

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:24-cv-00465-ABJ**

POWER THE FUTURE v. DEPARTMENT OF STATE
Assigned to: Judge Amy Berman Jackson
Cause: 05:552 Freedom of Information Act

Date Filed: 02/19/2024
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

POWER THE FUTURE

represented by **Christopher Cochran Horner**
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V.

Defendant

DEPARTMENT OF STATE

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Date Filed	#	Docket Text
02/19/2024	<u>1</u>	COMPLAINT against DEPARTMENT OF STATE (Filing fee \$ 405 receipt number ADCDC-10697570) filed by POWER THE FUTURE. (Attachments: # <u>1</u> Summons Proposed to AG, US Attorney, and Defendant, # <u>2</u> Civil Cover Sheet)(Hardin, Matthew) (Entered: 02/19/2024)
02/19/2024	<u>2</u>	NOTICE of Appearance by Christopher Cochran Horner on behalf of POWER THE FUTURE (Horner, Christopher) (Entered: 02/19/2024)
02/20/2024		Case Assigned to Judge Amy Berman Jackson. (zcb) (Entered: 02/20/2024)
02/20/2024	<u>3</u>	SUMMONS (3) Issued Electronically as to DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zcb) (Entered: 02/20/2024)
03/21/2024	<u>4</u>	ANSWER to Complaint by DEPARTMENT OF STATE.(Simon, Jeremy) (Entered: 03/21/2024)
03/21/2024		MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure appear to be inapplicable. Defendant must file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiff, on or before April 12, 2024. SO ORDERED. Signed by Judge Amy Berman Jackson on 3/21/2024. (lcabj1) (Entered: 03/21/2024)
04/12/2024	<u>5</u>	STATUS REPORT (<i>Defendant's Status Report</i>) by DEPARTMENT OF STATE. (Simon, Jeremy) (Entered: 04/12/2024)
04/12/2024		MINUTE ORDER. In light of the <u>5</u> Joint Status Report, it is ORDERED that the parties provide another joint status report by June 12, 2024. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/12/2024. (lcabj1) (Entered: 04/12/2024)
06/12/2024	<u>6</u>	Joint STATUS REPORT by DEPARTMENT OF STATE. (Simon, Jeremy) (Entered: 06/12/2024)
06/13/2024		MINUTE ORDER. In light of the <u>6</u> Joint Status Report, it is ORDERED that the parties provide another joint status report by July 19, 2024. SO ORDERED. Signed by Judge Amy Berman Jackson on 6/13/2024. (lcabj1) (Entered: 06/13/2024)
07/19/2024	<u>7</u>	Joint STATUS REPORT by DEPARTMENT OF STATE. (Simon, Jeremy) (Entered: 07/19/2024)
07/19/2024		MINUTE ORDER. In light of the <u>7</u> Joint Status Report, it is ORDERED that the parties provide another joint status report by September 19, 2024. SO ORDERED. Signed by Judge Amy Berman Jackson on 7/19/2024. (lcabj1) (Entered: 07/19/2024)
08/12/2024	<u>8</u>	NOTICE of Appearance by Dedra Seibel Curteman on behalf of All Defendants (Curteman, Dedra) (Entered: 08/12/2024)
08/12/2024	<u>9</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Stephen DeGenaro on behalf of All Defendants Substituting for attorney Jeremy Simon (DeGenaro, Stephen) (Entered: 08/12/2024)
08/12/2024	<u>10</u>	NOTICE OF RELATED CASE by All Defendants. Case related to Case No. 24-2070, 24-2078, 24-2120, 24-2145, 24-2149, 24-2151, 24-2168, 24-2196. (Curteman, Dedra) (Entered: 08/12/2024)
08/13/2024		MINUTE ORDER. In light of the <u>10</u> Notice of Related Cases, the parties are ORDERED to inform the Court as to whether the cases should be consolidated. SO ORDERED. Signed by Judge Amy Berman Jackson on 8/13/2024. (lcabj1) (Entered: 08/13/2024)
08/13/2024	<u>11</u>	RESPONSE re <u>10</u> Notice of Related Case filed by POWER THE FUTURE. (Hardin, Matthew) (Entered: 08/13/2024)
08/14/2024	<u>12</u>	RESPONSE TO ORDER OF THE COURT re Order to inform the Court as to whether the cases should be consolidated. filed by POWER THE FUTURE. (Attachments: # <u>1</u>

		Exhibit A (FOIA request at issue in this case))(Hardin, Matthew) (Entered: 08/14/2024)
08/15/2024	<u>13</u>	RESPONSE TO ORDER OF THE COURT re Order <i>and Motion for Scheduling Order</i> filed by DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(DeGenaro, Stephen) (Entered: 08/15/2024)
08/18/2024	<u>14</u>	RESPONSE re <u>13</u> Response to Order of the Court <i>and Motion filed at ECF No. 13.</i> filed by POWER THE FUTURE. (Hardin, Matthew) (Entered: 08/18/2024)
08/21/2024		MINUTE ORDER. Upon consideration of defendant's notice of related case <u>10</u> , plaintiff's responses to the notice and the Court's minute order of August 13, 2024 <u>11</u> <u>12</u> , defendant's response to the minute order and motion for scheduling order <u>13</u> , and plaintiff's response to the motion <u>14</u> , it does not appear that the cases seeking records from Kitty DiMartino, 24-cv-2078 (PLF), 24-cv-2120 (ACR), 24-cv-2145 (RC), and 24-cv-2151 (TSC), bear any relationship to the instant case beyond the common requester and agency, and the searches do not appear to call for the same information. And while the other requests involve a single government official's records, they seek different types of records -- text messages, chats, and calendar entries -- and the Court has not been not advised that they involve the same search terms or subject matter at issue in the one case pending before it. If the Court had been informed that the various requests for Ms. Biniarz's records overlapped with those its case, it might conclude that it would be appropriate to treat those cases as related to this one. But given the record before it, the Court finds the cases identified in defendant's notice <u>10</u> to be unrelated to this case, and it is not apparent that they would benefit from consolidation. This order obviates defendant's motion for a scheduling order so that motion <u>13</u> is hereby DENIED as moot. SO ORDERED. Signed by Judge Amy Berman Jackson on 8/21/24. (DMK) (Entered: 08/21/2024)
09/19/2024	<u>15</u>	Joint STATUS REPORT by DEPARTMENT OF STATE. (Curteman, Dedra) (Entered: 09/19/2024)
09/20/2024		MINUTE ORDER. In light of the <u>15</u> Joint Status Report, it is ORDERED that the parties provide another joint status report by November 18, 2024. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/20/2024.(lcabj1) (Entered: 09/20/2024)