

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:24-cv-00279-JMC**

INFORMED CONSENT ACTION NETWORK v. NATIONAL CANCER INSTITUTE et al
Assigned to: Judge Jia M. Cobb
Cause: 05:552 Freedom of Information Act

Date Filed: 01/30/2024
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

INFORMED CONSENT ACTION NETWORK

represented by **Richard Scott Pietrowski**
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V.

Defendant

NATIONAL CANCER INSTITUTE

represented by **Joseph F. Carilli , Jr.**
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LEAD ATTORNEY
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Defendant

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

represented by **Joseph F. Carilli , Jr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/30/2024	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 405 receipt number ADCDC-10655359) filed by INFORMED CONSENT ACTION NETWORK. (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> Civil Cover Sheet, # <u>8</u> Summons to NCI, # <u>9</u> Summons to HHS, # <u>10</u> Summons to USAG, # <u>11</u> Summons to USAO)(Brehm, Elizabeth) (Entered: 01/30/2024)

		01/30/2024)
01/30/2024	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by INFORMED CONSENT ACTION NETWORK (Brehm, Elizabeth) (Entered: 01/30/2024)
01/31/2024		Case Assigned to Judge Jia M. Cobb. (zsl) (Entered: 01/31/2024)
02/01/2024	<u>3</u>	SUMMONS (4) Issued Electronically as to All Defendants, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsl) (Entered: 02/01/2024)
02/02/2024	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– R. Scott Pietrowski, Filing fee \$ 100, receipt number ADCDC–10665075. Fee Status: Fee Paid. by INFORMED CONSENT ACTION NETWORK. (Brehm, Elizabeth) (Entered: 02/02/2024)
02/06/2024		MINUTE ORDER: granting <u>4</u> Motion for Leave to Appear Pro Hac Vice. R. Scott Pietrowski is hereby admitted <i>pro hac vice</i> to appear in this matter on behalf of Plaintiff. Mr. Pietrowski's declaration indicates he has been admitted <i>pro hac vice</i> before this court fourteen times in the past two years. Pro hac applicants who seek admission more than twice within two years are highly encouraged to become members of the Bar for this court. Future applications from Mr. Pietrowski will be disfavored barring extenuating circumstances. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions . Signed by Judge Jia M. Cobb on February 6, 2024. (lcjmc3) (Entered: 02/06/2024)
02/06/2024	<u>5</u>	NOTICE of Appearance by Richard Scott Pietrowski on behalf of INFORMED CONSENT ACTION NETWORK (Pietrowski, Richard) (Entered: 02/06/2024)
02/09/2024	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. NATIONAL CANCER INSTITUTE served on 2/7/2024 (Brehm, Elizabeth) (Entered: 02/09/2024)
02/09/2024	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 2/7/2024 (Brehm, Elizabeth) (Entered: 02/09/2024)
02/09/2024	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 02/08/2024. (Brehm, Elizabeth) (Entered: 02/09/2024)
02/09/2024	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 2/2/2024. Answer due for ALL FEDERAL DEFENDANTS by 3/3/2024. (Brehm, Elizabeth) (Entered: 02/09/2024)
03/04/2024	<u>10</u>	NOTICE of Appearance by Joseph F. Carilli, Jr on behalf of All Defendants (Carilli, Joseph) (Entered: 03/04/2024)
03/04/2024	<u>11</u>	ANSWER to Complaint by NATIONAL CANCER INSTITUTE, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Carilli, Joseph) (Entered: 03/04/2024)
03/04/2024		MINUTE ORDER: The Court ORDERS that the Parties confer and submit a joint proposed schedule for further proceedings, which shall include a proposed schedule for the processing and release of responsive records or for briefing dispositive motions, by March 18, 2024. Signed by Judge Jia M. Cobb on March 4, 2024. (lcjmc3) (Entered: 03/04/2024)
03/18/2024	<u>12</u>	Joint STATUS REPORT by NATIONAL CANCER INSTITUTE, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Carilli, Joseph) (Entered: 03/18/2024)
03/18/2024	<u>13</u>	SCHEDULING ORDER: See attached document for deadlines and case procedures. Signed by Judge Jia M. Cobb on March 18, 2024. (lcjmc3) (Entered: 03/18/2024)
05/20/2024	<u>14</u>	Unopposed MOTION to Modify <i>Briefing Schedule</i> by NATIONAL CANCER INSTITUTE, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES.

		(Carilli, Joseph) (Entered: 05/20/2024)
05/21/2024		MINUTE ORDER granting <u>14</u> Motion to Modify Schedule: Having reviewed the motion, and for good cause shown, the Court hereby GRANTS the motion. It is further ORDERED that the <u>13</u> scheduling order is modified as follows: Defendants' motion for summary judgment due May 24, 2024; Plaintiff's cross-motion and response due June 21, 2024; Defendants' reply and cross-motion response due July 19, 2024; Plaintiff's cross-motion reply due August 9, 2024. Signed by Judge Jia M. Cobb on May 21, 2024. (lcjmc2) (Entered: 05/21/2024)
05/24/2024	<u>15</u>	MOTION for Summary Judgment by NATIONAL CANCER INSTITUTE, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Exhibit A)(Carilli, Joseph) (Entered: 05/24/2024)
06/21/2024	<u>16</u>	Cross MOTION for Summary Judgment by INFORMED CONSENT ACTION NETWORK. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of R. Scott Pietrowski, # <u>4</u> Text of Proposed Order)(Pietrowski, Richard) (Entered: 06/21/2024)
06/21/2024	<u>17</u>	Memorandum in opposition to re <u>15</u> Motion for Summary Judgment filed by INFORMED CONSENT ACTION NETWORK. (Pietrowski, Richard) (Entered: 06/21/2024)
07/19/2024	<u>18</u>	Memorandum in opposition to re <u>16</u> Motion for Summary Judgment filed by NATIONAL CANCER INSTITUTE, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Statement of Facts)(Carilli, Joseph) (Entered: 07/19/2024)
07/19/2024	<u>19</u>	REPLY to opposition to motion re <u>15</u> MOTION for Summary Judgment filed by NATIONAL CANCER INSTITUTE, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Carilli, Joseph) (Entered: 07/19/2024)
08/08/2024	<u>20</u>	REPLY to opposition to motion re <u>16</u> Cross MOTION for Summary Judgment filed by INFORMED CONSENT ACTION NETWORK. (Pietrowski, Richard) (Entered: 08/08/2024)