

**U.S. District Court
District of Connecticut (New Haven)
CIVIL DOCKET FOR CASE #: 3:23-cv-01528-OAW**

Manigaulte v. U.S. Department of Energy
Assigned to: Judge Omar A. Williams
Referred to: Judge Robert A. Richardson
Cause: 05:552 Freedom of Information Act

Date Filed: 11/20/2023
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: Federal Question

Plaintiff**John Carlo Manigaulte**

represented by **John Carlo Manigaulte**
John Carlo Manigaulte
66 Franklin Sq.
Apt. 2-D
New Britain, CT 06051-2615
631-372-9074
Email: jomng1@aol.com
PRO SE

V.

Defendant**U.S. Department of Energy**

represented by **Michelle Lynn McConaghy**
U.S. Attorney's Office-NH
157 Church St., 25th Floor
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/20/2023	<u>1</u>	COMPLAINT against U.S. Department of Energy, filed by John C Manigaulte. (Attachments: # <u>1</u> Envelope) (Peterson, M) (Entered: 11/21/2023)
11/20/2023	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by John C Manigaulte. (Peterson, M) (Entered: 11/21/2023)
11/20/2023	3	Notice: Pursuant to Federal Rule of Civil Procedure 7.1, a disclosure statement must be filed with a party's first appearance, pleading, petition, motion, response, or other request addressed to the Court and must be supplemented if any required information changes during the case. Signed by Clerk on 11/20/2023. (Peterson, M) (Entered: 11/21/2023)
11/20/2023		Judge Robert N. Chatigny and Judge S. Dave Vatti added. (Johnson, D.) (Entered: 11/21/2023)
11/20/2023	<u>4</u>	STANDING PROTECTIVE ORDER Signed by Judge Robert N. Chatigny on 11/20/2023.(Gaskins, A) (Entered: 11/21/2023)
11/20/2023	<u>5</u>	ELECTRONIC FILING ORDER FOR COUNSEL – PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER Signed by Judge Robert N. Chatigny on 11/20/2023.(Gaskins, A.) (Entered: 11/21/2023)
11/22/2023		Case Reassigned to Judge Sarala V. Nagala and Judge Robert A. Richardson. Judge Robert N. Chatigny, Judge S. Dave Vatti no longer assigned to the case. (Johnson, D.) (Entered: 11/22/2023)

11/29/2023	<u>6</u>	ORDER OF TRANSFER. Case reassigned to Judge Omar A. Williams for all further proceedings. Signed by Judge Sarala V. Nagala on 11-29-2023. (Shafer, J.) (Entered: 11/29/2023)
11/29/2023	<u>7</u>	ELECTRONIC FILING ORDER FOR COUNSEL – PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER. Signed by Judge Omar A. Williams on 11/29/23. (Velez, Frances) (Entered: 11/29/2023)
03/05/2024	<u>8</u>	MOTION to Compel Documents from Doe via An Expedited FOIA Request Based on Research Regarding Serious Problems with Digital Electric "Smart Meter" Accuracy by John C Manigaulte. Responses due by 3/26/2024. (Attachments: # <u>1</u> Attachments, # <u>2</u> Envelope) (Peterson, M) (Entered: 03/05/2024)
03/06/2024	<u>9</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis. Plaintiff has filed a motion for leave to proceed <i>in forma pauperis</i> ; in other words, he seeks to commence a federal lawsuit without pre-paying the filing fee of \$402.00. ECF No. <u>2</u> . Federal law permits a plaintiff to commence a civil action without prepayment of fees, costs, or security if the plaintiff is unable to pay such fees, costs, or security. <i>See</i> 28 U.S.C. § 1915. In the financial affidavit accompanying his motion, Plaintiff represents that he receives supplemental security income from the Social Security Administration in the amount of \$1,194.00 per month. ECF No. <u>2</u> , at 3. Plaintiff's monthly expenses are \$1,128.44 for, among other things, his rent, utilities, food, and medical expenditures. <i>See id.</i> at 4. Plaintiff has \$1466.91 in his checking account, and no savings. <i>See id.</i> Accordingly, the court finds that Plaintiff has demonstrated an inability to pay the court's filing fee. The motion for leave to proceed <i>in forma pauperis</i> hereby is granted. The granting of Plaintiff's motion means that Plaintiff is permitted to initiate his civil suit without prepayment of the court's filing fee of \$402. To proceed in this action, Plaintiff must serve upon Defendant the complaint. The Clerk of Court is instructed to please submit to Plaintiff instructions regarding service. Signed by Judge Omar A. Williams on 03/06/2024. (Kim, Hyo June) (Entered: 03/06/2024)
03/07/2024	<u>10</u>	ELECTRONIC SUMMONS ISSUED in accordance with Fed. R. Civ. P. 4 and LR 4 as to *U.S. Department of Energy* with answer to complaint due within *60* days. *John C Manigaulte* *66 Franklin Sq., Apt. 2-D* *New Britain, CT 06051-2615*. (Peterson, M) (Entered: 03/07/2024)
03/07/2024	<u>11</u>	USM 285 forms together with Summons and all instructions mailed to IFP plaintiff to complete and return to Clerk's office. (Peterson, M) (Entered: 03/07/2024)
03/07/2024	<u>12</u>	Standing Order to Litigants Regarding Letters to the Court Signed by Judge Omar A. Williams on 3/7/2024. (Peterson, M) (Entered: 03/07/2024)
04/02/2024	<u>13</u>	Consent to Electronic Notice by John C Manigaulte (Attachments: # <u>1</u> Envelope) (Peterson, M) (Entered: 04/02/2024)
04/02/2024	<u>14</u>	MOTION by Self-Represented Litigant to Participate in Electronic Filing by John C Manigaulte. (Peterson, M) (Entered: 04/02/2024)
04/03/2024	<u>15</u>	NOTICE TO COUNSEL/SELF-REPRESENTED PARTIES : Counsel or self-represented parties initiating or removing this action are responsible for serving all parties with attached documents and copies of <u>7</u> Electronic Filing Order, <u>2</u> MOTION for Leave to Proceed in forma pauperis filed by John C Manigaulte, <u>3</u> Notice re: Disclosure Statement, <u>5</u> Electronic Filing Order, <u>4</u> Protective Order, <u>1</u> Complaint filed by John C Manigaulte Signed by Clerk on 4/3/2024. (Peterson, M) (Entered: 04/03/2024)
04/05/2024		USM 285 forms together with Summons, Complaint, OPTD, Order granting IFP reviewed and sent to USM for service on defendant(s) U.S. Department of Energy. Copies also sent to USAG, USAO. (Peterson, M) (Entered: 04/05/2024)
05/02/2024	<u>17</u>	SUMMONS Returned Executed U.S. Department of Energy served on 5/2/2024, answer due 7/1/2024. (Attachments: # <u>1</u> USM Return from USAO) (Peterson, M) (Entered: 05/10/2024)

05/06/2024	<u>16</u>	ORDER granting <u>14</u> Motion to Participate in Electronic Filing. Signed by Judge Omar A. Williams on 05/06/2024. Self-represented filers are required to Comply with the Standard Electronic Filing Order Docketed at Case Opening. (Kim, Hyo June) Modified on 5/8/2024 to add language (Velez, F). (Entered: 05/06/2024)
05/08/2024		Docket Entry Correction re <u>16</u> Order on Motion to Participate in Electronic Filing: added additional text. (Velez, F) (Entered: 05/08/2024)
05/31/2024	<u>18</u>	NOTICE of Appearance by Michelle Lynn McConaghy on behalf of U.S. Department of Energy (McConaghy, Michelle) (Entered: 05/31/2024)
05/31/2024	<u>19</u>	ANSWER to <u>1</u> Complaint with Affirmative Defenses by U.S. Department of Energy.(McConaghy, Michelle) (Entered: 05/31/2024)
07/16/2024	<u>20</u>	SUMMONS Returned Executed; U.S. Department of Energy served on 7/15/2024 by John Carlo Manigaulte. (Peterson, M) (Entered: 07/17/2024)
07/24/2024	<u>21</u>	MOTION for Summary Judgment by U.S. Department of Energy.Responses due by 8/14/2024 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Material Facts, # <u>3</u> Declaration, # <u>4</u> Exhibit 1-A – FOIA Request, # <u>5</u> Exhibit 1-B – Interim Response, # <u>6</u> Exhibit 1-C – Correspondence with EERE, # <u>7</u> Exhibit 1-D – Correspondence with OE, # <u>8</u> Exhibit 1 – E – Correspondence with EIA, # <u>9</u> Exhibit 1-F – Final Response Letter, # <u>10</u> Notice to Pro Se Litigant, # <u>11</u> Copies of Rule 56 and Local Rule 56)(McConaghy, Michelle) (Entered: 07/24/2024)
07/30/2024	<u>22</u>	First RESPONSE re <u>21</u> MOTION for Summary Judgment filed by John Carlo Manigaulte. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Affidavit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(Manigaulte, John) (Entered: 07/30/2024)
08/14/2024	<u>23</u>	REPLY to Response to <u>21</u> MOTION for Summary Judgment filed by U.S. Department of Energy. (Attachments: # <u>1</u> Statement of Material Facts – Rule 56(a)3 Statement)(McConaghy, Michelle) (Entered: 08/14/2024)
08/16/2024	<u>24</u>	First OBJECTION re <u>23</u> Reply to Response to Motion <i>Defendant's Local Rule 56(a)3 Statement</i> filed by John Carlo Manigaulte. (Manigaulte, John) (Entered: 08/16/2024)