASE #: 2:23-cv-02085-MTL**

Arrow Indian Contractors Incorporated v. United States Federal Highway Administration, Central Federal Lands Division
Assigned to: Judge Michael T Liburdi
Cause: 05:552 Freedom of Information Act

Date Filed: 10/05/2023
Jury Demand: None
Nature of Suit: 895 Other Statutes: Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Arrow Indian Contractors Incorporated

represented by **Pierce Libbey**
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V.

Defendant

United States Federal Highway Administration, Central Federal Lands Division

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Date Filed	#	Docket Text
10/05/2023	<u>1</u>	COMPLAINT. Filing fee received: \$ 402.00, receipt number AAZDC-22369602 filed by Arrow Indian Contractors Incorporated. (Froderman, Troy) (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7)(MYE) (Entered: 10/05/2023)
10/05/2023	<u>2</u>	SUMMONS Submitted by Arrow Indian Contractors Incorporated. (Froderman, Troy) (MYE) (Entered: 10/05/2023)

10/05/2023	<u>3</u>	Corporate Disclosure Statement by Arrow Indian Contractors Incorporated. (Froderman, Troy) (MYE) (Entered: 10/05/2023)
10/05/2023	<u>4</u>	Filing fee paid, receipt number AAZDC-22369602. This case has been assigned to the Honorable Michael T Liburdi. All future pleadings or documents should bear the correct case number: CV-23-2085-PHX-MTL. Notice of Availability of Magistrate Judge to Exercise Jurisdiction form attached. (MYE) (Entered: 10/05/2023)
10/05/2023	<u>5</u>	Summons Issued as to United States Federal Highway Administration, Central Federal Lands Division. (MYE). *** IMPORTANT: When printing the summons, select "Document and stamps" or "Document and comments" for the seal to appear on the document. (Entered: 10/05/2023)
10/05/2023	<u>6</u>	NOTICE TO FILER OF DEFICIENCY re: [1-1] Civil Cover Sheet filed by Arrow Indian Contractors Incorporated. A section is missing from the provided Civil Cover Sheet. Pursuant to the Electronic Case Filing Administrative Policies and Procedures Manual Section II(B), attorneys are required to submit the automated Civil Cover Sheet when filing a new case. FOLLOW-UP ACTION REQUIRED: Please refile corrected document. Deficiency must be corrected within one business day of this notice. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MYE) (Entered: 10/05/2023)
10/06/2023	<u>7</u>	AMENDED DOCUMENT by Arrow Indian Contractors Incorporated. Amendment to 6 Notice of Deficiency (Text Only),, <u>1</u> Complaint, <i>Amended Civil Cover Sheet</i> . (Froderman, Troy) (Entered: 10/06/2023)
10/13/2023	<u>8</u>	SERVICE EXECUTED filed by Arrow Indian Contractors Incorporated: Certificate of Service re: Summons, Complaint, Exhibits 1-7, Corporate Disclosure Statement, Notice of Availability, Civil Cover Sheet upon Federal Highway Administration, Central Federal Lands Highway Division on October 10, 2023. (Froderman, Troy) (Entered: 10/13/2023)
12/27/2023	<u>9</u>	SUMMONS Submitted by Arrow Indian Contractors Incorporated. (Froderman, Troy) (Entered: 12/27/2023)
12/28/2023	<u>10</u>	Summons Issued as to U.S. Attorney. (BAS) (Entered: 12/28/2023)
01/03/2024	<u>11</u>	SERVICE EXECUTED filed by Arrow Indian Contractors Incorporated: Certificate of Service re: Summons, Civil Cover Sheet, Complaint, Corporate Disclosure Statement upon Federal Highway Administration, Central Federal Lands Highway Division, c/o U.S. Attorney's Office Gary M. Restaino on 12/28/23. (Froderman, Troy) (Entered: 01/03/2024)
01/12/2024	<u>12</u>	*SERVICE EXECUTED filed by Arrow Indian Contractors Incorporated: Certificate of Service re: Summons, Civil Cover Sheet, Complaint, Corporate Disclosure Statement upon Federal Highway Administration, Central Federal Lands Highway Division on 12/28/23. (Froderman, Troy) *Modified to correct service date on 1/16/2024 (CSL). (Entered: 01/12/2024)
01/29/2024	<u>13</u>	ANSWER to <u>1</u> Complaint, by United States Federal Highway Administration, Central Federal Lands Division.(Hemann, Lisa) (Entered: 01/29/2024)
02/22/2024	<u>14</u>	NOTICE of Service of Discovery filed by United States Federal Highway Administration, Central Federal Lands Division. (Hemann, Lisa) (Entered: 02/22/2024)
02/23/2024	<u>15</u>	ORDER SETTING RULE 16 SCHEDULING CONFERENCE for April 9, 2024 at 2:00 p.m. in Courtroom 504, Sandra Day O'Connor U.S. Federal Courthouse, 401 W. Washington St., Phoenix, Arizona 85003-2151. before Judge Michael T Liburdi. See Order for additional deadlines and details. Signed by Judge Michael T Liburdi on 2/23/2024. (CSL) (Entered: 02/23/2024)
03/13/2024	<u>16</u>	NOTICE OF ATTORNEY'S CHANGE OF ADDRESS/FIRM NAME by Troy Blinn Froderman. (Froderman, Troy) (Entered: 03/13/2024)
03/29/2024	<u>17</u>	MOTION to Expedite Case , MOTION to Vacate <u>15</u> Order,, Set/Reset Hearings, (<i>Stipulated</i>) by United States Federal Highway Administration, Central Federal Lands Division. (Attachments: # <u>1</u> Proposed Order)(Hemann, Lisa) (Entered: 03/29/2024)

03/29/2024	<u>18</u>	NOTICE of Service of Discovery filed by United States Federal Highway Administration, Central Federal Lands Division. (Hemann, Lisa) (Entered: 03/29/2024)
03/29/2024	<u>19</u>	ORDER granting the Stipulated Motion (Doc. <u>17</u>). FURTHER ORDERED vacating the Rule 16 Scheduling Conference set for Tuesday, 4/9/24, at 2:00 PM. FINALLY ORDERED that the parties shall confer within 21 days of the date of this Order and file a Stipulation to a briefing schedule for the Defendant's Motion for Summary Judgment. Signed by Judge Michael T. Liburdi on 3/29/24. (NKS) (Entered: 03/29/2024)
04/17/2024	<u>20</u>	NOTICE of Service of Discovery filed by United States Federal Highway Administration, Central Federal Lands Division. (Hemann, Lisa) (Entered: 04/17/2024)
04/19/2024	<u>21</u>	STIPULATION re: <u>19</u> Order re: <i>Briefing Schedule</i> by United States Federal Highway Administration, Central Federal Lands Division. (Attachments: # <u>1</u> Proposed Order)(Hemann, Lisa) (Entered: 04/19/2024)
04/22/2024	<u>22</u>	ORDER granting the parties' Stipulation Regarding Proposed Briefing Schedule <u>21</u> : Defendant shall file its motion for summary judgment no later than June 21, 2024. Plaintiff shall file its response to the motion for summary judgment no later than July 22, 2024. Defendant shall file its reply in support of its motion for summary judgment no later than August 6, 2024. Signed by Judge Michael T. Liburdi on 4/22/2024. (LMR) (Entered: 04/22/2024)
06/10/2024	<u>23</u>	First MOTION for Extension of Time of the Dispositive Motion Briefing Schedule by United States Federal Highway Administration, Central Federal Lands Division. (Attachments: # <u>1</u> Proposed Order)(Hemann, Lisa) (Entered: 06/10/2024)
06/21/2024	<u>24</u>	MOTION for Attorney Fees by Arrow Indian Contractors Incorporated. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Proposed Order Proposed Order)(Froderman, Troy) (Entered: 06/21/2024)
06/24/2024	<u>25</u>	ORDER that the summary judgment briefing deadlines established in the Court's April 22, 2024, Order <u>22</u> are extended by three weeks. Defendant shall file its motion for summary judgment no later than July 12, 2024. Plaintiff shall file its response to the motion for summary judgment no later than August 12, 2024. Defendant shall file its reply to the motion for summary judgment no later than August 27, 2024. FURTHER ORDERED affirming that Plaintiff's response to the Motion to Extend Dispositive Motion Briefing Schedule <u>23</u> is due on June 24, 2024. Plaintiff shall state with particularity why it opposes Defendant's request for a 3-month extension. Defendant may file a reply brief no later than July 1, 2024. The Court will then evaluate the Motion to Extend Dispositive Motion Briefing Schedule <u>23</u> and issue an order forthwith. Signed by Judge Michael T Liburdi on 6/21/2024. (REK) (Entered: 06/24/2024)
06/24/2024	<u>26</u>	RESPONSE to Motion re: <u>23</u> First MOTION for Extension of Time of the Dispositive Motion Briefing Schedule filed by Arrow Indian Contractors Incorporated. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Proposed Order Proposed Order)(Froderman, Troy) (Entered: 06/24/2024)
07/01/2024	<u>27</u>	REPLY to Response to Motion re: <u>23</u> First MOTION for Extension of Time of the Dispositive Motion Briefing Schedule filed by United States Federal Highway Administration, Central Federal Lands Division. (Hemann, Lisa) (Entered: 07/01/2024)
07/03/2024	<u>28</u>	ORDER granting in part Defendant's Motion to Extend Dispositive Motion Briefing Schedule <u>23</u> . Defendant shall file its motion for summary judgment no later than July 26, 2024. Plaintiff shall file its response to the motion for summary judgment no later than August 23, 2024. Defendant shall file its reply to the motion for summary judgment no later than September 9, 2024. Signed by Judge Michael T. Liburdi on 7/2/2024. (LMR) (Entered: 07/03/2024)
07/05/2024	<u>29</u>	RESPONSE to Motion re: <u>24</u> MOTION for Attorney Fees filed by United States Federal Highway Administration, Central Federal Lands Division. (Attachments: # <u>1</u> Exhibit)(Hemann, Lisa) (Entered: 07/05/2024)

07/12/2024	<u>30</u>	REPLY to Response to Motion re: <u>24</u> MOTION for Attorney Fees filed by Arrow Indian Contractors Incorporated. (Attachments: # <u>1</u> Declaration of Brent Frye, # <u>2</u> Exhibit 2, # <u>3</u> Proposed Order)(Froderman, Troy) (Entered: 07/12/2024)
07/26/2024	<u>31</u>	MOTION for Summary Judgment by United States Federal Highway Administration, Central Federal Lands Division. (Hemann, Lisa) (Entered: 07/26/2024)
07/26/2024	<u>32</u>	STATEMENT OF FACTS re: <u>31</u> MOTION for Summary Judgment by Defendant United States Federal Highway Administration, Central Federal Lands Division. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Hemann, Lisa) (Entered: 07/26/2024)
08/23/2024	<u>33</u>	RESPONSE to Motion re: <u>31</u> MOTION for Summary Judgment filed by Arrow Indian Contractors Incorporated. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Froderman, Troy) (Entered: 08/23/2024)
08/23/2024	<u>34</u>	STATEMENT OF FACTS re: <u>33</u> Response to Motion for Summary Judgment by Plaintiff Arrow Indian Contractors Incorporated. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5)(Froderman, Troy) (Entered: 08/23/2024)
09/09/2024	<u>35</u>	REPLY to Response to Motion re: <u>31</u> MOTION for Summary Judgment filed by United States Federal Highway Administration, Central Federal Lands Division. (Attachments: # <u>1</u> Exhibit Supp'l Decl re Status Update)(Hemann, Lisa) (Entered: 09/09/2024)