

**US District Court Electronic Case Filing System**  
**District of Utah (Central)**  
**CIVIL DOCKET FOR CASE #: 2:23-cv-00916-DBP**

Augustine-Adams v. United States Department of Health and Human Services  
Assigned to: Magistrate Judge Dustin B. Pead  
Cause: 05:0552 Freedom of Information Act

Date Filed: 12/20/2023  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Kif Augustine-Adams**

represented by **John J. Nielsen**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Scott D. Goodwin**  
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**TERMINATED: 03/04/2024**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****United States Department of Health and Human Services**

represented by **Melina Shiraldi**  
US ATTORNEY'S OFFICE  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
12/20/2023	<u>1</u>	COMPLAINT against United States Department of Health and Human Services (Filing fee \$ 405, receipt number AUTDC-4914087) filed by Kif Augustine-Adams. (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> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Civil Cover Sheet) (Goodwin, Scott) (Entered: 12/20/2023)
12/20/2023	<u>2</u>	Requested Summons as to United States Department of Health and Human Services. (Attachments: # <u>1</u> Summons to U.S. Attorney General, # <u>2</u> Summons to U.S. Attorney for the District of Utah)(Goodwin, Scott) (Entered: 12/20/2023)
12/20/2023		Magistrate Judge Cecilia M. Romero added.  Case number will now read <b>2:23-cv-00916-CMR</b> . Please make changes to document captions accordingly. (sg) (Entered: 12/20/2023)
12/20/2023	<u>3</u>	Summons Issued Electronically as to United States Department of Health and Human Services. Instructions to Counsel:

		<ol style="list-style-type: none"> <li>1. Click on the document number.</li> <li>2. If you are prompted for an ECF login, enter your 'Attorney' login to CM/ECF.</li> <li>3. Print the issued summons for service. (sg) (Entered: 12/20/2023)</li> </ol>
12/20/2023	<u>4</u>	<p>Summons Issued Electronically as to U.S Attorney General.</p> <p>Instructions to Counsel:</p> <ol style="list-style-type: none"> <li>1. Click on the document number.</li> <li>2. If you are prompted for an ECF login, enter your 'Attorney' login to CM/ECF.</li> <li>3. Print the issued summons for service. (sg) (Entered: 12/20/2023)</li> </ol>
12/20/2023	<u>5</u>	<p>Summons Issued Electronically as to <del>United States Department of Health and Human Services</del> U.S Attorney for the District of Utah.</p> <p>Instructions to Counsel:</p> <ol style="list-style-type: none"> <li>1. Click on the document number.</li> <li>2. If you are prompted for an ECF login, enter your 'Attorney' login to CM/ECF.</li> <li>3. Print the issued summons for service. (sg) Modified on 12/20/2023 Clerk corrected the name as to whom the summons issued (sg). (Entered: 12/20/2023)</li> </ol>
12/21/2023	<u>6</u>	<p><b>ORDER TO PROPOSE SCHEDULE – See order for details. Signed by Magistrate Judge Cecilia M. Romero on 12/21/2023. (haa) (Entered: 12/22/2023)</b></p>
12/28/2023	<u>7</u>	<p>SUMMONS Returned Executed by Kif Augustine–Adams. United States Department of Health and Human Services served on 12/22/2023, answer due 2/20/2024. (Attachments: # <u>1</u> Proof of Service for U.S. Attorney for the District of Utah, # <u>2</u> Proof of Service for U.S. Attorney General)(Goodwin, Scott) (Entered: 12/28/2023)</p>
02/20/2024	<u>8</u>	<p>Stipulated MOTION for Extension of Time to File Answer re <u>1</u> Complaint,, and Memorandum in Support filed by Defendant United States Department of Health and Human Services. Attorney Melina Shiraldi added to party United States Department of Health and Human Services(pty:dft)(Shiraldi, Melina) (Entered: 02/20/2024)</p>
02/21/2024	<u>9</u>	<p><b>ORDER granting <u>8</u> Motion for Extension of Time to Answer. The deadline for Defendant to respond to Plaintiff's <u>1</u> Complaint is extended to March 5, 2024. Signed by Magistrate Judge Cecilia M. Romero on 2/21/2024. (mh) (Entered: 02/21/2024)</b></p>
02/22/2024	<u>10</u>	<p>NOTICE – This case is assigned to a magistrate judge. Under 28 U.S.C. 636(c) and Fed. R. Civ. P. 73, you are hereby notified that a magistrate judge for the District of Utah may conduct any or all proceedings in this case, including a jury or bench trial and entry of a final judgment. Exercise of this jurisdiction by the magistrate judge is permitted only if all parties voluntarily sign and return the form. To consent, return the Consent Form to the clerk's office within 21 days via email at consents@utd.uscourts.gov or mail at the address on the form and place Attention: Consent Clerk on the envelope.</p> <p><b>Please do not e-file the Consent Form in the case.</b> Notice e-mailed or mailed to Plaintiff Kif Augustine–Adams, Defendant United States Department of Health and Human Services. Form due by 3/14/2024. (mh) (Entered: 02/22/2024)</p>
02/22/2024	<u>11</u>	<p>RECEIVED Consent/Reassignment Form from Defendant United States Department of Health and Human Services. (mh) (Entered: 02/22/2024)</p>
02/24/2024	<u>12</u>	<p>RECEIVED Consent/Reassignment Form from Plaintiff Kif Augustine–Adams. (mh) (Entered: 02/26/2024)</p>
02/26/2024	<u>13</u>	<p>NOTICE OF CONSENT Under DUCivR 72–4, returned Consent Forms from all relevant parties are now filed. The Magistrate Judge is presiding by consent. (mh) (Entered: 02/26/2024)</p>
03/04/2024	<u>14</u>	<p>SUBSTITUTION OF COUNSEL John J. Nielsen replacing Scott D. Goodwin as counsel on behalf of Kif Augustine–Adams. (Nielsen, John) (Entered: 03/04/2024)</p>
03/05/2024	<u>15</u>	<p>ANSWER to Complaint filed by United States Department of Health and Human Services.(Shiraldi, Melina) (Entered: 03/05/2024)</p>
03/07/2024	<u>16</u>	<p>MOTION for Change of Judge filed by Defendant United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Shiraldi, Melina) (Entered: 03/07/2024)</p>

03/08/2024	<u>17</u>	<b>ORDER granting <u>16</u> Motion for Change of Judge. Magistrate Judge Dustin B. Pead added as presiding judge – case number is now 2:23cv00916 <u>DBP</u>. Magistrate Judge Cecilia M. Romero no longer assigned to case. Signed by Magistrate Judge Cecilia M. Romero on 3/8/24 (alt)</b> (Entered: 03/08/2024)
03/11/2024	18	NOTICE OF AVAILABILITY OF JUDICIAL SETTLEMENT CONFERENCE. For the benefit of the public and the bar, the District of Utah offers judicial settlement conference as an alternative for dispute resolution assistance in all civil cases and bankruptcy adversary proceedings. The court offers this alternative because, when compared with litigation, it can resolve a dispute faster, at less expense, and with solutions that are better able to meet the parties' needs and interests. Parties may file a stipulated motion for judicial settlement conference. A form <u>motion</u> is available on the court's website. Notice e-mailed or mailed to Plaintiff Kif Augustine-Adams, Defendant United States Department of Health and Human Services. (alf) (Entered: 03/11/2024)
03/18/2024	19	<b>NOTICE OF HEARING:</b> A Zoom Status Conference Hearing is scheduled for April 8, 2024 at 4:00 p.m. before Magistrate Judge Dustin B. Pead. Instructions on appearing via Zoom will be emailed to the parties. (amn) (Entered: 03/18/2024)
04/12/2024	<u>20</u>	<b>ORDER Following Hearing Regarding Status of Cases. Signed by Magistrate Judge Dustin B. Pead on 4/12/2024. (alf)</b> (Entered: 04/12/2024)
05/01/2024	<u>21</u>	MOTION Motion to Modify re <u>20</u> Order <i>Following Hearing Regarding Status of Cases</i> filed by Defendant United States Department of Health and Human Services. (Shiraldi, Melina) (Entered: 05/01/2024)
05/14/2024	<u>22</u>	MEMORANDUM in Opposition re <u>21</u> MOTION Motion to Modify re <u>20</u> Order <i>Following Hearing Regarding Status of Cases</i> filed by Plaintiff Kif Augustine-Adams. (alf) (Entered: 05/15/2024)
05/14/2024	23	NOTICE FROM THE COURT: <b>COUNSEL ARE ADVISED – ANY future filings in this case will need to be filed also in 2:22cv00451.</b> (alf) (Entered: 05/15/2024)
05/14/2024	24	Modification of Docket re <u>22</u> Memorandum in Opposition to Motion: The memorandum in opposition to motion to modify filed in 2:22cv451 was not filed in this case (though the document listed both case numbers) and has been added. PLEASE NOTE: Any future filings must be filed in 2:22cv451 AND 2:23cv916 per direction of chambers. (alf) (Entered: 05/15/2024)
05/18/2024	<u>25</u>	STATUS REPORT by United States Department of Health and Human Services. (Shiraldi, Melina) (Entered: 05/18/2024)
08/23/2024	<u>26</u>	STATUS REPORT by United States Department of Health and Human Services. (Shiraldi, Melina) (Entered: 08/23/2024)
08/23/2024	<u>27</u>	STATUS REPORT by Kif Augustine-Adams. (Nielsen, John) (Entered: 08/23/2024)
09/03/2024	28	<b>NOTICE OF HEARING:</b> A Status Hearing in case 2:22-cv-00451 & case 2:23-cv-00916 is scheduled via Zoom for 9/30/2024 at 3:00 p.m. (MST) before Magistrate Judge Dustin B. Pead. Instructions on appearing by Zoom will be emailed to the parties. (amn) (Entered: 09/03/2024)
09/04/2024	29	<b>AMENDED NOTICE OF HEARING:</b> A Status Hearing in case 2:22-cv-00451 & case 2:23-cv-00916 is scheduled via Zoom for 9/30/2024 at 10:00 a.m. (MST) before Magistrate Judge Dustin B. Pead. Instructions on appearing by Zoom will be emailed to the parties. Consistent therewith, the previously scheduled Status Hearing (ECF No. 28) set on 9/30/2024 at 3:00 p.m. (MST) is STRICKEN. (amn) (Entered: 09/04/2024)