

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:24-cv-00572-RBW**

SOLOMON v. UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES  
Assigned to: Judge Reggie B. Walton  
Cause: 05:552 Freedom of Information Act

Date Filed: 02/29/2024  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**JOHN SOLOMON**  
*agent of*  
Bentley Media Group

represented by **Michael Ding**  
611 Pennsylvania Avenue, SE  
#231  
Washington, DC 20003  
(202) 964-3721  
Email: [michael.ding@aflegal.org](mailto:michael.ding@aflegal.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES**

represented by **Sam Escher**  
DOJ-USAO  
Civil Division  
601 D Street NW  
# 7.1527  
Washington, DC 20530  
(202) 252-2531  
Email: [sam.escher@usdoj.gov](mailto:sam.escher@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| Date Filed | #        | Docket Text   |
|------------|----------|---|
| 02/29/2024 | <u>1</u> | COMPLAINT against UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES ( Filing fee \$ 405 receipt number ADCDC-10721210) filed by JOHN SOLOMON. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Civil Cover Sheet, # <u>8</u> Summons, # <u>9</u> Summons, # <u>10</u> Summons)(Ding, Michael) (Entered: 02/29/2024) |
| 03/01/2024 |          | Case Assigned to Judge Reggie B. Walton. (zcb) (Entered: 03/01/2024)  |
| 03/01/2024 | <u>2</u> | SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zcb) (Entered: 03/01/2024)  |
| 03/12/2024 | <u>3</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/1/2024. Answer due for ALL FEDERAL DEFENDANTS by 3/31/2024. (Ding, Michael) (Entered: 03/12/2024)  |
| 03/12/2024 | <u>4</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 3/11/2024 (Ding, Michael) (Entered: 03/12/2024)  |
| 03/12/2024 | <u>5</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 3/11/2024. (Ding, Michael) (Entered: 03/12/2024)   |
| 03/12/2024 | <u>6</u> | GENERAL ORDER FOR CIVIL CASES BEFORE THE HONORABLE REGGIE B. WALTON. Signed by Judge Reggie B. Walton on March 12, 2024. (lcrbw1) (Entered: 03/12/2024)   |

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|            |           | 03/12/2024)   |
| 04/01/2024 | <u>7</u>  | ANSWER to Complaint by UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Escher, Sam) (Entered: 04/01/2024)  |
| 04/11/2024 |           | MINUTE ORDER. To ensure the expeditious resolution of this action, and because this qualifies as an exempted case under Local Civil Rule 16.3(b), it is hereby ORDERED that, on or before May 9, 2024, the parties shall file a joint proposed briefing schedule governing further proceedings. Signed by Judge Reggie B. Walton on April 11, 2024. (lcrbw1) (Entered: 04/11/2024)  |
| 05/09/2024 | <u>8</u>  | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Escher, Sam) (Entered: 05/09/2024)   |
| 05/09/2024 |           | MINUTE ORDER. In light of the parties' <u>8</u> Joint Status Report, it is hereby ORDERED that, on May 20, 2024, at 11:00 a.m., the parties shall appear for a status conference before the Court, via teleconference, by calling 1-877-873-8017 and entering the Court's access code (8583213) followed by the pound key (#). Signed by Judge Reggie B. Walton on May 9, 2024. (lcrbw1) (Entered: 05/09/2024)  |
| 05/20/2024 |           | Minute Entry for telephonic proceedings held before Judge Reggie B. Walton: Status Conference held on 5/20/2024. Status Conference set for 6/20/2024 at 10:00 AM via teleconference before Judge Reggie B. Walton. (Court Reporter: Sonja Reeves) (zalh) (Entered: 05/20/2024)  |
| 05/20/2024 | <u>9</u>  | ORDER. In accordance with the attached Order, it is hereby ORDERED that the parties shall appear for a status conference on June 20, 2024, at 10:00 a.m. The parties shall appear before the Court via teleconference, by calling 1-877-873-8017 and entering the Courts access code (8583213) followed by the pound key (#). The parties shall be prepared to apprise the Court on how they wish to proceed in this case. Signed by Judge Reggie B. Walton on May 20, 2024. (lcrbw1) (Entered: 05/20/2024)   |
| 06/18/2024 | <u>10</u> | MOTION to Stay by UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Burk Declaration, # <u>3</u> PHMPT II Order, # <u>4</u> Text of Proposed Order)(Escher, Sam) (Entered: 06/18/2024)  |
| 06/20/2024 | <u>11</u> | ORDER. In accordance with the attached Order, it is hereby ORDERED that, on or before June 21, 2024, the parties shall file a joint briefing schedule governing further proceedings in this case. Signed by Judge Reggie B. Walton on June 20, 2024. (lcrbw1) (Entered: 06/20/2024)   |
| 06/20/2024 | <u>12</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Escher, Sam) (Entered: 06/20/2024)   |
| 06/20/2024 |           | Minute Entry for telephonic proceedings held before Judge Reggie B. Walton: Status Conference held on 6/20/2024.The Court orders the parties to confer and to submit a proposed briefing schedule. (Court Reporter: Tammy Nestor) (zalh) (Entered: 06/21/2024)  |
| 07/01/2024 | <u>13</u> | ORDER. In accordance with the attached Order, it is hereby ORDERED that, on or before July 26, 2024, the plaintiff shall file a combined response to the defendant's motion to stay and cross-motion for summary judgment. It is further ORDERED that, on or before September 6, 2024, the defendant shall file a combined reply in support of its motion to stay and response to the plaintiff's cross-motion for summary judgment. It is further ORDERED that, on or before September 20, 2024, the plaintiff shall file a reply in support of his cross-motion for summary judgment. It is further ORDERED that, on Friday, October 25, 2024, at 9:00 a.m., the parties shall appear for a motion hearing. The parties shall appear before the Court, via teleconference, by calling 1-877-873-8017 and entering the Court's access code (8583213) followed by the pound key (#). Signed by Judge Reggie B. Walton on July 1, 2024. (lcrbw1) (Entered: 07/01/2024) |
| 07/10/2024 |           | Set/Reset Deadlines: Plaintiff's Response to the Defendant's Motion to Stay due by 9/6/2024. (zalh) (Entered: 07/10/2024)   |
| 07/26/2024 | <u>14</u> | MOTION for Partial Summary Judgment by JOHN SOLOMON. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order)(Ding,  |

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|            |           | Michael) (Entered: 07/26/2024)  |
| 07/26/2024 | <u>15</u> | RESPONSE re <u>10</u> MOTION to Stay filed by JOHN SOLOMON. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order)(Ding, Michael) (Entered: 07/26/2024)  |
| 07/30/2024 | <u>16</u> | <p>TRANSCRIPT OF PROCEEDINGS before Judge Reggie B. Walton held on May 20, 2024; Page Numbers: 1–20. Date of Issuance: July 30, 2024. Court Reporter/Transcriber Sonja L. Reeves, RDR, CRR, Telephone number (202) 354–3246, Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 8/20/2024. Redacted Transcript Deadline set for 8/30/2024. Release of Transcript Restriction set for 10/28/2024.(Reeves, Sonja) (Entered: 07/30/2024)</p> |
| 09/05/2024 | <u>17</u> | Consent MOTION to Modify <i>Briefing Schedule</i> by UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Text of Proposed Order)(Escher, Sam) (Entered: 09/05/2024)   |
| 09/09/2024 |           | MINUTE ORDER. Upon consideration of the <u>17</u> Defendant's Consent Motion to Modify Briefing Schedule, and for good cause shown, it is hereby ORDERED that the <u>17</u> Defendant's Consent Motion to Modify Briefing Schedule is GRANTED. It is further ORDERED that the deadline for the defendant to file a combined reply in support of its motion to stay and response to the plaintiff's cross–motion for summary judgment is EXTENDED to September 20, 2024. It is further ORDERED that the time for the plaintiff to file a reply in support of his cross–motion for summary judgment is EXTENDED to October 4, 2024. Signed by Judge Reggie B. Walton on September 9, 2024. (lcrbw1) (Entered: 09/09/2024)   |
| 09/12/2024 |           | Set/Reset Deadlines: Plaintiff's Reply and Response to Cross Motions due by 9/20/2024. Plaintiff's Reply to Cross Motions due by 10/4/2024. (zalh) (Entered: 09/12/2024)  |
| 09/20/2024 | <u>18</u> | REPLY to opposition to motion re <u>10</u> MOTION to Stay filed by UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Kotler Declaration, # <u>3</u> Exhibits, # <u>4</u> Text of Proposed Order)(Escher, Sam) (Entered: 09/20/2024)  |
| 09/20/2024 | <u>19</u> | RESPONSE re <u>14</u> MOTION for Partial Summary Judgment filed by UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Kotler Declaration, # <u>3</u> Exhibits, # <u>4</u> Text of Proposed Order)(Escher, Sam) (Entered: 09/20/2024)  |
| 09/20/2024 | <u>20</u> | Cross MOTION for Partial Summary Judgment by UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Kotler Declaration, # <u>4</u> Exhibits, # <u>5</u> Text of Proposed Order)(Escher, Sam) (Entered: 09/20/2024)  |