

**U.S. District Court  
 District of Connecticut (New Haven)  
 CIVIL DOCKET FOR CASE #: 3:21-cv-01009-AWT**

Hathaway v. Defense  
 Assigned to: Judge Alvin W. Thompson  
 Cause: 05:552 Freedom of Information Act

Date Filed: 07/22/2021  
 Jury Demand: None  
 Nature of Suit: 895 Freedom of Information Act  
 Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Oona A. Hathaway**

represented by **David A. Schulz**  
 Ballard Spahr LLP  
 1675 Broadway  
 19th Floor  
 New York, NY 10019  
 212-850-6103  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Department of Defense**  
 U.S.

represented by **Natalie Nicole Elicker**  
 DOJ-USAO  
 157 Church Street  
 Ste 25th Floor  
 New Haven, CT 06510  
 203-821-3700  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| Date Filed | #        | Docket Text  |
|------------|----------|--|
| 07/22/2021 | <u>1</u> | COMPLAINT against Department of Defense ( Filing fee \$402 receipt number ACTDC-6587285.), filed by Oona A. Hathaway. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D)(Schulz, David) (Entered: 07/22/2021) |
| 07/22/2021 |          | Request for Clerk to issue summons as to Department of Defense. (Schulz, David) (Entered: 07/22/2021)  |
| 07/22/2021 |          | Judge Victor A. Bolden added. (Walker, J.) (Entered: 07/23/2021)   |
| 07/22/2021 | <u>3</u> | ELECTRONIC FILING ORDER FOR COUNSEL – PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER<br>Signed by Judge Victor A. Bolden on 07/22/2021.(Fazekas, J.) (Entered: 07/26/2021)   |
| 07/22/2021 | <u>4</u> | STANDING PROTECTIVE ORDER<br>Signed by Judge Victor A. Bolden on 07/22/2021.(Fazekas, J.) (Entered: 07/26/2021)  |
| 07/23/2021 | <u>2</u> | ELECTRONIC SUMMONS ISSUED in accordance with Fed. R. Civ. P. 4 and LR 4 as to *Department of Defense* with answer to complaint due within *60* days. Attorney *David A. Schulz* *Ballard Spahr LLP* *1675 Broadway 19th Floor* *New York, NY 10019*. (Payton, R.) (Entered: 07/23/2021)          |
| 07/26/2021 | <u>5</u> | NOTICE TO COUNSEL/SELF-REPRESENTED PARTIES : Counsel or self-represented parties initiating or removing this action are responsible for serving all parties with attached  |

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|            |           | documents and copies of <u>3</u> Electronic Filing Order, <u>1</u> Complaint, filed by Oona A. Hathaway, <u>4</u> Standing Protective Order<br>Signed by Clerk on 07/26/2021.(Fazekas, J.) (Entered: 07/26/2021)   |
| 07/27/2021 | <u>6</u>  | ELECTRONIC SUMMONS REISSUED in accordance with Fed. R. Civ. P. 4 and LR 4 as to *Department of Defense* with answer to complaint due within *30* days. Attorney *David A. Schulz* *Ballard Spahr LLP* *1675 Broadway 19th Floor* *New York, NY 10019*. (Payton, R.) (Entered: 07/27/2021)  |
| 08/09/2021 | <u>7</u>  | SUMMONS Returned Executed by Oona A. Hathaway. Department of Defense served on 8/6/2021, answer due 9/5/2021. (Schulz, David) (Entered: 08/09/2021)  |
| 09/07/2021 | <u>8</u>  | NOTICE of Appearance by Natalie Nicole Elicker on behalf of Department of Defense (Elicker, Natalie) (Entered: 09/07/2021)   |
| 09/07/2021 | <u>9</u>  | Consent MOTION for Extension of Time until Oct. 7, 2021 to File a responsive pleading re <u>1</u> Complaint, by Department of Defense. (Elicker, Natalie) (Entered: 09/07/2021)  |
| 09/08/2021 | <u>10</u> | ORDER granting <u>9</u> Motion for Extension of Time until <b>October 7, 2021</b> . Signed by Judge Victor A. Bolden on 9/8/2021. (Lee, Diana) (Entered: 09/08/2021)   |
| 09/08/2021 |           | Answer deadline updated for Department of Defense to 10/7/2021. (Perez, J.) (Entered: 09/08/2021)  |
| 10/07/2021 | <u>11</u> | ANSWER to <u>1</u> Complaint, with Affirmative Defenses by Department of Defense.(Elicker, Natalie) (Entered: 10/07/2021)  |
| 10/27/2021 | <u>12</u> | MOTION for Status Conference by Oona A. Hathaway. (Schulz, David) (Entered: 10/27/2021)  |
| 11/01/2021 | <u>13</u> | NOTICE by Department of Defense of <i>Related Cases and Motion to Transfer</i> (Elicker, Natalie) (Entered: 11/01/2021)  |
| 11/02/2021 | <u>14</u> | ORDER OF TRANSFER. Case reassigned to Judge Alvin W. Thompson for all further proceedings.<br>Signed by Judge Victor A. Bolden on 11/2/2021.(Perez, J.) (Entered: 11/03/2021)  |
| 11/02/2021 | <u>15</u> | ELECTRONIC FILING ORDER FOR COUNSEL – PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER.<br>Signed by Judge Alvin W. Thompson on 11–2–2021. (Shafer, J.) (Entered: 11/04/2021)  |
| 11/12/2021 | <u>16</u> | MOTION for Status Conference by Oona A. Hathaway. (Attachments: # <u>1</u> Request for conference)(Schulz, David) (Entered: 11/12/2021)  |
| 02/11/2022 | <u>17</u> | NOTICE OF E–FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Status Conference set for 2/11/2022 at 3:00 p.m. before Judge Alvin W. Thompson. The Status Conference will be conducted via Zoom. The video link is <a href="https://www.zoomgov.com/j/1601520340?pwd=WXRVPVEU0NGNRWVTLzJvV3dpSktWZz09">https://www.zoomgov.com/j/1601520340?pwd=WXRVPVEU0NGNRWVTLzJvV3dpSktWZz09</a> and call–in number is +1 (646) 828–7666.<br><br>Meeting ID: 160 152 0340<br><br>Passcode: 035354<br><br>Please note: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. The Judicial Conference of the United States, which governs the practices of the federal courts, has prohibited it. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Ghinaglia Socorro, F.) (Entered: 02/11/2022) |
| 02/11/2022 | <u>18</u> | Minute Entry for proceedings held before Judge Alvin W. Thompson: A status conference was held on 02/11/2022 via Zoom. A follow–up status conference was set for February 28, 2022 at 11:00 a.m. via Zoom. Total Time: 30 minutes. (Ghinaglia Socorro, F.) (Entered: 02/11/2022)   |
| 02/28/2022 | <u>19</u> | NOTICE OF E–FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Status Conference set for 02/28/2022 at 11:00 a.m.  |

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|            |    | <p>before Judge Alvin W. Thompson. The Status Conference will be conducted via Zoom. The video link is <a href="https://www.zoomgov.com/j/1614919762?pwd=K3BZblA1SEVjSkFEbHc5VzNmN0Nmdz09">https://www.zoomgov.com/j/1614919762?pwd=K3BZblA1SEVjSkFEbHc5VzNmN0Nmdz09</a> and call-in number is +1 (646) 828-7666.Meeting ID: 161 491 9762Passcode: 215835Please note: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. The Judicial Conference of the United States, which governs the practices of the federal courts, has prohibited it. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Ghinaglia Socorro, F.) (Entered: 02/28/2022)</p>  |
| 02/28/2022 | 20 | <p>Minute Entry for proceedings held before Judge Alvin W. Thompson: A status conference was held via Zoom on 02/28/2022. A follow-up status conference was set for March 15, 2022 at 2:30 p.m. via Zoom. Total Time: 10 minutes. (Ghinaglia Socorro, F.) (Entered: 02/28/2022)</p>  |
| 02/28/2022 | 21 | <p>NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Status Conference set for 03/15/2022 at 2:30 p.m. before Judge Alvin W. Thompson. The Status Conference will be conducted via Zoom. The video link is <a href="https://www.zoomgov.com/j/1614965020?pwd=SnFxV3BEWi90NTRFUHpQdGNWanM2QT09">https://www.zoomgov.com/j/1614965020?pwd=SnFxV3BEWi90NTRFUHpQdGNWanM2QT09</a> and call-in number is +1 (646) 828-7666.Meeting ID: 161 496 5020Passcode: 780045Please note: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. The Judicial Conference of the United States, which governs the practices of the federal courts, has prohibited it. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Ghinaglia Socorro, F.) (Entered: 02/28/2022)</p>                               |
| 03/21/2022 | 22 | <p>ORDER: The plaintiff's motions for status conference (ECF Nos. <u>12</u> , <u>16</u> ) are hereby DENIED as moot. It is so ordered. Signed by Judge Alvin W. Thompson on 03/21/2022. (Ghinaglia Socorro, F.) (Entered: 03/21/2022)</p>  |
| 03/21/2022 | 24 | <p>NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. <i>RESET FROM 03/15/2022</i>. Status Conference set for 03/22/2022 at 3:00 p.m. before Judge Alvin W. Thompson. The Status Conference will be conducted via Zoom. The video link is <a href="https://www.zoomgov.com/j/1618840087?pwd=RlNXWlVfakMxRms4di83d2dIR1BOdz09">https://www.zoomgov.com/j/1618840087?pwd=RlNXWlVfakMxRms4di83d2dIR1BOdz09</a> and call-in number is +1 (646) 828-7666.Meeting ID: 161 884 0087Passcode: 282718Please note: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. The Judicial Conference of the United States, which governs the practices of the federal courts, has prohibited it. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Ghinaglia Socorro, F.) (Entered: 03/21/2022)</p> |
| 03/22/2022 | 25 | <p>Minute Entry for proceedings held before Judge Alvin W. Thompson: A status conference was held via Zoom on 03/22/2022. A follow-up status conference was set for April 5, 2022 at 4:00 p.m. via Zoom. Total Time: 9 minutes. (Ghinaglia Socorro, F.) (Entered: 03/22/2022)</p>  |
| 03/22/2022 | 26 | <p>NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Status Conference set for 04/05/2022 at 4:00 p.m. before Judge Alvin W. Thompson. The Status Conference will be conducted via Zoom. The video link is <a href="https://www.zoomgov.com/j/1616709262?pwd=Nk11d0tmWlFjK1AyN2J0d3JsZGNSZz09">https://www.zoomgov.com/j/1616709262?pwd=Nk11d0tmWlFjK1AyN2J0d3JsZGNSZz09</a> and call-in number is +1 (646) 828-7666.Meeting ID: 161 670 9262Passcode: 717993Please note: Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. The Judicial Conference of the United States, which governs the practices of the federal courts, has prohibited it. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Ghinaglia Socorro, F.) (Entered: 03/22/2022)</p>                               |

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| 04/04/2022 | <u>27</u> | Joint STATUS REPORT by Oona A. Hathaway. (Schulz, David) (Entered: 04/04/2022)   |
| 04/06/2022 | 28        | Minute Entry for proceedings held before Judge Alvin W. Thompson: A telephonic status conference was held on 04/06/2022. Total Time: 2 minutes. (Ghinaglia Socorro, F.) (Entered: 04/06/2022)  |
| 09/11/2023 | 29        | NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION. Telephonic Status Conference set for 9/20/2023 11:00 AM before Judge Alvin W. Thompson. Dial-in instructions have been emailed to counsel of record. Anyone wishing to observe this proceeding should contact chambers at 860-240-3224 to request the dial-in instructions. (Frazier, T.) (Entered: 09/11/2023)   |
| 09/20/2023 | 30        | Minute Entry for proceedings held before Judge Alvin W. Thompson: A status conference was held via Zoom on September 20, 2023. The parties will submit a Joint Status Report on or before <u>March 20, 2024</u> , and in the event that either party wishes a status conference to be held prior to that date, that party shall file a motion for a status conference. <u>See also Hathaway v. U.S. Department of State at al.</u> , (3:21-cv-691-AWT). Total Time: 14 minutes. (Court Reporter Alicia Cayode Kyles) (Eagan, O.) Modified on 9/22/2023 to correct date for Joint Status Report to March 20, 2024 (Ferguson, L.). (Entered: 09/21/2023) |
| 09/20/2023 |           | Set Deadlines: Joint Status Report due by 3/20/2024 (Ferguson, L.) (Entered: 09/22/2023)   |
| 03/20/2024 | <u>31</u> | Joint STATUS REPORT by Department of Defense. (Larson, John) (Entered: 03/20/2024)   |
| 03/21/2024 | 32        | ORDER: The parties' Joint Status Report (ECF No. <u>31</u> ) is hereby APPROVED. The parties shall file a joint status report on or before <u>September 20, 2024</u> , and in the event that either party wishes a status conference to be held prior to that date, that party shall file a motion for a status conference. It is so ordered. Signed by Judge Alvin W. Thompson on 3/21/24. (Eagan, O.) (Entered: 03/21/2024)  |
| 03/21/2024 |           | Set Deadlines: Joint Status Report due by 9/20/2024 (Ferguson, L.) (Entered: 03/22/2024)   |
| 09/20/2024 | <u>33</u> | Joint STATUS REPORT by Department of Defense. (Larson, John) (Entered: 09/20/2024)   |