

**U.S. District Court
Eastern District of Virginia – (Alexandria)
CIVIL DOCKET FOR CASE #: 1:24-cv-00252-AJT-IDD**

Chiluvuri v. U.S. National Science Foundation
Assigned to: District Judge Anthony J Trenga
Referred to: Magistrate Judge Ivan D. Davis
Cause: 05:552 Freedom of Information Act

Date Filed: 02/20/2024
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: U.S. Government Defendant

Plaintiff

Raju Chiluvuri

represented by **Shelby G. Caputo**
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ATTORNEY TO BE NOTICED

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Defendant

U.S. National Science Foundation

represented by **Robert C. Pickren**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/20/2024	<u>1</u>	Complaint (Filing fee \$ 405, receipt number AVAEDC-9372907.), filed by Raju Chiluvuri. (Attachments: # <u>1</u> Civil Cover Sheet)(Flood, John) (Entered: 02/20/2024)
02/20/2024	<u>2</u>	EXHIBIT to Complaint by Raju Chiluvuri.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Caputo, Shelby) (Entered: 02/20/2024)
02/20/2024		Initial Case Assignment to District Judge Anthony J Trenga and Magistrate Judge Ivan D. Davis. (Cwel) (Entered: 02/22/2024)
02/22/2024		No Service issued at this time. (Cwel) (Entered: 02/22/2024)
03/06/2024	<u>3</u>	Proposed Summons by Raju Chiluvuri. (Flood, John) (Main Document 3 replaced to correct PDF fillable form on 3/11/2024) (Dest). (Entered: 03/06/2024)
03/11/2024		Notice of Correction re <u>3</u> Proposed Summons. Unfortunately the Clerk's office is unable to issued Proposed Summons at this time. Pursuant to Rule 4 of Federal Rules of Civil Procedure if the Defendant is either an agency of the United States or an

		officer or employee of the United States, you must also serve both the U.S. Attorney General and the local divisional U.S. Attorneys Office with a Summons form. The filing user has been notified to file Proposed Summons for U.S. Attorney and U.S. Attorney General.(Dest) (Entered: 03/11/2024)
03/12/2024	<u>4</u>	Proposed Summons (USAG) by Raju Chiluvuri. (Caputo, Shelby) (Main Document 4 replaced to correct PDF fillable form on 3/13/2024) (Dest). (Entered: 03/12/2024)
03/12/2024	<u>5</u>	Proposed Summons USAO by Raju Chiluvuri. (Caputo, Shelby) (Main Document 5 replaced to correct PDF fillable Form on 3/13/2024) (Dest). (Entered: 03/12/2024)
03/13/2024	<u>6</u>	Summons Issued as to U.S. National Science Foundation, 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) (Dest) (Entered: 03/13/2024)
03/26/2024	<u>7</u>	SUMMONS Returned Executed for Summons in Civil Action <i>and Complaint with Exhibits</i> , filed by Raju Chiluvuri. U.S. Attorney served on 3/19/2024, answer due 5/20/2024; U.S. National Science Foundation served on 3/19/2024; U.S. Attorney General served on 3/19/2024. (Attachments: # <u>1</u> Affidavit Affidavit of Service, # <u>2</u> Affidavit Affidavit of Service, # <u>3</u> Affidavit Affidavit of Service) (Caputo, Shelby). Modified text to correct filing event on 3/27/2024 (Dest). (Entered: 03/26/2024)
04/08/2024	<u>8</u>	First AMENDED COMPLAINT against U.S. National Science Foundation, filed by Raju Chiluvuri. (Attachments: # <u>1</u> Exhibit Ex A, # <u>2</u> Exhibit Ex B, # <u>3</u> Exhibit Ex C, # <u>4</u> Exhibit Ex D, # <u>5</u> Exhibit Ex E, # <u>6</u> Exhibit Ex F, # <u>7</u> Exhibit Ex G) (Caputo, Shelby) (Entered: 04/08/2024)
04/10/2024		Notice of Correction re <u>8</u> First AMENDED COMPLAINT. Unfortunately, the signature block on the document does not match the filing users' login. The filing user must re-file the document with the filing user's signature block, or the attorney whose signature block appears on the document must re-file the document. (Dest) (Entered: 04/10/2024)
04/10/2024	<u>9</u>	NOTICE of Appearance by Shelby G. Caputo on behalf of Raju Chiluvuri (Caputo, Shelby) (Entered: 04/10/2024)
04/10/2024	<u>10</u>	First AMENDED COMPLAINT against U.S. National Science Foundation, filed by Raju Chiluvuri.(Caputo, Shelby) (Entered: 04/10/2024)
04/24/2024	<u>11</u>	ANSWER to Complaint by U.S. National Science Foundation.(Pickren, Robert) (Entered: 04/24/2024)
04/24/2024	<u>12</u>	VACATED per ECF 24 – SCHEDULING ORDER: Initial Pretrial Conference set for 5/15/2024 at 11:00 AM in Alexandria Courtroom 301 before Magistrate Judge Ivan D. Davis. Final Pretrial Conference set for 9/19/2024 at 10:00 AM in Alexandria Telephonically before District Judge Anthony J. Trenga. Discovery due by 9/13/2024. Signed by District Judge Anthony J. Trenga on 4/24/2024. (Attachments: # <u>1</u> Magistrate Consent, # <u>2</u> Pretrial Notice)(dzir) Modified on 6/17/2024 (dvanm). (Entered: 04/24/2024)
05/08/2024	<u>13</u>	MOTION to Vacate <i>Court's Initial Scheduling Order</i> by U.S. National Science Foundation. (Attachments: # <u>1</u> Proposed Order)(Pickren, Robert) (Entered: 05/08/2024)
05/08/2024	<u>14</u>	Waiver of <i>Hearing</i> by U.S. National Science Foundation (Pickren, Robert) (Entered: 05/08/2024)
05/08/2024	<u>15</u>	<i>Joint</i> Discovery Plan by U.S. National Science Foundation.(Pickren, Robert) (Entered: 05/08/2024)
05/09/2024	<u>16</u>	VACATED per ECF 24 – Order Rule 16(b) Scheduling Order – Pursuant to the Rule 16(b) Conference 1. All discovery shall be concluded by September 13, 2024.

		<p>2. Disclosures under Fed. R. Civ. P. 26(a)(1) and (2), notices of depositions, interrogatories, requests for documents and admissions, and answers thereto shall not be filed except on order of the court, or for use in a motion or at trial.</p> <p>3. No general objection may be asserted in response to any discovery demand except to preserve the attorney–client privilege and work product protection.</p> <p>4. Any modifications to this Order, including deadlines of expert disclosures, require the parties to seek leave of Court pursuant to Fed. R. Civ. P. 16(b).</p> <p>5. The parties' Joint Discovery Plan is approved and shall control discovery to the extent of its application unless further modified by the Court.</p> <p>(See order for further details). Signed by Magistrate Judge Ivan D. Davis on 5/9/2024. (Dcrow,) Modified on 6/17/2024 (dvanm). (Entered: 05/10/2024)</p>
05/15/2024	<u>17</u>	Opposition to Motion to Vacate Scheduling Order filed by Raju Chiluvuri. (Attachments: # <u>1</u> Exhibit Ex. 1)(Caputo, Shelby) (Entered: 05/15/2024)
05/16/2024	<u>18</u>	Notice of Hearing Date set for 05/31/2024 re <u>13</u> MOTION to Vacate Court's Initial Scheduling Order, <u>17</u> Opposition (Caputo, Shelby) (Entered: 05/16/2024)
05/17/2024		Notice of Correction re <u>18</u> Notice of Hearing Date. The filing user has been notified to refile the notice of hearing which requests a Wednesday date. (triv) (Entered: 05/17/2024)
05/20/2024	<u>19</u>	Notice of Hearing Date re <u>13</u> MOTION to Vacate Court's Initial Scheduling Order, <u>17</u> Opposition (Caputo, Shelby) (Entered: 05/20/2024)
05/21/2024		Set Deadline as to <u>13</u> MOTION to Vacate Court's Initial Scheduling Order. Motion Hearing set for 6/5/2024 at 10:00 AM in Alexandria Courtroom 701 before District Judge Anthony J. Trenga. (triv) (Entered: 05/21/2024)
05/21/2024	<u>20</u>	Consent MOTION for Extension of Time to File Response/Reply by U.S. National Science Foundation. (Attachments: # <u>1</u> Proposed Order)(Pickren, Robert) (Entered: 05/21/2024)
05/22/2024	<u>21</u>	ORDERED that the Motion is GRANTED. Defendant shall file its reply memorandum in support of its Motion to Vacate Initial Scheduling Order, Dkt. No. 13., no later than May 24, 2024. Signed by Magistrate Judge Ivan D. Davis on 5/22/2024. (dvanm) (Entered: 05/22/2024)
05/24/2024	<u>22</u>	REPLY to Response to Motion re <u>13</u> MOTION to Vacate Court's Initial Scheduling Order filed by U.S. National Science Foundation. (Pickren, Robert) (Entered: 05/24/2024)
05/24/2024	<u>23</u>	Declaration re <u>22</u> Reply to Response to Motion of Alexander C. Tang by U.S. National Science Foundation. (Pickren, Robert) (Entered: 05/24/2024)
06/05/2024	<u>24</u>	ORDERED that the Motion <u>13</u> be, and the same hereby is, GRANTED; and it is further ORDERED that the Scheduling Orders in this matter, [Doc. Nos. 12, 16], be, and the same hereby are, VACATED; and it is further ORDERED that the parties file a joint status report by Friday, July 5, 2024. Signed by District Judge Anthony J Trenga on 6/5/2024. (dvanm) (Entered: 06/05/2024)
06/05/2024	<u>25</u>	Minute Entry for proceedings held before District Judge Anthony J. Trenga: Motion Hearing held on 6/5/2024 re <u>13</u> MOTION to Vacate Court's Initial Scheduling Order filed by U.S. National Science Foundation. Counsel appeared for Plaintiff and Defendant. Motion argued and granted. Parties are to file jointly, if able, a status report within 30 days. Order entered. (Court Reporter R. Montgomery)(dzir) (Entered: 06/05/2024)
07/05/2024	<u>26</u>	MOTION for Extension of Time to File Joint Status Report by Raju Chiluvuri. (Attachments: # <u>1</u> Proposed Order)(Caputo, Shelby) (Entered: 07/05/2024)
07/08/2024	<u>27</u>	ORDERED that the Motion is GRANTED. The parties shall file a joint status report with the Court no later than July 9, 2024 in re <u>26</u> Motion for Extension of Time to File. Signed by Magistrate Judge Ivan D. Davis on 7/8/2024. (Sbro,) (Entered: 07/08/2024)
07/09/2024	<u>28</u>	STATUS REPORT (Joint Filing) by Raju Chiluvuri. (Caputo, Shelby) (Entered: 07/09/2024)

07/11/2024	<u>29</u>	ORDERED that a status conference is set for Wednesday, July 17, 2024, at 10:00 a.m. in Courtroom 900. Signed by District Judge Anthony J Trenga on 7/11/2024. Status Conference set for 7/17/2024 at 10:00 AM in Alexandria Courtroom 900 before District Judge Anthony J. Trenga.(dzir) (Entered: 07/12/2024)
07/17/2024	<u>30</u>	Minute Entry for proceedings held before District Judge Anthony J. Trenga: Status Conference held on 7/17/2024. Counsel appeared for Plaintiff and Defendant. Counsel is directed to submit their request for costs and attorneys' fees by 7/29/2024. Parties are directed to schedule a Settlement Conference with Magistrate Judge Davis. (Court Reporter R. Montgomery)(dzir) (Entered: 07/17/2024)
07/17/2024	<u>31</u>	ORDERED that Plaintiff's motion for attorney fees and costs shall be due by Monday, July 29, 2024, and that subsequent briefing will proceed in the ordinary course pursuant to Local Civil Rule 7. Signed by District Judge Anthony J. Trenga on 7/17/2024. (dzir) (Entered: 07/18/2024)
07/29/2024		Settlement Conference set for 9/12/2024 at 09:30 AM in Alexandria Remote before Magistrate Judge Ivan D. Davis. (Igue,) (Entered: 07/29/2024)
07/29/2024	<u>32</u>	MOTION for Attorney Fees <i>and Summary Judgment</i> by Raju Chiluvuri. (Attachments: # <u>1</u> Supplement Memorandum of Law in Support, # <u>2</u> Exhibit A – Declaration–fee tables, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K – Declaration, # <u>13</u> Proposed Order, # <u>14</u> Certificate of Service)(Caputo, Shelby) (Entered: 07/29/2024)
07/30/2024		Notice of Correction re <u>32</u> MOTION for Attorney Fees <i>and Summary Judgment</i> . The filing user has been notified of multiple errors: There are two requests in one filing. You must file the document a second time using the Motion for Summary Judgment event. The Memorandum must be filed separately.A Notice of Hearing for an appropriate Wednesday or Waiver of Oral Argument is required for each motion. (dvanm,) (Entered: 07/30/2024)
07/30/2024	<u>33</u>	MOTION for Summary Judgment by Raju Chiluvuri. (Caputo, Shelby) (Entered: 07/30/2024)
07/30/2024	<u>34</u>	Memorandum in Support re <u>32</u> MOTION for Attorney Fees <i>and Summary Judgment</i> , <u>33</u> MOTION for Summary Judgment filed by Raju Chiluvuri. (Caputo, Shelby) (Entered: 07/30/2024)
07/30/2024	<u>35</u>	Waiver of re <u>32</u> MOTION for Attorney Fees <i>and Summary Judgment</i> by Raju Chiluvuri (Caputo, Shelby) (Entered: 07/30/2024)
07/30/2024	<u>36</u>	Waiver of re <u>33</u> MOTION for Summary Judgment by Raju Chiluvuri (Caputo, Shelby) (Entered: 07/30/2024)
08/12/2024	<u>37</u>	Consent MOTION for Extension of Time to File Response/Reply by U.S. National Science Foundation. (Attachments: # <u>1</u> Proposed Order)(Pickren, Robert) (Entered: 08/12/2024)
08/13/2024	<u>38</u>	ORDERED that the Motion is GRANTED. Defendant shall file its response to Plaintiffs Motion for Summary Judgement and Motion for Attorneys Fees and Costs no later than August 16, 2024. Signed by Magistrate Judge Ivan D. Davis on 08/13/2024. (dvanm) (Entered: 08/13/2024)
08/15/2024	<u>39</u>	Consent MOTION for Extension of Time to File Response/Reply by U.S. National Science Foundation. (Attachments: # <u>1</u> Proposed Order)(Pickren, Robert) (Entered: 08/15/2024)
08/16/2024	<u>40</u>	ORDERED that the Motion is GRANTED. Defendant shall file its response to Plaintiff's Motion for Summary Judgment and Motion for Attorneys' Fees and Costs no later than August 24, 2024. It is further ORDERED that no further extensions will be granted absent extraordinary circumstances in re <u>39</u> Consent MOTION for Extension of Time to File Response/Reply. Signed by Magistrate Judge Ivan D. Davis on 8/16/2024. (swil) (Entered: 08/16/2024)
08/23/2024	<u>41</u>	RESPONSE in Opposition re <u>32</u> MOTION for Attorney Fees <i>and Summary Judgment</i> filed by U.S. National Science Foundation. (Pickren, Robert) (Entered: 08/23/2024)

08/29/2024	<u>42</u>	REPLY to Response to Motion re <u>32</u> MOTION for Attorney Fees <i>and Summary Judgment</i> filed by Raju Chiluvuri. (Caputo, Shelby) (Entered: 08/29/2024)
09/12/2024		Minute Entry for proceedings held before Magistrate Judge Ivan D. Davis: Settlement Conference held on 9/12/2024. All parties present. The conference lasted three and half hours. They did not reach a settlement. (Igue,) (Entered: 09/13/2024)
09/17/2024		Reset Hearings: Final Pretrial Conference reset for 9/19/2024 at 10:30 AM in Alexandria Telephonically before District Judge Anthony J. Trenga. (dzir) (Entered: 09/17/2024)
09/19/2024	<u>43</u>	Minute Entry for proceedings held before District Judge Anthony J. Trenga: Final Pretrial Conference held on 9/19/2024. Counsel appeared for Plaintiff telephonically. Defense counsel not present. The Court will rule on the pending Summary Judgment Motions and schedule any hearings as necessary. (dzir) (Entered: 09/19/2024)