

**U.S. District Court  
Northern District of Georgia (Atlanta)  
CIVIL DOCKET FOR CASE #: 1:21-cv-02834-ELR**

Americans for Public Trust v. United States Department of  
Health and Human Services et al  
Assigned to: Judge Eleanor L. Ross  
Cause: 05:0552 Freedom of Information Act

Date Filed: 07/15/2021  
Date Terminated: 09/18/2024  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Americans for Public Trust**

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V.

**Defendant**

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

represented by **Neeli Ben-David**  
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**TERMINATED: 02/14/2023**

**Defendant**

**Centers for Disease Control and Prevention**

represented by **Neeli Ben–David**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Trishanda L. Treadwell**  
(See above for address)  
**TERMINATED: 02/14/2023**

Date Filed	#	Docket Text
07/15/2021	<u>1</u>	COMPLAINT filed by Americans for Public Trust. (Filing fee \$402.00, receipt number AGANDC– 11109663) (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> Exhibit –7, # <u>8</u> Exhibit –8, # <u>9</u> Exhibit –9, # <u>10</u> Exhibit –10, # <u>11</u> Civil Cover Sheet)(eop) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions and Pretrial Associated Forms which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 07/16/2021)
07/15/2021	<u>2</u>	Certificate of Interested Persons by Americans for Public Trust. (eop) (Entered: 07/16/2021)
07/16/2021	<u>3</u>	Electronic Summons Issued as to United States Department of Health and Human Services. (eop) (Entered: 07/16/2021)
07/16/2021	<u>4</u>	Electronic Summons Issued as to Centers for Disease Control and Prevention. (eop) (Entered: 07/16/2021)
07/16/2021		Clerks Notation re <u>2</u> Certificate of Interested Persons/Corporate Disclosures of America for Public Trust. Read and approved by District Judge Eleanor L. Ross. (mlb) (Entered: 07/16/2021)
07/19/2021	<u>5</u>	NOTICE FROM THE COURT: INSTRUCTIONS FOR CIVIL CASES ASSIGNED TO THE HONORABLE ELEANOR L. ROSS. (mlb) (Entered: 07/19/2021)
07/20/2021	<u>6</u>	APPLICATION for Admission of Jason Brett Torchinsky Pro Hac Vice (Application fee \$ 150, receipt number AGANDC–11122858).by Americans for Public Trust. (Tyson, Bryan) <b>Documents for this entry are not available for viewing outside the courthouse.</b> (Entered: 07/20/2021)
07/20/2021	<u>7</u>	APPLICATION for Admission of Kenneth Daines Pro Hac Vice (Application fee \$ 150, receipt number AGANDC–11122860).by Americans for Public Trust. (Tyson, Bryan) <b>Documents for this entry are not available for viewing outside the courthouse.</b> (Entered: 07/20/2021)

07/27/2021		APPROVAL by Clerks Office re: <u>6</u> APPLICATION for Admission of Jason Brett Torchinsky Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-11122858).. Attorney Jason Brett Torchinsky added appearing on behalf of Americans for Public Trust (nmb) (Entered: 07/27/2021)
07/27/2021		APPROVAL by Clerks Office re: <u>7</u> APPLICATION for Admission of Kenneth Daines Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-11122860).. Attorney Kenneth Daines added appearing on behalf of Americans for Public Trust (nmb) (Entered: 07/27/2021)
07/27/2021		MINUTE ORDER (by docket entry only) GRANTING <u>6</u> Application for Admission Pro Hac Vice of Jason Brett Torchinsky; and GRANTING <u>7</u> Application for Admission Pro Hac Vice of Kenneth Daines. Approved by District Judge Eleanor L. Ross on 7/27/21. If the applicant does not have CM/ECF access in the Northern District of Georgia already, they must request access at <a href="http://pacer.gov">http://pacer.gov</a> . If they have electronically filed in this district in a previous case, please omit this step.(mlb) (Entered: 07/27/2021)
07/27/2021		Clerk's Certificate of Mailing (via email) to Attorneys Jason B. Torchinsky and Kenneth Daines as to Americans for Public Trust re Order on Application for Admission PHV. (mlb) (Entered: 07/27/2021)
08/09/2021	<u>8</u>	Return of Service Executed by Americans for Public Trust. Centers for Disease Control and Prevention served on 7/22/2021, answer due 8/12/2021. (Tyson, Bryan) (Entered: 08/09/2021)
08/09/2021	<u>9</u>	Return of Service Executed by Americans for Public Trust. United States Department of Health and Human Services served on 7/23/2021, answer due 8/13/2021. (Tyson, Bryan) (Entered: 08/09/2021)
08/09/2021	<u>10</u>	NOTICE Of Filing Proof of Service for the U.S. Attorney for the Northern District of Georgia, Kurt R. Erskine by Americans for Public Trust (Tyson, Bryan) (Entered: 08/09/2021)
08/09/2021	<u>11</u>	NOTICE Of Filing Proof of Service for the Attorney General of the United States, Merrick Garland by Americans for Public Trust (Tyson, Bryan) (Entered: 08/09/2021)
08/13/2021	<u>12</u>	Emergency MOTION for Preliminary Injunction with Brief In Support by Americans for Public Trust. (Attachments: # <u>1</u> Brief in Support of Emergency Motion for Preliminary Injunction, # <u>2</u> Exhibit 1-Sutherland Declaration, # <u>3</u> Exhibit 2, # <u>4</u> Text of Proposed Order)(Torchinsky, Jason) (Entered: 08/13/2021)
08/16/2021	<u>13</u>	ORDER: The Court SCHEDULES a hearing on Plaintiff's <u>12</u> Motion for Preliminary Injunction for Wednesday, September 1, 2021 at 10:30 a.m., in Courtroom 1708, United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, GA, 30303. The Court DIRECTS the Parties to adhere to the following expedited briefing schedule on Plaintiff's motion: if Defendants intend to file a response to Plaintiff's motion, Defendants must do so by Tuesday, August 24, 2021, at 5:00 p.m. Plaintiff will then have until Friday, August 27, 2021, at 5:00 p.m. to file any reply. All filings must conform to the Local Rules of this Court. The Parties shall have until 5:00 p.m. on Monday, August 30, 2021, to submit any exhibits they intend to discuss in detail at the hearing. Finally, the Court DIRECTS the Parties to jointly submit--no later than Friday, August 27, 2021, at 5:00 p.m.--a proposed schedule for the hearing setting forth how much time is requested by each Party for oral argument. Signed by Judge Eleanor L. Ross on 8/16/2021. (jpk) (Entered: 08/16/2021)
08/18/2021	<u>14</u>	ANSWER to <u>1</u> COMPLAINT by Centers for Disease Control and Prevention, United States Department of Health and Human Services. Discovery ends on 1/18/2022.(Treadwell, Trishanda) Please visit our website at <a href="http://www.gand.uscourts.gov">http://www.gand.uscourts.gov</a> to obtain Pretrial Instructions. (Entered: 08/18/2021)
08/23/2021	<u>15</u>	Consent MOTION for Leave to File Excess Pages <i>for Response Brief</i> by Centers for Disease Control and Prevention, United States Department of Health and Human Services. (Treadwell, Trishanda) (Entered: 08/23/2021)
08/23/2021	<u>16</u>	ORDER granting <u>15</u> Motion for Leave to File Excess Pages. Defendant may file a Response in Opposition to Plaintiff's <u>12</u> Emergency Motion for Preliminary Injunction with a maximum of thirty (30) pages. Signed by Judge Eleanor L. Ross on 8/23/2021.

		(jpk) (Entered: 08/23/2021)
08/24/2021	<u>17</u>	Consent MOTION for Leave to File Excess Pages <i>for Reply Brief</i> by Americans for Public Trust. (Attachments: # <u>1</u> Text of Proposed Order)(Tyson, Bryan) (Entered: 08/24/2021)
08/24/2021	<u>18</u>	RESPONSE in Opposition re <u>12</u> Emergency MOTION for Preliminary Injunction filed by Centers for Disease Control and Prevention, United States Department of Health and Human Services. (Attachments: # <u>1</u> Affidavit Ex. 1 – CDC Declaration)(Treadwell, Trishanda) (Entered: 08/24/2021)
08/25/2021	<u>19</u>	ORDER granting the <u>17</u> Motion for Leave to File Excess Pages. Plaintiff may file a Reply to Defendants' Opposition to Plaintiff's Emergency Motion for Preliminary Injunction <u>12</u> with a maximum of twenty (20) pages. Signed by Judge Eleanor L. Ross on 08/25/21. (aaq) (Entered: 08/25/2021)
08/25/2021	<u>20</u>	RESPONSE re <u>13</u> Order ( <i>Joint</i> ) filed by Americans for Public Trust. (Attachments: # <u>1</u> Text of Proposed Order)(Tyson, Bryan) Modified to edit text on 8/26/2021 (ceo). (Entered: 08/25/2021)
08/25/2021	<u>21</u>	ORDER: (1) Each party shall have 30 minutes for oral argument; (2) Plaintiffs time for oral argument may be divided between argument and rebuttal, and Plaintiff may reserve up to 1 minute to respond to Defendants sur-rebuttal; (3) Defendants may reserve up to 2 minutes for sur-rebuttal. Signed by Judge Eleanor L. Ross on 08/25/21. (ceo) (Entered: 08/26/2021)
08/27/2021	<u>22</u>	REPLY BRIEF re <u>12</u> Emergency MOTION for Preliminary Injunction filed by Americans for Public Trust. (Attachments: # <u>1</u> Exhibit 1 – Defendants' Counsel's 8/22/21 email to Plaintiff's Counsel, # <u>2</u> Exhibit 2 – 8/26/21 HHS Response Letter, # <u>3</u> Exhibit 3 – 8/26/21 HHS Production, # <u>4</u> Exhibit 4 – 2/12/21 CDC Operational Strategy for K–12 Schools, # <u>5</u> Exhibit 5 – 8/5/21 CDC Guidance for COVID–19 Prevention in K–12 Schools)(Tyson, Bryan) (Entered: 08/27/2021)
08/31/2021		Submission of the <u>12</u> Emergency MOTION for Preliminary Injunction to District Judge Eleanor L. Ross. (aaq) (Entered: 08/31/2021)
09/01/2021	<u>23</u>	ORDER: On September 1, 2021, this Court held a hearing on Plaintiff Americans for Public Trusts Emergency Motion for Preliminary Injunction. <u>12</u> . Upon consideration and with the benefit of oral argument, for the reasons stated during the hearing, the Court finds that Plaintiff fails to establish it will suffer irreparable injury in the absence of its requested injunctive relief. This failure is fatal to Plaintiffs motion. Accordingly, the Court DENIES Plaintiffs Emergency Motion for Preliminary Injunction. <u>12</u> . Signed by Judge Eleanor L. Ross on 09/01/21. (ceo) (Entered: 09/01/2021)
09/01/2021	<u>24</u>	Minute Entry for proceedings held before Judge Eleanor L. Ross: Motion Hearing held on 9/1/2021 re <u>12</u> Emergency MOTION for Preliminary Injunction filed by Americans for Public Trust. Court called to order. Parties provided arguments. Court denied Plaintiff's motion for preliminary injunction. Court will prepare an order memorializing the ruling rendered during the hearing. Hearing concluded. (Court Reporter Elizabeth Cohn)(ceo) (Entered: 09/02/2021)
09/10/2021	<u>25</u>	JOINT PRELIMINARY REPORT AND DISCOVERY PLAN filed by Americans for Public Trust. (Tyson, Bryan) (Entered: 09/10/2021)
09/14/2021	<u>26</u>	SCHEDULING ORDER: re: <u>25</u> Joint Preliminary Report and Discovery Plan: The Court ORDERS that the time limits for adding parties, amending the pleadings, filing motions, and discussing settlement are as set out in the Federal Rules of Civil Procedure and Local Rules of this Court, except as herein modified: (1) Defendants Summary Judgment Brief due October 18, 2021; (2) Plaintiffs Response to Defendants Motion for Summary Judgment/Plaintiffs Cross–Motion for Summary Judgment due November 8, 2021; (3) Defendants Reply in Support of Summary Judgment and Response to Plaintiffs Cross–Motion for Summary Judgment due November 22, 2021; (4) Plaintiffs Reply Brief in Support of Cross–Motion for Summary Judgment due December 8, 2021. Signed by Judge Eleanor L. Ross on 09/14/21. (ceo) (Entered: 09/14/2021)
10/13/2021	<u>27</u>	Consent MOTION for Extension of Time for Defendant to File Summary Judgment Motion re: <u>26</u> Scheduling Order,,, with Brief In Support by Centers for Disease

		Control and Prevention, United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Treadwell, Trishanda) (Entered: 10/13/2021)
10/13/2021	<u>28</u>	ORDER granting <u>27</u> Motion for Extension of Time for Defendant to File Summary Judgment Motion, to replace <u>26</u> . Defendants Summary Judgment Brief to be due October 29, 2021; Plaintiffs Response Brief and Cross-Motion for Summary Judgment to be due November 19, 2021; Defendants Reply Brief and Response to Cross-Motion to be due December 6, 2021; and Plaintiffs Reply Brief in Support of Cross-Motion to be due December 20, 2021. Signed by Judge Eleanor L. Ross on 10/13/21. (ceo) (Entered: 10/13/2021)
10/14/2021	<u>29</u>	NOTICE by Centers for Disease Control and Prevention, United States Department of Health and Human Services of <i>Need for Second Adjustment to Summary Judgment Briefing Schedule</i> (Treadwell, Trishanda) (Entered: 10/14/2021)
11/05/2021	<u>30</u>	ORDER: The Court DIRECTS the Parties to file on the docket, no later than November 10, 2021, a joint proposed amended summary judgment briefing schedule. The Court DIRECTS the Clerk to resubmit this matter to the undersigned on November 12, 2021. Signed by Judge Eleanor L. Ross on 11/5/21. (ceo) (Entered: 11/05/2021)
11/10/2021	<u>31</u>	Joint MOTION to Amend <u>28</u> Order on Motion for Extension of Time, by Americans for Public Trust. (Attachments: # <u>1</u> Text of Proposed Order)(Tyson, Bryan) (Entered: 11/10/2021)
11/12/2021	<u>32</u>	ORDER GRANTING <u>31</u> Motion to Amend Summary Judgment Briefing Schedule.. Defendants' Motion for summary judgment due 12/10/2021; Plaintiff's response and cross motion for summary judgment due 1/3/2022; Defendants' reply in support of motion for summary judgment and response to cross motion for summary judgment due 1/18/2022; and Plaintiff's reply in support of cross motion for summary judgment due 2/1/2022. Signed by Judge Eleanor L. Ross on 11/12/2021. (adg) (Entered: 11/12/2021)
12/01/2021	<u>33</u>	Consent MOTION for Leave to File Excess Pages <i>and LR 56.1 Modification</i> by Centers for Disease Control and Prevention, United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Treadwell, Trishanda) (Entered: 12/01/2021)
12/01/2021	<u>34</u>	ORDER granting <u>33</u> Motion for Leave to File Excess Pages. It is ordered that the parties may file initial and responsive summary judgment briefs with a maximum of forty (40) pages. It is also ordered, in light of Defendants' anticipated index of responsive records and the parties express intent to file cross summary judgment motions, that the parties need not file separate, enumerated statements of undisputed, material facts or statements of additional facts. Signed by Judge Eleanor L. Ross on 12/1/21. (ceo) (Entered: 12/01/2021)
12/09/2021	<u>35</u>	Second MOTION for Leave to File Excess Pages ( <i>Unopposed</i> ) by Centers for Disease Control and Prevention, United States Department of Health and Human Services. (Attachments: # <u>1</u> Text of Proposed Order)(Treadwell, Trishanda) (Entered: 12/09/2021)
12/10/2021	<u>36</u>	ORDER granting <u>35</u> Motion for Leave to File Excess Pages. It is ORDERED that the parties may file initial and responsive summary judgment briefs with a maximum of forty-five (45) pages. Signed by Judge Eleanor L. Ross on 12/10/21. (ceo) (Entered: 12/10/2021)
12/10/2021	<u>37</u>	MOTION for Summary Judgment with Brief In Support by Centers for Disease Control and Prevention, United States Department of Health and Human Services. (Attachments: # <u>1</u> Brief Brief in Support of MSJ, # <u>2</u> Affidavit Declaration of Roger Andoh (CDC-FOIA), # <u>3</u> Exhibit Complete Vaughn Index I-IV, # <u>4</u> Exhibit CDC Decl. Ex. 2 - FOIA Request, # <u>5</u> Exhibit CDC Decl. Ex. 3 - FOIA Ack., # <u>6</u> Exhibit CDC Decl. Ex. 4 - 4.24.21 Response, # <u>7</u> Exhibit CDC Decl. Ex. 5 - Referral to HHS, # <u>8</u> Exhibit CDC Decl. Ex. 6 - 5.14.21 Appeal, # <u>9</u> Exhibit CDC Decl. Ex. 7 - Appeal Ack., # <u>10</u> Exhibit CDC Decl. Ex. 8 - 9.1.21 Response, # <u>11</u> Exhibit CDC Decl. Ex. 9 - 10.8.21 Response, # <u>12</u> Exhibit CDC Decl. Ex. 10 - 11.19.21 Response, # <u>13</u> Affidavit Declaration of Brandon Gaylord (HHS-FOIA), # <u>14</u> Exhibit HHS

		Production Vaughn Index (Pt. IV), # <u>15</u> Exhibit HHS Decl. Ex. 2 – FOIA Request, # <u>16</u> Exhibit HHS Decl. Ex. 3 – CDC Ack., # <u>17</u> Exhibit HHS Decl. Ex. 4 – Referral to HHS, # <u>18</u> Exhibit HHS Decl. Ex. 5 – 4.21.21 CDC Response, # <u>19</u> Exhibit HHS Decl. Ex. 6 – 5.14.21 Appeal, # <u>20</u> Exhibit HHS Decl. Ex. 7 – HHS Appeal Ack., # <u>21</u> Exhibit HHS Decl. Ex. 8 – HHS Referral Ack., # <u>22</u> Exhibit HHS Decl. Ex. 9 – 8.26.21 Response, # <u>23</u> Affidavit Declaration of Henry Walke MD MPH)(Treadwell, Trishanda) —Please refer to <a href="http://www.gand.uscourts.gov">http://www.gand.uscourts.gov</a> to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.— Modified on 9/18/2024 (ajw). (Entered: 12/10/2021)
01/03/2022	<u>38</u>	Cross MOTION for Summary Judgment <i>Plaintiff's Combined Cross–Motion for Summary Judgment and RESPONSE in Opposition to Defendants' <u>37</u> Motion for Summary Judgment</i> with Brief In Support by Americans for Public Trust. (Attachments: # <u>1</u> Brief in Support of Plaintiff's Combined Cross–Motion for Summary Judgment and Opposition to Defendants' Motion for Summary Judgment, # <u>2</u> Exhibit A – Feb 2021 email, # <u>3</u> Exhibit B – Jan 2021 email, # <u>4</u> Exhibit C – Adttl Feb 2021 email, # <u>5</u> Text of Proposed Order)(Tyson, Bryan) —Please refer to <a href="http://www.gand.uscourts.gov">http://www.gand.uscourts.gov</a> to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.— Modified to link response to motion on 1/4/2022 (ceo). Modified on 9/18/2024 (ajw). (Entered: 01/03/2022)
01/18/2022		Submission of <u>38</u> Cross MOTION for Summary Judgment <i>Plaintiff's Combined Cross–Motion for Summary Judgment and Opposition to Defendants' Motion for Summary Judgment, <u>37</u> MOTION for Summary Judgment</i> , to District Judge Eleanor L. Ross. (mlb) (Entered: 01/18/2022)
01/18/2022	<u>39</u>	RESPONSE in Opposition re <u>38</u> Cross MOTION for Summary Judgment <i>Plaintiff's Combined Cross–Motion for Summary Judgment and Opposition to Defendants' Motion for Summary Judgment, <u>37</u> MOTION for Summary Judgment</i> filed by Centers for Disease Control and Prevention, United States Department of Health and Human Services. (Treadwell, Trishanda) (Entered: 01/18/2022)
02/01/2022	<u>40</u>	REPLY BRIEF re <u>38</u> Cross MOTION for Summary Judgment <i>Plaintiff's Combined Cross–Motion for Summary Judgment and Opposition to Defendants' Motion for Summary Judgment</i> filed by Americans for Public Trust. (Attachments: # <u>1</u> Declaration of Caitlin Sutherland, # <u>2</u> Exhibit A to Sutherland Declaration, # <u>3</u> Exhibit B to Sutherland Declaration, # <u>4</u> Exhibit C to Sutherland Declaration)(Tyson, Bryan) (Entered: 02/01/2022)
02/02/2022		Submission of <u>38</u> Cross MOTION for Summary Judgment <i>Plaintiff's Combined Cross–Motion for Summary Judgment and Opposition to Defendants' Motion for Summary Judgment</i> , to District Judge Eleanor L. Ross. (ceo) (Entered: 02/02/2022)
09/19/2022	<u>41</u>	ORDER: The Court GRANTS IN PART AND RESERVES IN PART Defendants' Motion for Summary Judgment <u>37</u> . Next, the Court GRANTS IN PART, DENIES IN PART, AND RESERVES IN PART Plaintiffs "Combined Cross–Motion for Summary Judgment and Opposition to Defendants' Motion for Summary Judgment." <u>38</u> . SEE ORDER FOR ADDITIONAL DETAILS. Signed by Judge Eleanor L. Ross on 9/19/22. (ceo) (Entered: 09/20/2022)
09/20/2022	<u>42</u>	Notice for Leave of Absence for the following date(s): October 24, 2022 – October 31, 2022, by Trishanda L. Treadwell. (Treadwell, Trishanda) (Entered: 09/20/2022)
10/17/2022	<u>43</u>	NOTICE by Centers for Disease Control and Prevention, United States Department of Health and Human Services re <u>41</u> Order on Motion for Summary Judgment,,, (Attachments: # <u>1</u> Affidavit R. Andoh Declaration, # <u>2</u> Exhibit Ex. A Suppl Vaughn Index, # <u>3</u> Exhibit Ex. B Re–released records)(Treadwell, Trishanda) (Entered: 10/17/2022)
10/31/2022	<u>44</u>	RESPONSE re <u>43</u> Notice (Other), filed by Americans for Public Trust. (Attachments: # <u>1</u> Exhibit 1 – CDC FOIA #21–00674 Production (pages 497–503), # <u>2</u> Exhibit 2 – Comparison of CDC's Redactions in FOIA #21–00674 and the Instant Production)(Tyson, Bryan) (Entered: 10/31/2022)
02/14/2023	<u>45</u>	Certification of Consent to Substitution of Counsel. Neeli Ben–David replacing attorney Trishanda L. Treadwell. (Ben–David, Neeli) (Entered: 02/14/2023)

05/02/2024	<u>46</u>	ORDER REFERRING CASE to Magistrate Judge Regina D Cannon: The Court REFERS these tasks to the next available Magistrate Judge for resolution. <u>43 44</u> . Signed by Judge Eleanor L. Ross on 5/2/24. (ces) (Entered: 05/02/2024)
05/02/2024		Submission of <u>46</u> Order Referring Case to Magistrate Judge, to Magistrate Judge Regina D Cannon. (ces) (Entered: 05/02/2024)
05/23/2024	<u>47</u>	ORDER: This matter has been referred to the undersigned to review certain documents and determine whether they are shielded by exemptions under the Freedom of Information Act. <u>46</u> . Given the amount of time that has elapsed since the parties briefed this dispute, the undersigned ORDERS them to meet and confer on these issues. Within 30 DAYS of the entry of this Order, the parties must file on the docket a joint status update advising the Court whether these issues are still live or if they are able to resolve any matter without the Court's intervention. Signed by Magistrate Judge Regina D Cannon on 5/23/24. (ces) (Entered: 05/23/2024)
06/24/2024	<u>48</u>	Joint Status Update by Americans for Public Trust. (Tyson, Bryan) Modified docket text on 6/25/2024 (ajw). (Entered: 06/24/2024)
06/27/2024		Submission of <u>47</u> Order,,, Set Submission Deadline,,, to Magistrate Judge Regina D Cannon. (mlb) (Entered: 06/27/2024)
08/14/2024	<u>49</u>	ORDER: Defendants are thus ORDERED to supplement their in-camera submission within 7 DAYS of this Order to include unredacted copies of Vaughn Index I §§ 5, 7, 14. Defendants are to submit the supplement to the undersigned's Chambers. Signed by Magistrate Judge Regina D Cannon on 08/14/2024. (ajw) (Entered: 08/14/2024)
08/21/2024	<u>50</u>	NOTICE of Submission of Documents for In Camera Review by Centers for Disease Control and Prevention, United States Department of Health and Human Services (Ben-David, Neeli) Modified docket text on 8/22/2024 (ajw). (Entered: 08/21/2024)
08/26/2024	<u>51</u>	ORDER: The undersigned finds that Defendants' redactions were, for the most part, properly asserted under Exemptions 5 and 6 of the FOIA. The Clerk is DIRECTED to terminate the reference to the undersigned magistrate judge. Signed by Magistrate Judge Regina D Cannon on 08/26/2024. (ajw) (Entered: 08/26/2024)
09/18/2024	<u>52</u>	ORDER: The Court GRANTS IN PART, DENIES IN PART, AND DENIES AS MOOT IN PART the reserved portions of Defendants' Motion for Summary Judgment. Doc. <u>37</u> . The Court GRANTS Defendants' motion and ENTERS JUDGMENT in favor of Defendants (1) as to the protectability, pursuant to FOIA Exemption 5, of the withheld material in the documents assigned to Categories C and G, except for the Improper Redactions, and (2) as to the protectability, pursuant to FOIA Exemption 6, of the withheld material in the documents assigned to Category M. The Court DENIES Defendants' motion as to the protectability of the Improper Redactions. Additionally, the Court DENIES AS MOOT Defendants' motion as to the protectability of the withheld material in Categories A and D. the Court GRANTS IN PART, DENIES IN PART, AND DENIES AS MOOT IN PART the reserved portions of Plaintiff's Combined Cross-Motion for Summary Judgment and Opposition to Defendants' Motion for Summary Judgment. Doc. <u>38</u> . Specifically, the Court GRANTS the motion and ENTERS JUDGMENT in favor of Plaintiff as to the protectability, pursuant to FOIA Exemption 5, of the Improper Redactions. The Court DENIES AS MOOT the motion as to the protectability of the withheld material in Categories A and D. The Court DENIES the motion in all other respects. The Court DIRECTS Defendants to, within fourteen (14) days, produce to Plaintiff (1) the documents pertaining to Vaughn Index I. The Court DIRECTS the Clerk to close the case. Signed by Judge Eleanor L. Ross on 09/18/2024. (ajw) (Entered: 09/18/2024)
09/18/2024	<u>53</u>	CLERK'S JUDGMENT granted in part in favor of Defendants and Plaintiff. (ajw)--Please refer to <a href="http://www.ca11.uscourts.gov">http://www.ca11.uscourts.gov</a> to obtain an appeals jurisdiction checklist-- (Entered: 09/18/2024)
09/18/2024		Civil Case Terminated. Magistrate Judge Regina D Cannon terminated from case. (ajw) (Entered: 09/18/2024)