

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:23-cv-03131-ACR**

PUBLIC EMPLOYEES FOR ENVIRONMENTAL
RESPONSIBILITY v. ENVIRONMENTAL PROTECTION
AGENCY

Assigned to: Judge Ana C. Reyes
Cause: 05:552 Freedom of Information Act

Date Filed: 10/19/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**PUBLIC EMPLOYEES FOR
ENVIRONMENTAL
RESPONSIBILITY**

represented by **Colleen Elizabeth Teubner**
PUBLIC EMPLOYEES FOR
ENVIRONMENTAL RESPONSIBILITY
962 Wayne Ave.
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Silver Spring, MD 20910
202-464-2293
Email: cteubner@peer.org
ATTORNEY TO BE NOTICED

V.

Defendant

**ENVIRONMENTAL PROTECTION
AGENCY**

represented by **Jeremy S. Simon**
DOJ-USAO
Patrick Henry Building
601 D. Street, N.W.
Washington, DC 20530
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/19/2023	<u>1</u>	COMPLAINT against ENVIRONMENTAL PROTECTION AGENCY (Filing fee \$ 402 receipt number ADCDC-10429919) filed by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY. (Attachments: # <u>1</u> Civil Cover Sheet Cover Sheet, # <u>2</u> Summons Defendant Summons, # <u>3</u> Summons US AG Summons, # <u>4</u> Summons US Atty for DC Summons)(Teubner, Colleen) (Entered: 10/19/2023)
10/19/2023	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY (Teubner, Colleen) (Entered: 10/19/2023)
10/19/2023		Case Assigned to Judge Ana C. Reyes. (zcb) (Entered: 10/19/2023)
10/19/2023	<u>3</u>	SUMMONS (3) Issued Electronically as to ENVIRONMENTAL PROTECTION AGENCY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zcb) (Entered: 10/19/2023)
11/21/2023	<u>4</u>	Consent MOTION for Extension of Time to <i>Answer or Otherwise Respond to Complaint</i> by ENVIRONMENTAL PROTECTION AGENCY. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 11/21/2023)
11/21/2023		MINUTE ORDER. Upon consideration of Defendant's <u>4</u> Consent Motion for Extension of Time to Answer or Otherwise Respond to Complaint and the entire record herein, it is hereby ORDERED that Defendant's Motion is GRANTED; and it is further ORDERED that Defendant shall have to, and including, December 15, 2023, to answer or otherwise respond to the Complaint. Signed by Judge Ana C. Reyes on 11/21/2023. (lcacr1) (Entered: 11/21/2023)

11/21/2023		Set/Reset Deadlines/Hearings: Answer or other response to Complaint due by 12/15/2023. (zcdw) (Entered: 11/21/2023)
12/15/2023	<u>5</u>	ANSWER to Complaint by ENVIRONMENTAL PROTECTION AGENCY.(Simon, Jeremy) (Entered: 12/15/2023)
12/15/2023		MINUTE ORDER. Plaintiff filed this Freedom of Information Act (FOIA) action on October 19, 2023. Dkt 1. Defendant filed its Answer on December 15, 2023. Dkt. 5. Cases filed under FOIA are exempt from the requirements of Federal Rule of Civil Procedure 26(f) and Local Civil Rule 16.3. See LCvR 16.3(b)(10). Accordingly, it is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report on or before January 5, 2024. The Joint Status Report should address, among other things: (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 a stay is likely under <i>Open America v. Watergate Special Prosecution Force</i> , 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Counsel shall not contact Chambers directly concerning scheduling or other matters, as Chambers personnel will not handle questions relating to the status or scheduling of pending matters, except in case of an emergency. In an emergency, Chambers can be reached at (202) 354-3350. Signed by Judge Ana C. Reyes on 12/15/2023. (lcacr1) (Entered: 12/15/2023)
12/15/2023		Set/Reset Deadlines/Hearings: Joint Status Report due by 1/5/2024. (zcdw) (Entered: 12/15/2023)
01/05/2024	<u>6</u>	Joint STATUS REPORT by ENVIRONMENTAL PROTECTION AGENCY. (Simon, Jeremy) (Entered: 01/05/2024)
01/05/2024		MINUTE ORDER directing the parties to file another joint status report on or before February 29, 2024 and every 60 days thereafter. SO ORDERED. Signed by Judge Ana C. Reyes on 1/5/2024. (lcacr1) (Entered: 01/05/2024)
01/19/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 2/29/2024. (zcdw) (Entered: 01/19/2024)
02/29/2024	<u>7</u>	Joint STATUS REPORT by ENVIRONMENTAL PROTECTION AGENCY. (Simon, Jeremy) (Entered: 02/29/2024)
04/30/2024	<u>8</u>	Joint STATUS REPORT by ENVIRONMENTAL PROTECTION AGENCY. (Simon, Jeremy) (Entered: 04/30/2024)
07/01/2024	<u>9</u>	Joint STATUS REPORT by ENVIRONMENTAL PROTECTION AGENCY. (Simon, Jeremy) (Entered: 07/01/2024)
08/29/2024	<u>10</u>	Joint STATUS REPORT by ENVIRONMENTAL PROTECTION AGENCY. (Simon, Jeremy) (Entered: 08/29/2024)