

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-01098-CJN**

NEESE v. UNITED STATES DEPARTMENT OF JUSTICE
Assigned to: Judge Carl J. Nichols
Cause: 05:552 Right to Privacy Act

Date Filed: 04/18/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

ASHLEY BROOKE NEESE

represented by **David G Barger**
GREENBERG TRAURIG, LLP
1750 Tysons Boulevard
Suite 1000
McLean, VA 22102
(703) 749-1300
Fax: (703) 749-1301
Email: bargerd@gtlaw.com
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT
OF JUSTICE**

represented by **Blake Weiner**
BLAKE WEINER LAW, PLLC
1806 Summit Avenue
Suite 300
Richmond, VA 23230
804-482-1465
Email: bweiner@blakeweinerlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brenda A. Gonzalez Horowitz
DOJ-USAO
U.S. Department of Justice
601 D Street NW
Washington, DC 20530
(202) 252-2512
Email: brenda.gonzalez.horowitz@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathleene A. Molen
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 4th Street NW
Washington, DC 20530
(202) 803-1572
Email: Kathleene.Molen@usdoj.gov
TERMINATED: 11/03/2021
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul A. Mussenden
888 First Street, NE
Washington, DC 20426
202-502-8446
Email: Paul.Mussenden@ferc.gov
TERMINATED: 07/23/2020

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Anthony Quinn
DOJ-USAO
Civil Division
555 4th Street, NW
Washington, DC 20530
(202) 252-7558
Fax: (202) 252-2599
Email: tony.quinn2@usdoj.gov
TERMINATED: 07/18/2023
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/18/2019	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-6068651) filed by ASHLEY BROOKE NEESE. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit, # <u>23</u> Exhibit, # <u>24</u> Exhibit, # <u>25</u> Exhibit, # <u>26</u> Exhibit, # <u>27</u> Exhibit, # <u>28</u> Exhibit, # <u>29</u> Exhibit, # <u>30</u> Exhibit, # <u>31</u> Exhibit, # <u>32</u> Exhibit, # <u>33</u> Exhibit, # <u>34</u> Exhibit, # <u>35</u> Civil Cover Sheet, # <u>36</u> Summons)(Barger, David) (Entered: 04/18/2019)
04/19/2019		Case Assigned to Judge Rudolph Contreras. (zef,) (Entered: 04/19/2019)
04/19/2019	<u>2</u>	SUMMONS (1) Issued Electronically as to UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 04/19/2019)
05/02/2019	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF JUSTICE served on 4/23/2019 (Barger, David) (Entered: 05/02/2019)
05/27/2019	<u>4</u>	AFFIDAVIT FOR DEFAULT by ASHLEY BROOKE NEESE. (Barger, David) (Entered: 05/27/2019)
06/03/2019	<u>5</u>	MOTION for Default Judgment as to <i>U.S. Dept of Justice</i> by ASHLEY BROOKE NEESE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Text of Proposed Order)(Barger, David) (Entered: 06/03/2019)
06/04/2019		MINUTE ORDER: In her <u>5</u> Motion for Default Judgment, Plaintiff asserts that she properly served the Department of Justice, but the <u>3</u> Affidavit of Service does not indicate whether service was effected on all entities required by Federal Rule of Civil Procedure 4(i). Thus, it is hereby ORDERED that, by June 18, 2019, Plaintiff shall inform the Court whether she has fully complied with Rule 4(i). SO ORDERED. Signed by Judge Rudolph Contreras on June 4, 2019. (lcr2) (Entered: 06/04/2019)
06/05/2019	<u>6</u>	REQUEST FOR SUMMONS TO ISSUE re <u>1</u> Complaint,, filed by ASHLEY BROOKE NEESE. Related document: <u>1</u> Complaint,, filed by ASHLEY BROOKE NEESE. (Attachments: # <u>1</u> Summons)(Barger, David) (Entered: 06/05/2019)
06/05/2019		Set/Reset Deadlines: Notification of compliance with Rule 4(I) due by 6/18/2019. (tj) (Entered: 06/05/2019)
06/06/2019	<u>7</u>	SUMMONS (2) Issued Electronically as to U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent) (tth) (Entered: 06/06/2019)
06/10/2019	<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 6/6/2019. (Barger, David) (Entered: 06/10/2019)
06/10/2019	<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 6/6/2019. Answer due for ALL FEDERAL DEFENDANTS by 7/6/2019. (Barger, David)

		(Entered: 06/10/2019)
06/11/2019	<u>10</u>	MOTION to Withdraw <i>Response to Court's Order of June 4, 2019 and Request to Withdraw Plaintiff's Default Motion</i> by ASHLEY BROOKE NEESE (Barger, David) Modified event title on 6/12/2019 (znmw). (Entered: 06/11/2019)
06/12/2019		MINUTE ORDER denying <u>5</u> Motion for Default Judgment: Upon consideration of <u>10</u> Plaintiff's Notice, it is hereby ORDERED that her <u>5</u> Motion for Default Judgment is DENIED as moot. SO ORDERED. Signed by Judge Rudolph Contreras on June 12, 2019. (lcr2) (Entered: 06/12/2019)
06/26/2019	<u>11</u>	ENTERED IN ERROR.....AFFIDAVIT of Return of Service of Complaint by Certified Mail by ASHLEY BROOKE NEESE. (Attachments: # <u>1</u> Exhibit 1)(Barger, David) Modified on 6/27/2019 (jf). (Entered: 06/26/2019)
06/26/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Rudolph Contreras is no longer assigned to the case. (rj) (Entered: 06/26/2019)
06/27/2019		NOTICE OF CORRECTED DOCKET ENTRY: Document No. re <u>11</u> Affidavit was entered in error and counsel was instructed to refile said pleading using the "Service of Process" event. (jf) (Entered: 06/27/2019)
06/27/2019	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/6/2019. Answer due for ALL FEDERAL DEFENDANTS by 7/6/2019. (Attachments: # <u>1</u> Exhibit 1)(Barger, David) (Entered: 06/27/2019)
06/27/2019	<u>13</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 06/11/2019. (See Docket Entry <u>12</u> to view document) (jf) (Entered: 06/28/2019)
07/08/2019	<u>14</u>	NOTICE of Appearance by Paul A. Mussenden on behalf of UNITED STATES DEPARTMENT OF JUSTICE (Mussenden, Paul) (Entered: 07/08/2019)
07/08/2019	<u>15</u>	First MOTION for Extension of Time to File Answer re <u>1</u> Complaint,, by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Mussenden, Paul) (Entered: 07/08/2019)
07/08/2019	<u>16</u>	Memorandum in opposition to re <u>15</u> First MOTION for Extension of Time to File Answer re <u>1</u> Complaint,, filed by ASHLEY BROOKE NEESE. (Barger, David) (Entered: 07/08/2019)
07/15/2019		MINUTE ORDER. Upon consideration of Defendant's <u>15</u> Motion for Extension of Time to File Answer, it is hereby ORDERED that the motion is GRANTED and that the Answer deadline is extended to September 9, 2019. It is further ORDERED that the parties shall promptly confer and file a Joint Status Report on or before September 23, 2019. The Joint Status Report shall address: (1) the status of the Plaintiff's FOIA request; (2) the anticipated number of documents responsive to the Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for 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. Signed by Judge Carl J. Nichols on July 15, 2019. (lccjn1) Modified text on 7/18/2019 (zcdw). (Entered: 07/15/2019)
07/15/2019		Set/Reset Deadlines/Hearings: Answer to complaint due by 9/9/2019. Joint Status Report due by 9/23/2019. (zcdw) (Entered: 07/22/2019)
09/09/2019	<u>17</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF JUSTICE.(Mussenden, Paul) (Entered: 09/09/2019)
09/23/2019	<u>18</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Mussenden, Paul) (Entered: 09/23/2019)
10/08/2019		Set/Reset Deadlines/Hearings: Telephone Conference set for 10/10/2019 at 2:00 PM before Judge Carl J. Nichols. (zcdw) (Entered: 10/08/2019)
10/31/2019		MINUTE ORDER. In light of the Parties' <u>18</u> Joint Status Report and the October 10, 2019 telephonic conference, it is hereby ORDERED that the Parties shall submit an

		additional Joint Status Report by November 22, 2019. Signed by Judge Carl J. Nichols on October 31, 2019. (lccjn3) (Entered: 10/31/2019)
10/31/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 11/22/2019. (zcdw) (Entered: 11/04/2019)
11/22/2019	<u>19</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Mussenden, Paul) (Entered: 11/22/2019)
01/09/2020		MINUTE ORDER. In light of the Parties' <u>19</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report on or before January 21, 2020. Signed by Judge Carl J. Nichols on January 9, 2020. (lccjn3) (Entered: 01/09/2020)
01/09/2020		Set/Reset Deadlines/Hearings: Joint Status Report due by 1/21/2020. (zcdw) (Entered: 01/10/2020)
01/21/2020	<u>20</u>	STATUS REPORT <i>Plaintiff's January 21, 2020</i> by ASHLEY BROOKE NEESE. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Barger, David) (Entered: 01/21/2020)
01/21/2020	<u>21</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Mussenden, Paul) (Entered: 01/21/2020)
02/04/2020		MINUTE ORDER. In light of Plaintiff's <u>20</u> Status Report and Defendant's <u>21</u> Status Report, it is hereby ORDERED that the Parties shall submit an additional <i>Joint</i> Status Report on or before February 17, 2020. The Court reminds the Parties that such reports should be filed jointly and not individually. Signed by Judge Carl J. Nichols on February 4, 2020. (lccjn3) (Entered: 02/04/2020)
02/04/2020		Set/Reset Deadlines/Hearings: Joint Status Report due by 2/17/2020. (zcdw) (Entered: 02/05/2020)
02/13/2020	<u>22</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Mussenden, Paul) (Entered: 02/13/2020)
03/11/2020		MINUTE ORDER. In light of the Parties' <u>22</u> Joint Status Report, it is hereby ORDERED that on or before April 17, 2020, the Parties shall submit an additional Joint Status Report, in which Defendant shall specify its proposed rate of processing responsive documents. As reflected in the Joint Status Report, setting a dispositive motions schedule is premature at this time. Finally, the Court will not yet permit discovery or briefing regarding non-dispositive motions. Signed by Judge Carl J. Nichols on March 11, 2020. (lccjn3) (Entered: 03/11/2020)
03/11/2020		Set/Reset Deadlines/Hearings: Joint Status Report due by 4/17/2020. (zcdw) (Entered: 03/11/2020)
04/17/2020	<u>23</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Mussenden, Paul) (Entered: 04/17/2020)
05/12/2020		MINUTE ORDER. In light of the Parties' <u>23</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report of no more than ten pages on or before May 29, 2020. The Parties shall succinctly and clearly describe the issues currently in dispute and identify the precise issues that may require the Court's involvement. Signed by Judge Carl J. Nichols on May 12, 2020. (lccjn3) (Entered: 05/12/2020)
05/13/2020		Set/Reset Deadlines/Hearings: Joint Status Report due by 5/29/2020. (zcdw) (Entered: 05/13/2020)
05/29/2020	<u>24</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Mussenden, Paul) (Entered: 05/29/2020)
07/23/2020	<u>25</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Kathleene A. Molen on behalf of UNITED STATES DEPARTMENT OF JUSTICE Substituting for attorney Paul A Mussenden (Molen, Kathleene) (Entered: 07/23/2020)
07/28/2020	<u>26</u>	Joint STATUS REPORT by ASHLEY BROOKE NEESE. (Barger, David) (Entered: 07/28/2020)

08/26/2020		MINUTE ORDER. It is hereby ORDERED that on or before September 2, 2020, the Parties shall file a Joint Status Report containing the Parties' proposed summary judgment briefing schedule(s) addressing the sufficiency of OPR's and FBI's productions. It is further ORDERED that On or before September 15, 2020, and every 30 days thereafter, the Parties shall file a Joint Status Report updating the Court on EOUSA's efforts to prioritize documents responsive to Plaintiff's requests, and addressing any other issues the Parties wish to raise. It is further ORDERED that EOUSA shall process and produce responsive documents every 30 days. Signed by Judge Carl J. Nichols on August 26, 2020. (lccjn3) (Entered: 08/26/2020)
08/26/2020		Set/Reset Deadlines: Joint Status Report due by 9/2/2020 and 9/15/2020. (zcal) (Entered: 08/27/2020)
09/02/2020	<u>27</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 09/02/2020)
09/15/2020	<u>28</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 09/15/2020)
09/23/2020		MINUTE ORDER. Upon review of the Parties' <u>28</u> Joint Status Report, the Court hereby enters the following briefing schedule: Defendant shall file its Motion for Summary Judgment by November 9, 2020 ; Plaintiff shall file her Response and Cross-Motion for Summary Judgment by November 30, 2020 ; Defendant shall file its combined Reply and Response by December 14, 2020 ; and Plaintiff shall file her Reply by December 28, 2020 . It is so ORDERED. Signed by Judge Carl J. Nichols on September 23, 2020. (lccjn3) (Entered: 09/23/2020)
10/15/2020	<u>29</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 10/15/2020)
11/03/2020	<u>30</u>	Unopposed MOTION to Modify <i>Briefing Schedule</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Molen, Kathleene) (Entered: 11/03/2020)
11/16/2020	<u>31</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 11/16/2020)
11/18/2020		MINUTE ORDER. Upon review of Defendants' <u>30</u> Motion to Modify Briefing Schedule, it is hereby ORDERED that the Motion is GRANTED. The Court adopts the following amended briefing schedule: Defendant shall file its Motion for Summary Judgment by November 23, 2020 ; Plaintiff shall file her Response and Cross-Motion for Summary Judgment by December 14, 2020 ; Defendant shall file its combined Reply and Response by December 28, 2020 ; and Plaintiff shall file her Reply by January 11, 2021 . Signed by Judge Carl J. Nichols on November 18, 2020. (lccjn3) (Entered: 11/18/2020)
11/18/2020		Set/Reset Deadlines: Summary Judgment motions due by 11/23/2020. Response to Motion for Summary Judgment due by 12/14/2020. Cross Motions due by 12/14/2020. Reply to Motion for Summary Judgment due by 12/28/2020. Response to Cross Motions due by 12/28/2020. Reply to Cross Motions due by 1/11/2021. (zcal) (Entered: 11/18/2020)
11/23/2020	<u>32</u>	MOTION for Partial Summary Judgment by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration Margaret S. McCarty, # <u>4</u> Exhibit OPR A-C, # <u>5</u> Exhibit OPR Vaughn Index, # <u>6</u> Declaration Michael G. Seidel, # <u>7</u> Exhibit FBI A-B, # <u>8</u> Text of Proposed Order)(Molen, Kathleene) Modified docket event/text on 11/24/2020 (eg). (Entered: 11/23/2020)
12/11/2020	<u>33</u>	Unopposed MOTION to Modify <i>Briefing Schedule</i> by ASHLEY BROOKE NEESE (Attachments: # <u>1</u> Text of Proposed Order)(Barger, David) (Entered: 12/11/2020)
12/14/2020		MINUTE ORDER. Upon review of Plaintiff's <u>33</u> First Unopposed Motion to Modify Briefing Schedule, it is hereby ORDERED that the Motion is GRANTED. The Court adopts the following amended briefing schedule: Plaintiff shall file her combined opposition and cross motion for summary judgment by January 11, 2021 ; Defendant shall file its combined opposition and reply by February 8, 2021 ; and Plaintiff shall file her reply by February 28, 2021 . Signed by Judge Carl J. Nichols on December 14,

		2020. (lccjn3) (Entered: 12/14/2020)
12/14/2020		Set/Reset Deadlines: Cross Motions due by 1/11/2021. Response to Motion for Summary Judgment due by 1/11/2021. Reply to Motion for Summary Judgment due by 2/8/2021. Response to Cross Motions due by 2/8/2021. Reply to Cross Motions due by 2/28/2021. (zcal) (Entered: 12/15/2020)
12/15/2020	<u>34</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 12/15/2020)
01/07/2021	<u>35</u>	MOTION to Modify <i>Briefing Schedule</i> by ASHLEY BROOKE NEESE (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Barger, David) (Entered: 01/07/2021)
01/08/2021		MINUTE ORDER. Upon review of Plaintiff's <u>35</u> Unopposed Motion to Modify Briefing Schedule, it is hereby ORDERED that the Motion is GRANTED. The Court adopts the following amended briefing schedule: Plaintiff shall file her Opposition and Cross-Motion for Summary Judgment by February 1, 2021 ; Defendant shall file its Opposition and Reply by March 5, 2021 ; and Plaintiff shall Reply by March 31, 2021 . Signed by Judge Carl J. Nichols on January 8, 2021. (lccjn3) (Entered: 01/08/2021)
01/08/2021		Set/Reset Deadlines: Cross Motions due by 2/1/2021. Response to Motion for Summary Judgment due by 2/1/2021. Reply to Motion for Summary Judgment due by 3/5/2021. Response to Cross Motions due by 3/5/2021. Reply to Cross Motions due by 3/31/2021. (zcal) (Entered: 01/11/2021)
01/15/2021	<u>36</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 01/15/2021)
02/01/2021	<u>37</u>	Memorandum in opposition to re <u>32</u> MOTION for Partial Summary Judgment filed by ASHLEY BROOKE NEESE. (Attachments: # <u>1</u> Declaration Declaration of David G. Barger, # <u>2</u> Declaration Declaration of Ashley B. Neese)(Barger, David) (Entered: 02/01/2021)
02/01/2021	<u>38</u>	RESPONSE re <u>32</u> MOTION for Partial Summary Judgment <i>and Opposition Statement of Material Facts</i> filed by ASHLEY BROOKE NEESE. (Barger, David) (Entered: 02/01/2021)
02/01/2021	<u>39</u>	NOTICE of Plaintiff's Statement of Disputed Material Facts by ASHLEY BROOKE NEESE re <u>32</u> MOTION for Partial Summary Judgment (Barger, David) (Entered: 02/01/2021)
02/12/2021	<u>40</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 02/12/2021)
02/26/2021	<u>41</u>	Unopposed MOTION to Modify <i>Briefing Schedule</i> by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Molen, Kathleene) (Entered: 02/26/2021)
03/02/2021		MINUTE ORDER. Upon review of Defendant's <u>41</u> Unopposed Motion to Modify Briefing Schedule, it is hereby ORDERED that the Motion is GRANTED. Defendant shall file its Opposition and Reply by April 5, 2021 , and Plaintiff shall Reply by May 3, 2021 . Signed by Judge Carl J. Nichols on March 2, 2021. (lccjn3) (Entered: 03/02/2021)
03/02/2021		Set/Reset Deadlines: Defense Response and Reply due by 4/5/2021. Plaintiff Reply due by 5/3/2021. (zcal) (Entered: 03/03/2021)
03/15/2021	<u>42</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 03/15/2021)
03/30/2021	<u>43</u>	Unopposed MOTION to Modify <i>Briefing Schedule</i> by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Molen, Kathleene) (Entered: 03/30/2021)
04/07/2021	<u>44</u>	REPLY to opposition to motion re <u>32</u> MOTION for Partial Summary Judgment filed by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Declaration Second Declaration of Margaret S. McCarty, # <u>2</u> Response to Plaintiff's Statement of Disputed Material Facts)(Molen, Kathleene) (Entered: 04/07/2021)

04/12/2021		MINUTE ORDER. Upon review of Defendant's <u>43</u> Unopposed Motion to Modify Briefing Schedule, it is hereby ORDERED that the Motion is GRANTED. The Court thus adopts the following amended briefing schedule: Defendant shall file its combined opposition and reply by April 7, 2021, and Plaintiff shall reply by May 5, 2021. Signed by Judge Carl J. Nichols on April 12, 2021. (lccjn3) (Entered: 04/12/2021)
04/12/2021		Set/Reset Deadlines: Response to Cross Motions due by 4/7/2021. Reply to Motion for Summary Judgment due by 4/7/2021. Reply to Cross Motions due by 5/5/2021. (zcal) (Entered: 04/13/2021)
04/14/2021	<u>45</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 04/14/2021)
05/04/2021	<u>46</u>	Unopposed MOTION to Modify <i>Briefing Schedule</i> by ASHLEY BROOKE NEESE. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Barger, David) Modified event title on 5/6/2021 (znmw). (Entered: 05/04/2021)
05/10/2021		MINUTE ORDER. Upon review of Plaintiff's Unopposed Motion to Modify Briefing Schedule, it is hereby ORDERED that the Motion is GRANTED. Plaintiff shall file her Reply by May 19, 2021. Signed by Judge Carl J. Nichols on May 10, 2021. (lccjn3) (Entered: 05/10/2021)
05/10/2021		Set/Reset Deadlines: Plaintiff Reply due by 5/19/2021. (zcal) (Entered: 05/10/2021)
05/14/2021	<u>47</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 05/14/2021)
05/19/2021	<u>48</u>	Memorandum in opposition to re <u>32</u> MOTION for Partial Summary Judgment <i>Reply to Defendant's Response Docket 44</i> filed by ASHLEY BROOKE NEESE. (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)(Barger, David) (Entered: 05/19/2021)
05/19/2021	<u>49</u>	RESPONSE re <u>32</u> MOTION for Partial Summary Judgment <i>Response to Document 44-2</i> filed by ASHLEY BROOKE NEESE. (Barger, David) (Entered: 05/19/2021)
06/15/2021	<u>50</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 06/15/2021)
07/15/2021	<u>51</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 07/15/2021)
08/16/2021	<u>52</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 08/16/2021)
09/09/2021		MINUTE ORDER. Pursuant to the Courts Minute Order of August 26, 2020, the next Joint Status Report in this case is due on September 15, 2021. The Parties are directed to address in that Report (in addition to any other topics they wish to address): (1) the date by which EOUSAs processing of records is estimated to be complete; (2) whether a motion or motions for partial summary judgment will likely be filed with respect to EOUSAs production; and (3) if so, whether it would serve the interests of efficiency and judicial economy to address the pending Motion for Partial Summary Judgment <u>32</u> at the same time as the anticipated motion(s) regarding EOUSAs production. Signed by Judge Carl J. Nichols on September 9, 2021.(lccjn3) (Entered: 09/09/2021)
09/09/2021		Set/Reset Deadlines: Joint Status Report due by 9/15/2021. (zcal) (Entered: 09/09/2021)
09/15/2021	<u>53</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Molen, Kathleene) (Entered: 09/15/2021)
09/16/2021		MINUTE ORDER: Upon consideration of the Parties' <u>53</u> Joint Status Report, it is hereby ORDERED that the Parties attend a telephonic Status Conference on September 27, 2021 at 10:00 am ET. The parties should be prepared to discuss the reasonableness of the amount of time suggested by the EOUSA to complete its search. Signed by Judge Carl J. Nichols on September 16, 2021. (lccjn3) (Entered: 09/16/2021)

09/16/2021		Set/Reset Hearings: Status Conference set for 9/27/2021 at 10:00 AM in Telephonic/VTC before Judge Carl J. Nichols. (zcal) (Entered: 09/17/2021)
09/27/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference held on 9/27/2021. Joint Status Report due next month. Court Reporter: Lorraine Herman. (zcal) (Entered: 09/27/2021)
10/15/2021	<u>54</u>	Joint MOTION for Extension of Time to <i>To File The Parties' Joint Status Report</i> by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Molen, Kathleene) (Entered: 10/15/2021)
10/18/2021		MINUTE ORDER. Upon consideration of the Parties' <u>54</u> Joint Motion for an Extension of Time, it is hereby ORDERED that the Motion is GRANTED. The Parties shall file their Joint Status Report by October 22, 2021. This extension shall not impact the schedule of future Joint Status Reports pursuant to the Court's August 26, 2020, Minute Order. Signed by Judge Carl J. Nichols on October 18, 2021. (lccjn3) (Entered: 10/18/2021)
10/18/2021		Set/Reset Deadlines: Joint Status Report due by 10/22/2021. (zcal) (Entered: 10/19/2021)
10/22/2021	<u>55</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Declaration Natasha Hudgins)(Molen, Kathleene) (Entered: 10/22/2021)
11/03/2021	<u>56</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Blake A. Weiner on behalf of All Defendants Substituting for attorney Kathleene Molen (Weiner, Blake) (Entered: 11/03/2021)
11/09/2021		MINUTE ORDER. Upon consideration of the Parties' <u>55</u> Joint Status Report, it is hereby ORDERED that Defendant shall increase its production to 500 pages per month. Signed by Judge Carl J. Nichols on November 9, 2021. (lccjn3) (Entered: 11/09/2021)
11/15/2021	<u>57</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Weiner, Blake) (Entered: 11/15/2021)
12/15/2021	<u>58</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Weiner, Blake) (Entered: 12/15/2021)
12/21/2021		MINUTE ORDER. Upon consideration of the Parties' <u>58</u> Joint Status Report, it is hereby ORDERED that the next Joint Status Report in this matter shall be filed by January 31, 2022. This extension shall apply to only the January Joint Status Report; all further Reports shall be filed on the fifteenth of each month, in accordance with the Minute Order of August 26, 2020. Signed by Judge Carl J. Nichols on December 21, 2021. (lccjn3) (Entered: 12/21/2021)
12/21/2021		Set/Reset Deadlines: Joint Status Report due by 1/31/2022. (zcal) (Entered: 12/22/2021)
01/31/2022	<u>59</u>	Joint MOTION for Extension of Time to <i>File Joint Status Report</i> by UNITED STATES DEPARTMENT OF JUSTICE. (Weiner, Blake) (Entered: 01/31/2022)
02/01/2022	<u>60</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Weiner, Blake) (Entered: 02/01/2022)
02/07/2022		MINUTE ORDER. Upon Consideration of the Parties' <u>59</u> Joint Motion for Extension of Time, it is hereby ORDERED that the Motion is GRANTED. The Parties' <u>60</u> Joint Status Report is deemed timely filed. It is further ORDERED that EOUSA may send its next interim response to Plaintiff by March 15, 2022, before continuing regular monthly productions. Signed by Judge Carl J. Nichols on February 7, 2022. (lccjn3) (Entered: 02/07/2022)
02/07/2022		Set/Reset Deadlines: Interim Response to Plaintiff due by 3/15/2022. (zcal) (Entered: 02/08/2022)
03/15/2022	<u>61</u>	Consent MOTION for Extension of Time to <i>File Joint Status Report</i> by UNITED STATES DEPARTMENT OF JUSTICE. (Weiner, Blake) (Entered: 03/15/2022)

03/16/2022	<u>62</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Weiner, Blake) (Entered: 03/16/2022)
03/23/2022		MINUTE ORDER. Upon consideration of the Parties' <u>61</u> Consent Motion for Extension of Time, it is hereby ORDERED that the Motion is GRANTED. The <u>62</u> Joint Status Report is deemed timely filed. Signed by Judge Carl J. Nichols on March 23, 2022. (lccjn3) (Entered: 03/23/2022)
03/28/2022	<u>63</u>	MEMORANDUM OPINION. Signed by Judge Carl J. Nichols on March 28, 2022. (lccjn3) (Entered: 03/28/2022)
03/28/2022	<u>64</u>	ORDER. Signed by Judge Carl J. Nichols on March 28, 2022. (lccjn3) (Entered: 03/28/2022)
04/15/2022	<u>65</u>	Consent MOTION for Extension of Time to <i>submit Joint Status Report</i> by UNITED STATES DEPARTMENT OF JUSTICE. (Weiner, Blake) (Entered: 04/15/2022)
04/18/2022	<u>66</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Weiner, Blake) (Entered: 04/18/2022)
04/21/2022		MINUTE ORDER. Upon consideration of the Plaintiff's <u>65</u> Consent Motion for Extension of Time, it is hereby ORDERED that the Motion is GRANTED. The <u>66</u> Joint Status Report is deemed timely filed. Signed by Judge Carl J. Nichols on April 21, 2022. (lccjn3) (Entered: 04/21/2022)
05/16/2022	<u>67</u>	Unopposed MOTION for Extension of Time to File by UNITED STATES DEPARTMENT OF JUSTICE. (Quinn, Thomas) (Entered: 05/16/2022)
05/18/2022		MINUTE ORDER. Upon consideration of Defendant's <u>67</u> Unopposed Motion to Extend Time to File a Joint Status Report, it is hereby ORDERED that the Motion is GRANTED. The Parties shall file their Joint Status Report on or before May 19, 2022. This shall not impact the filing dates of any future Joint Status Reports. Signed by Judge Carl J. Nichols on May 18, 2022. (lccjn3) (Entered: 05/18/2022)
05/18/2022		Set/Reset Deadlines: Joint Status Report due by 5/19/2022. (zcal) (Entered: 05/20/2022)
05/19/2022	<u>68</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Quinn, Thomas) (Entered: 05/19/2022)
06/03/2022	<u>69</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Quinn, Thomas) (Entered: 06/03/2022)
07/01/2022	<u>70</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Quinn, Thomas) (Entered: 07/01/2022)
07/19/2022		MINUTE ORDER. Upon consideration of the Defendant's <u>70</u> Status Report, the Court notes that, in light of footnote 1, it is unclear whether Plaintiff has agreed to the proposed September 1 date for the next Joint Status Report. The Court is inclined to allow the next Joint Status Report on September 1, but only on the condition that the Parties do, in fact, agree. It is therefore ORDERED that the next Joint Status Report shall be filed in this matter on September 1, 2022, and every thirty days thereafter. But if Plaintiff files an objection to this extension by July 25, 2022, the Court will reconsider its decision. Signed by Judge Carl J. Nichols on July 19, 2022. (lccjn3) (Entered: 07/19/2022)
07/19/2022		Set/Reset Deadlines: Joint Status Report due by 9/1/2022. (zcal) (Entered: 07/20/2022)
09/01/2022	<u>71</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Quinn, Thomas) (Entered: 09/01/2022)
10/05/2022	<u>72</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Quinn, Thomas) (Entered: 10/05/2022)
11/30/2022		MINUTE ORDER. Pursuant to the Court's previous order on July 19, 2022, ordering joint status reports every 30 days, the parties are hereby ORDERED to file a joint status report by December 5, 2022, and explain why a report was not filed on November 4, 2022. Signed by Judge Carl J. Nichols on November 30, 2022. (lccjn3) (Entered: 11/30/2022)

11/30/2022		Set/Reset Deadlines: Joint Status Report due by 12/5/2022. (zcam) (Entered: 11/30/2022)
12/05/2022	<u>73</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Quinn, Thomas) (Entered: 12/05/2022)
01/06/2023	<u>74</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Quinn, Thomas) (Entered: 01/06/2023)
02/07/2023	<u>75</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Quinn, Thomas) (Entered: 02/07/2023)
03/07/2023	<u>76</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Quinn, Thomas) (Entered: 03/07/2023)
04/07/2023	<u>77</u>	Joint STATUS REPORT by ASHLEY BROOKE NEESE. (Barger, David) (Entered: 04/07/2023)
04/17/2023		MINUTE ORDER. Upon consideration of the request made in <u>77</u> Joint Status Report, it is hereby ORDERED that the next status report shall be filed on or before June 9, 2023. Signed by Judge Carl J. Nichols on April 17, 2023. (lccjn3) (Entered: 04/17/2023)
04/17/2023		Set/Reset Deadlines: Joint Status Report due by 6/9/2023 (mac) (Entered: 04/17/2023)
06/09/2023	<u>78</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Quinn, Thomas) (Entered: 06/09/2023)
06/28/2023		MINUTE ORDER. Upon consideration of the request made in <u>78</u> Joint Status Report, it is hereby ORDERED that the next status report shall be filed on or before August 4, 2023. Signed by Judge Carl J. Nichols on June 28, 2023. (lccjn3) (Entered: 06/28/2023)
07/18/2023	<u>79</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Brenda A. Gonzalez Horowitz on behalf of UNITED STATES DEPARTMENT OF JUSTICE Substituting for attorney T. Anthony Quinn (Gonzalez Horowitz, Brenda) (Entered: 07/18/2023)
08/04/2023	<u>80</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Gonzalez Horowitz, Brenda) (Entered: 08/04/2023)
09/08/2023	<u>81</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Gonzalez Horowitz, Brenda) (Entered: 09/08/2023)
09/25/2023		MINUTE ORDER. Upon consideration of the <u>81</u> Joint STATUS REPORT, it is hereby ORDERED that the Parties shall file their next Joint Status Report on or before November 10, 2023. So Ordered by Judge Carl J. Nichols on 09/25/2023. (lccjn3) (Entered: 09/25/2023)
11/10/2023	<u>82</u>	MOTION for Mediation(<i>Motion to Compel Mediation Pursuant to Local Rule 84.4</i>) by ASHLEY BROOKE NEESE. (Attachments: # <u>1</u> Text of Proposed Order)(Barger, David) (Entered: 11/10/2023)
11/10/2023	<u>83</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Gonzalez Horowitz, Brenda) (Entered: 11/10/2023)
11/22/2023	<u>84</u>	RESPONSE re <u>82</u> MOTION for Mediation(<i>Motion to Compel Mediation Pursuant to Local Rule 84.4</i>) filed by UNITED STATES DEPARTMENT OF JUSTICE. (Gonzalez Horowitz, Brenda) (Entered: 11/22/2023)
11/28/2023	<u>85</u>	REPLY to opposition to motion re <u>82</u> MOTION for Mediation(<i>Motion to Compel Mediation Pursuant to Local Rule 84.4</i>) filed by ASHLEY BROOKE NEESE. (Barger, David) (Entered: 11/28/2023)
07/29/2024		Set/Reset Hearings: Status Conference set for 8/1/2024 at 02:30 PM in Telephonic/VTC before Judge Carl J. Nichols. (zcam) (Entered: 07/29/2024)
08/01/2024		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference held on 8/1/2024. Joint Status Report due by 9/6/2024 and every 5 weeks thereafter. Court Reporter: Lorraine Herman. (zcam) (Entered: 08/01/2024)

09/06/2024	<u>86</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Gonzalez Horowitz, Brenda) (Entered: 09/06/2024)
09/12/2024		MINUTE ORDER. Upon consideration of Defendants' <u>82</u> Motion for Mediation, it is hereby ORDERED that the Motion is DENIED for the reasons discussed during the status conference held on 8/1/2024. So Ordered by Judge Carl J. Nichols on 9/12/2024. (lccjn3) (Entered: 09/12/2024)