

**U.S. District Court
 District of Columbia (Washington, DC)
 CIVIL DOCKET FOR CASE #: 1:24-cv-00340-TSC**

FLUET & ASSOCIATES, PLLC v. UNITED STATES
 DEPARTMENT OF THE TREASURY et al
 Assigned to: Judge Tanya S. Chutkan
 Related Case: 1:24-cv-02067-TSC
 Cause: 05:552 Freedom of Information Act

Date Filed: 02/05/2024
 Jury Demand: None
 Nature of Suit: 895 Freedom of Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff

FLUET & ASSOCIATES, PLLC

represented by **David Samuel Panzer**
 FLUET
 1751 Pinnacle Drive
 Suite 1000
 Tysons, VA 22102
 703-590-1234
 Fax: 703-590-0366
 Email: dpanzer@fluet.law
ATTORNEY TO BE NOTICED

V.

Defendant

UNITED STATES DEPARTMENT OF THE TREASURY

represented by **Anna Miller**
 DOJ-TAX
 Tax Division
 P.O. Box 227
 Washington, DC 20044
 202-257-7595
 Email: anna.a.miller@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amanda K. Tomack
 DOJ-TAX
 Department of Justice
 1275 First St. NE
 Suite 10203
 Washington, DC 20002
 202-598-5494
 Email: amanda.tomack2@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

INTERNAL REVENUE SERVICE

represented by **Anna Miller**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amanda K. Tomack
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/05/2024	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 405 receipt number ADCDC-10668219) filed by FLUET & ASSOCIATES, PLLC. (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, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Civil Cover Sheet, # <u>18</u> Summons, # <u>19</u> Summons, # <u>20</u> Summons, # <u>21</u> Summons)(Panzer, David) (Entered: 02/05/2024)
02/06/2024		Case Assigned to Judge Tanya S. Chutkan. (zljn) (Entered: 02/06/2024)
02/06/2024	<u>2</u>	ENTERED IN ERROR.....SUMMONS (4) Issued Electronically as to All Defendants, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zljn) Modified on 2/6/2024 (zljn). (Entered: 02/06/2024)
02/06/2024		NOTICE OF ERROR re <u>1</u> Complaint; emailed to dpanzer@fluet.law, cc'd 1 associated attorneys -- The PDF file you docketed contained errors: 1. Missing/incorrect summonses. Please submit using the event Request for Summons to issue., 2. For FOIA cases you must provide the FOIA Summons not the AO 440b summons (zljn,) (Entered: 02/06/2024)
02/07/2024	<u>3</u>	REQUEST FOR SUMMONS TO ISSUE filed by FLUET & ASSOCIATES, PLLC. Related document: Notice of QC– New Case, <u>1</u> Complaint,, filed by FLUET & ASSOCIATES, PLLC. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons)(Panzer, David) (Entered: 02/07/2024)
02/08/2024	<u>4</u>	SUMMONS (3) Issued Electronically as to INTERNAL REVENUE SERVICE, UNITED STATES DEPARTMENT OF THE TREASURY, and U.S. Attorney (Attachment: # <u>1</u> Notice and Consent)(zjm) (Entered: 02/08/2024)
02/14/2024	<u>5</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by FLUET & ASSOCIATES, PLLC (Panzer, David) (Entered: 02/14/2024)
03/18/2024	<u>6</u>	First MOTION for Extension of Time to File Answer re <u>1</u> Complaint,, by INTERNAL REVENUE SERVICE, UNITED STATES DEPARTMENT OF THE TREASURY. (Attachments: # <u>1</u> Text of Proposed Order)(Miller, Anna) (Entered: 03/18/2024)
03/18/2024	<u>7</u>	Memorandum in opposition to re <u>6</u> Motion for Extension of Time to File Answer filed by FLUET & ASSOCIATES, PLLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order)(Panzer, David) (Entered: 03/18/2024)
03/18/2024		MINUTE ORDER: GRANTING <u>6</u> Motion for Extension of Time for good cause shown. Defendants shall respond to the Complaint on or before April 17, 2024. Signed by Judge Tanya S. Chutkan on 3/18/24. (lce) (Entered: 03/18/2024)
04/17/2024	<u>8</u>	ANSWER to Complaint by INTERNAL REVENUE SERVICE, UNITED STATES DEPARTMENT OF THE TREASURY.(Miller, Anna) (Entered: 04/17/2024)
04/18/2024		MINUTE ORDER: Before the Court in this FOIA case are a Complaint and an Answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues no later than 5/31/24. The joint status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 4/18/24. (lce) (Entered: 04/18/2024)
05/31/2024	<u>9</u>	Joint STATUS REPORT by INTERNAL REVENUE SERVICE. (Tomack, Amanda) (Entered: 05/31/2024)
06/03/2024		MINUTE ORDER: Upon consideration of <u>9</u> Joint Status Report, the parties shall confer and file an additional status report on or before June 17, 2024, apprising the court of their positions on whether Defendants shall release responsive documents on a rolling basis beginning imminently or after its search for responsive documents is complete. Specifically, Defendants shall explain why it would be impractical for it to release responsive documents on a rolling basis. The status report shall be accompanied by a proposed order. If the parties do not agree on a proposed order, the status report shall be accompanied by both Plaintiff's proposed order and Defendants'

		proposed order. Signed by Judge Tanya S. Chutkan on 6/3/24. (lce) (Entered: 06/03/2024)
06/17/2024	<u>10</u>	STATUS REPORT by INTERNAL REVENUE SERVICE, UNITED STATES DEPARTMENT OF THE TREASURY. (Attachments: # <u>1</u> Text of Proposed Order)(Miller, Anna) (Entered: 06/17/2024)
06/17/2024	<u>11</u>	STATUS REPORT by FLUET & ASSOCIATES, PLLC. (Attachments: # <u>1</u> Text of Proposed Order)(Panzer, David) (Entered: 06/17/2024)
06/18/2024		MINUTE ORDER: Upon consideration of <u>10</u> Status Report and <u>11</u> Status Report, Defendant Department of Treasury shall review at least 800 pages of potentially responsive records per month beginning in July 2024 and produce non-exempt documents on a monthly basis to Plaintiff. The parties shall file an additional joint status report on or before July 17, 2024, and every 60 days thereafter, to update the court regarding Treasury's review and production of responsive records and propose a schedule for Defendant Internal Revenue Service's review and release of responsive records. Signed by Judge Tanya S. Chutkan on 6/18/24. (lce) (Entered: 06/18/2024)
07/17/2024	<u>12</u>	STATUS REPORT by FLUET & ASSOCIATES, PLLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Text of Proposed Order)(Panzer, David) (Entered: 07/17/2024)
07/17/2024	<u>13</u>	STATUS REPORT by INTERNAL REVENUE SERVICE, UNITED STATES DEPARTMENT OF THE TREASURY. (Miller, Anna) (Entered: 07/17/2024)
07/18/2024		MINUTE ORDER: Upon consideration of <u>12</u> Plaintiff's Status Report and <u>13</u> Defendants' Status Report, Defendant Department of Treasury shall continue to review at least 800 pages of potentially responsive records per month and produce the non-exempt responsive records on a monthly basis to Plaintiff. The parties shall file a joint status report on or before September 16, 2024, and every 60 days thereafter, to update the court on the progress of the case. To the extent the parties seek a change in the status quo, the status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 7/18/24. (lce) (Entered: 07/18/2024)
09/16/2024	<u>14</u>	Unopposed MOTION for Extension of Time to <i>File Joint Status Report</i> by INTERNAL REVENUE SERVICE, UNITED STATES DEPARTMENT OF THE TREASURY. (Attachments: # <u>1</u> Text of Proposed Order)(Miller, Anna) (Entered: 09/16/2024)
09/17/2024		MINUTE ORDER: GRANTING <u>14</u> Unopposed Motion for Extension of Time to File Joint Status Report. The parties shall file a joint status report on or before September 23, 2024, and every 60 days thereafter. To the extent the parties request a change in the status quo, the report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 9/17/24. (lce) (Entered: 09/17/2024)
09/23/2024	<u>15</u>	NOTICE of Appearance by Amanda K. Tomack on behalf of All Defendants (Tomack, Amanda) (Entered: 09/23/2024)
09/23/2024	<u>16</u>	Consent to Proceed before US Magistrate Judge for All Purposes by FLUET & ASSOCIATES, PLLC.. (Panzer, David) (Entered: 09/23/2024)
09/23/2024		MINUTE ORDER REFERRING CASE TO MAGISTRATE JUDGE: Upon consideration of <u>16</u> Notice, Consent, and Reference of a Civil Action to a Magistrate Judge, this case is hereby REFERRED to a Magistrate Judge for all purposes pursuant to 28 U.S.C. 636(c), Federal Rule of Civil Procedure 73, and Local Civil Rule 73.1. The Magistrate Judge will be randomly assigned by the Clerk's Office. Signed by Judge Tanya S. Chutkan on 9/23/24. (lce) (Entered: 09/23/2024)
09/23/2024	<u>17</u>	STATUS REPORT by INTERNAL REVENUE SERVICE, UNITED STATES DEPARTMENT OF THE TREASURY. (Tomack, Amanda) (Entered: 09/23/2024)
09/23/2024	<u>18</u>	STATUS REPORT by FLUET & ASSOCIATES, PLLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Text of Proposed Order)(Panzer, David) (Entered: 09/23/2024)