

**U.S. District Court
Eastern District of Virginia – (Alexandria)
CIVIL DOCKET FOR CASE #: 1:23-cv-01433-CMH-IDD**

Americans for Prosperity Foundation v. National Archives and
Records Administration et al
Assigned to: District Judge Claude M. Hilton
Referred to: Magistrate Judge Ivan D. Davis
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

Americans for Prosperity Foundation

represented by **Ryan Patrick Mulvey**
Americans for Prosperity Foundation
4201 Wilson Boulevard
Ste 1000
Arlington, VA 22203
571-444-2841
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ATTORNEY TO BE NOTICED

Defendant

**National Archives and Records
Administration**

represented by **Yuri Fuchs**
DOJ-USAO
United States Attorney's Office
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

U.S. Department Of Justice

represented by **Yuri Fuchs**
(See above for address)
LEAD ATTORNEY
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Date Filed	#	Docket Text
10/19/2023	<u>1</u>	Complaint (Filing fee \$ 402, receipt number AVAEDC-9179873.), filed by Americans for Prosperity Foundation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Civil Cover Sheet)(Mulvey, Ryan) (Entered: 10/19/2023)
10/19/2023	<u>2</u>	Corporate Disclosure Statement by Americans for Prosperity Foundation. (Mulvey, Ryan) (Entered: 10/19/2023)
10/19/2023	<u>3</u>	Proposed Summons <i>as to National Archives & Records Administration</i> by Americans for Prosperity Foundation. (Mulvey, Ryan) (Entered: 10/19/2023)
10/19/2023	<u>4</u>	Proposed Summons <i>as to U.S. Department of Justice</i> by Americans for Prosperity Foundation. (Mulvey, Ryan) (Entered: 10/19/2023)
10/19/2023	<u>5</u>	Proposed Summons <i>as to Attorney General of the United States</i> by Americans for Prosperity Foundation. (Mulvey, Ryan) (Entered: 10/19/2023)
10/19/2023	<u>6</u>	Proposed Summons <i>as to U.S. Attorney's Office</i> by Americans for Prosperity Foundation. (Mulvey, Ryan) (Entered: 10/19/2023)
10/19/2023	<u>7</u>	NOTICE by Americans for Prosperity Foundation re <u>6</u> Proposed Summons, <u>4</u> Proposed Summons, <u>3</u> Proposed Summons, <u>5</u> Proposed Summons (Mulvey, Ryan) (Entered: 10/19/2023)

10/19/2023		Initial Case Assignment to District Judge Claude M. Hilton and Magistrate Judge Ivan D. Davis. (Sbro) (Entered: 10/23/2023)
10/23/2023	<u>8</u>	Summons Issued as to National Archives and Records Administration, U.S. Department Of Justice, U.S. Attorney and U.S. Attorney General NOTICE TO ATTORNEY: Please remove the headers and print two duplexed copies of the electronically issued summons for each Defendant. Please serve one copy of the summons and a copy of the Complaint upon each Defendant. Please ensure that your process server returns the service copy (executed or unexecuted) to your attention and electronically file it using the filing events, Summons Returned Executed as to USA or Summons Returned Unexecuted as to USA. (Attachments: # <u>1</u> Notice to Attorney) (Sbro) (Entered: 10/23/2023)
11/06/2023	<u>9</u>	SUMMONS Returned Executed by Americans for Prosperity Foundation. U.S. Attorney served 10/26/2023, answer due date 12/26/2023, U.S. Attorney General served on 11/2/2023, National Archives and Records Administration served on 10/25/2023, Department of Justice served on 11/2/2023. (Mulvey, Ryan) Modified on 11/8/2023 (Sbro). (Entered: 11/06/2023)
11/06/2023	<u>10</u>	NOTICE by Americans for Prosperity Foundation re <u>9</u> Summons Returned Executed as to USA (Mulvey, Ryan) (Entered: 11/06/2023)
11/27/2023	<u>11</u>	ANSWER to Complaint by National Archives and Records Administration, U.S. Department Of Justice.(Fuchs, Yuri) (Entered: 11/27/2023)
11/27/2023	<u>12</u>	STATUS REPORT (<i>Joint</i>) by National Archives and Records Administration, U.S. Department Of Justice. (Attachments: # <u>1</u> Proposed Order)(Fuchs, Yuri) (Entered: 11/27/2023)
11/27/2023	<u>13</u>	ORDERED that, on or before January 11, 2024, the parties will file a joint status report apprising the Court of the status of Plaintiff's FOIA requests that are the subject of this action, including an estimate of volume of any records yet to be processed and a negotiated schedule for rolling responses, as appropriate (See Order for Details). Signed by District Judge Claude M. Hilton on 11/27/2023. (Icre,) (Entered: 11/27/2023)
01/11/2024	<u>14</u>	STATUS REPORT (<i>Joint</i>) by National Archives and Records Administration, U.S. Department Of Justice. (Attachments: # <u>1</u> Proposed Order)(Fuchs, Yuri) (Entered: 01/11/2024)
01/11/2024	<u>15</u>	ORDERED that, on or before February 12, 2024, the parties will file a joint status report apprising the Court of the status of Plaintiff's FOIA requests that are the subject of this action, including an estimate of the volume of any records yet to be processed and an updated on the schedule for rolling responses, as appropriate (See Order for further Details). Signed by District Judge Claude M. Hilton on 1/11/2024. (Dcrow,) (Entered: 01/11/2024)
02/12/2024	<u>16</u>	STATUS REPORT (<i>Joint</i>) by National Archives and Records Administration, U.S. Department Of Justice. (Attachments: # <u>1</u> Proposed Order)(Fuchs, Yuri) (Entered: 02/12/2024)
02/20/2024	<u>17</u>	It is hereby ORDERED that, on or before March 13, 2024, the parties will file a joint status report apprising the Court of the status of Plaintiff's FOIA requests that are the subject of this action, including an estimate of the volume of any records yet to be processed and an updated on the schedule for rolling responses, as appropriate re <u>16</u> Status Report (See Order for further details). Signed by District Judge Claude M. Hilton on 2/20/2024. (Sbro) (Entered: 02/20/2024)
03/13/2024	<u>18</u>	STATUS REPORT (<i>Joint</i>) by National Archives and Records Administration, U.S. Department Of Justice. (Attachments: # <u>1</u> Proposed Order)(Fuchs, Yuri) (Entered: 03/13/2024)
03/13/2024	<u>19</u>	It is hereby ORDERED that, on or before April 12, 2024, the parties will file a joint status report apprising the Court of the status of Plaintiff's FOIA requests that are the subject of this action, including an estimate of the volume of any records yet to be processed and an updated on the schedule for rolling responses, as appropriate re <u>18</u> STATUS REPORT (<i>Joint</i>) (See Order for further details). Signed by District Judge Claude M. Hilton on 3/13/2024. (Sbro,) (Entered: 03/13/2024)

04/12/2024	<u>20</u>	STATUS REPORT (<i>Joint</i>) by National Archives and Records Administration, U.S. Department Of Justice. (Attachments: # <u>1</u> Proposed Order)(Fuchs, Yuri) (Entered: 04/12/2024)
04/15/2024	<u>21</u>	It is hereby ORDERED that, on or before May 13, 2024, the parties will file a joint status report apprising the Court of the status of Plaintiff's FOIA requests that are the subject of this action, including an estimate of the volume of any records yet to be processed and an updated on the schedule for rolling responses, as appropriate re <u>20</u> Status Report (See Order for further details). Signed by District Judge Claude M. Hilton on 4/15/2024. (Sbro,) (Entered: 04/15/2024)
05/13/2024	<u>22</u>	STATUS REPORT (<i>Joint</i>) by National Archives and Records Administration, U.S. Department Of Justice. (Attachments: # <u>1</u> Proposed Order)(Fuchs, Yuri) (Entered: 05/13/2024)
05/20/2024	<u>23</u>	it is hereby ORDERED that, on or before June 12, 2024, the parties will file a joint status report apprising the Court of the status of Plaintiff's FOIA requests that are the subject of this action, including an estimate of the volume of any records yet to be processed and an updated on the schedule for rolling responses, as appropriate re <u>22</u> Status Report filed by National Archives and Records Administration, U.S. Department Of Justice (See Order for further details). Signed by District Judge Claude M. Hilton on 5/20/2024. (Sbro,) (Entered: 05/20/2024)
06/12/2024	<u>24</u>	STATUS REPORT (<i>Joint</i>) by National Archives and Records Administration, U.S. Department Of Justice. (Attachments: # <u>1</u> Proposed Order)(Fuchs, Yuri) (Entered: 06/12/2024)
06/12/2024	<u>25</u>	ORDERED that, on or before July 12, 2024, the parties will file a joint status report apprising the Court of the status of Plaintiff's FOIA requests that are the subject of this action, including an estimate of the volume of any records yet to be processed and an updated on the schedule for rolling responses, as appropriate. ORDERED that following the Joint Status Report to be filed on July 12, 2024, the parties will either mutually stipulate to the dismissal of the action; file another joint status report within 30 days, if there are any further steps to be taken with regards to Plaintiff's FOIA requests; or file a joint motion for a briefing schedule for cross-motions for summary judgment, if the parties are at an impasse. Signed by District Judge Claude M. Hilton on 6/12/2024. (swil) (Entered: 06/12/2024)
07/12/2024	<u>26</u>	STATUS REPORT (<i>Joint</i>) by National Archives and Records Administration, U.S. Department Of Justice. (Attachments: # <u>1</u> Proposed Order)(Fuchs, Yuri) (Entered: 07/12/2024)
07/12/2024	<u>27</u>	ORDERED that, on or before August 12, 2024, the parties will file a joint status report apprising the Court of the status of Plaintiff's FOIA requests that are the subject of this action, including an estimate of the volume of any records yet to be processed and an updated on the schedule for rolling responses, as appropriate. ORDERED that following the Joint Status Report to be filed on August 12, 2024, the parties will either mutually stipulate to the dismissal of the action; file another joint status report within 30 days, if there are any further steps to be taken with regards to Plaintiff's FOIA requests; or file a joint motion for a briefing schedule for cross-motions for summary judgment,if the parties are at an impasse. Signed by District Judge Claude M. Hilton on 7/12/2024. (swil) (Entered: 07/12/2024)
08/12/2024	<u>28</u>	STATUS REPORT (<i>Joint</i>) by National Archives and Records Administration, U.S. Department Of Justice. (Attachments: # <u>1</u> Proposed Order)(Fuchs, Yuri) (Entered: 08/12/2024)
08/13/2024	<u>29</u>	ORDERED that, on or before September 12, 2024, the parties will file a joint status report apprising the Court of the status of the parties' efforts to narrow the issues in dispute in re <u>28</u> STATUS REPORT (Joint) (See Order for further details). Signed by District Judge Claude M. Hilton on 8/13/2024. (Sbro,) (Entered: 08/13/2024)
09/12/2024	<u>30</u>	STATUS REPORT (<i>Joint</i>) by National Archives and Records Administration, U.S. Department Of Justice. (Attachments: # <u>1</u> Proposed Order)(Fuchs, Yuri) (Entered: 09/12/2024)
09/13/2024	<u>31</u>	ORDERED that, on or before October 15, 2024, the parties will file a joint status report apprising the Court of the status of the parties' efforts to narrow the issues in

dispute re 30 Status Report (See Order for further details). Signed by District Judge
Claude M. Hilton on 9/13/2024. (Sbro,) (Entered: 09/13/2024)