

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:24-cv-01496-JLR**

Leopold et al v. U.S. Department of the Army  
Assigned to: Judge Jennifer L. Rochon  
Cause: 05:552 Freedom of Information Act

Date Filed: 02/27/2024  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Jason Leopold**

represented by **Matthew Topic**  
Loevy & Loevy  
311 N Aberdeen St  
3rd Floor  
Chicago  
Chicago, IL 60607  
312-243-5900  
Email: [matt@loevy.com](mailto:matt@loevy.com)  
*ATTORNEY TO BE NOTICED*

**Merrick Wayne**  
Loevy & Loevy Attorneys at Law  
311 N Aberdeen St  
Ste 3rd Floor  
Chicago, IL 60607  
312-243-5900  
Email: [merrick@loevy.com](mailto:merrick@loevy.com)  
*ATTORNEY TO BE NOTICED*

**Stephen Stich Match**  
Loevy & Loevy  
311 North Aberdeen Street  
Ste 3rd Floor  
Chicago, IL 90035  
520-488-0486  
Email: [match@loevy.com](mailto:match@loevy.com)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Bloomberg L.P.**

represented by **Matthew Topic**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Merrick Wayne**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Stephen Stich Match**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**U.S. Department of the Army**

represented by **Adam M. Gitlin**  
U.S. Attorney's Office, S.D.N.Y.  
86 Chambers Street  
Ste 3rd Floor  
New York, NY 10007

212-637-2734  
 Email: [Adam.Gitlin@usdoj.gov](mailto:Adam.Gitlin@usdoj.gov)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

| Date Filed | #        | Docket Text   |
|------------|----------|---|
| 02/27/2024 | <u>1</u> | COMPLAINT against U.S. Department of the Army. (Filing Fee \$ 405.00, Receipt Number ANYSDC-29004142) Document filed by Jason Leopold, Bloomberg L.P.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2).(Match, Stephen) (Entered: 02/27/2024)   |
| 02/27/2024 | <u>2</u> | CIVIL COVER SHEET filed..(Match, Stephen) (Entered: 02/27/2024)   |
| 02/27/2024 | <u>3</u> | <b>FILING ERROR – SUMMONS REQUEST As To ERROR – REQUEST FOR ISSUANCE OF SUMMONS</b> as to U.S. Attorney General, re: <u>1</u> Complaint. Document filed by Bloomberg L.P., Jason Leopold..(Match, Stephen) Modified on 2/28/2024 (jgo). (Entered: 02/27/2024)   |
| 02/27/2024 | <u>4</u> | <b>FILING ERROR – SUMMONS REQUEST As To ERROR – REQUEST FOR ISSUANCE OF SUMMONS</b> as to United States Attorney's Office, re: <u>1</u> Complaint. Document filed by Bloomberg L.P., Jason Leopold..(Match, Stephen) Modified on 2/28/2024 (jgo). (Entered: 02/27/2024)   |
| 02/28/2024 |          | CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Mary Kay Vyskocil. Please download and review the Individual Practices of the assigned District Judge, located at <a href="https://nysd.uscourts.gov/judges/district-judges">https://nysd.uscourts.gov/judges/district-judges</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at <a href="https://nysd.uscourts.gov/rules/ecf-related-instructions">https://nysd.uscourts.gov/rules/ecf-related-instructions</a> ..(jgo) (Entered: 02/28/2024) |
| 02/28/2024 |          | Magistrate Judge Robyn F. Tarnofsky is designated to handle matters that may be referred in this case. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: <a href="https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf">https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf</a> . (jgo) (Entered: 02/28/2024)  |
| 02/28/2024 |          | Case Designated ECF. (jgo) (Entered: 02/28/2024)  |
| 02/28/2024 |          | <b>***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Stephen Stich Match to RE-FILE Document No. <u>3</u> Request for Issuance of Summons, <u>4</u> Request for Issuance of Summons,. The filing is deficient for the following reason(s): party name on the docket text is incorrect. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (jgo)</b> (Entered: 02/28/2024)   |
| 02/28/2024 | <u>5</u> | REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Department of the Army, re: <u>1</u> Complaint. Document filed by Bloomberg L.P., Jason Leopold..(Match, Stephen) (Entered: 02/28/2024)  |
| 02/28/2024 | <u>6</u> | REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Department of the Army c/o U.S. Attorney General, re: <u>1</u> Complaint. Document filed by Bloomberg L.P., Jason Leopold..(Match, Stephen) (Entered: 02/28/2024)  |
| 02/28/2024 | <u>7</u> | REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Department of the Army c/o U.S. Attorney's Office, re: <u>1</u> Complaint. Document filed by Bloomberg L.P., Jason Leopold..(Match, Stephen) (Entered: 02/28/2024)   |
| 02/29/2024 | <u>8</u> | ELECTRONIC SUMMONS ISSUED as to U.S. Department of the Army..(jgo) (Entered: 02/29/2024)  |
| 02/29/2024 | <u>9</u> | ELECTRONIC SUMMONS ISSUED as to U.S. Department of the Army..(jgo) (Entered: 02/29/2024)  |

|            |           |   |
|------------|-----------|---|
| 02/29/2024 | <u>10</u> | ELECTRONIC SUMMONS ISSUED as to U.S. Department of the Army..(jgo) (Entered: 02/29/2024)  |
| 03/06/2024 | <u>11</u> | <b>FILING ERROR – CORPORATE PARENT/OTHER AFFILIATE NOT ADDED – RULE 7.1 CORPORATE DISCLOSURE STATEMENT.</b> No Corporate Parent. Document filed by Bloomberg L.P...(Match, Stephen) Modified on 3/7/2024 (lb). (Entered: 03/06/2024)  |
| 03/07/2024 |           | <b>***NOTICE TO ATTORNEY REGARDING DEFICIENT RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Notice to Attorney Stephen Stich Match to RE–FILE Document No. <u>11</u> Rule 7.1 Corporate Disclosure Statement. The filing is deficient for the following reason(s): the corporate parent/other affiliate was not added;. Re–file the document using the event type Rule 7.1 Corporate Disclosure Statement found under the event list Other Documents – select the correct filer/filers – attach the correct signed PDF – when prompted with the message "Are there any corporate parents or other affiliates?", select the Yes or No radio button – If Yes – enter the corporate parent/other affiliate, click the Search button – select the correct corporate parent/other affiliate name from the search results list or if no person found, create a new corporate parent/other affiliate – select the party to whom the corporate parent/other affiliate should be linked – add corporate parent/other affiliate names one at a time. (lb)</b> (Entered: 03/07/2024) |
| 03/07/2024 | <u>12</u> | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Other Affiliate Bloomberg Inc. for Bloomberg L.P.. Document filed by Bloomberg L.P...(Match, Stephen) (Entered: 03/07/2024)  |
| 04/10/2024 |           | NOTICE OF CASE REASSIGNMENT to Judge Jennifer L. Rochon. Judge Mary Kay Vyskocil is no longer assigned to the case. (vba) (Entered: 04/10/2024)   |
| 04/11/2024 | <u>13</u> | ORDER: This case arises under the Freedom of Information Act, Title 5, United States Code, Section 552. The parties are hereby ORDERED to submit a joint letter, no later than three weeks from the date of this order and not to exceed two pages, indicating whether there is any need for discovery or an initial conference in this case. If there is no such need, the parties should include in their letter a proposed briefing schedule for any motions, including motions for summary judgment. If Defendant has not yet entered a notice of appearance, Plaintiff shall promptly serve a copy of this Order on Defendant and file proof of such service. (Signed by Judge Jennifer L. Rochon on 4/11/2024) (ate) (Entered: 04/11/2024)  |
| 04/30/2024 | <u>14</u> | AFFIDAVIT OF SERVICE of Order served on U.S. Department of the Army, c/o US Attorney's Office on 04/22/2024. Service was made by Mail. Document filed by Bloomberg L.P., Jason Leopold..(Match, Stephen) (Entered: 04/30/2024)  |
| 05/02/2024 | <u>15</u> | NOTICE OF APPEARANCE by Adam M. Gitlin on behalf of U.S. Department of the Army..(Gitlin, Adam) (Entered: 05/02/2024)   |
| 05/02/2024 | <u>16</u> | STATUS REPORT. Document filed by U.S. Department of the Army..(Gitlin, Adam) (Entered: 05/02/2024)  |
| 05/03/2024 | <u>17</u> | MEMO ENDORSEMENT on re: <u>16</u> Status Report filed by U.S. Department of the Army ENDORSEMENT The request is GRANTED. The parties shall submit a status report by July 23, 2024. SO ORDERED. (Signed by Judge Jennifer L. Rochon on 5/3/2024) (jca) (Entered: 05/03/2024)  |
| 05/08/2024 | <u>18</u> | MOTION for Matthew V. Topic to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC–29330386. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Bloomberg L.P., Jason Leopold. (Attachments: # <u>1</u> Affidavit Topic Declaration, # <u>2</u> Exhibit A, # <u>3</u> Proposed Order Proposed Order).(Topic, Matthew) (Entered: 05/08/2024)  |
| 05/09/2024 |           | <b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>18</u> MOTION for Matthew V. Topic to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC–29330386. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (sgz)</b> (Entered: 05/09/2024)  |

|            |           |  |
|------------|-----------|--|
| 05/10/2024 | <u>19</u> | ORDER FOR ADMISSION PRO HAC VICE granting <u>18</u> Motion to Appear Pro Hac Vice. The motion of Matthew Topic for admission to appear pro hac vice in the above-captioned matter is granted. As further set forth by this Order.. (Signed by Judge Jennifer L. Rochon on 5/10/2024) (tg) (Entered: 05/10/2024)  |
| 05/10/2024 | <u>20</u> | MOTION for Merrick J. Wayne to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-29338191. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Bloomberg L.P., Jason Leopold. (Attachments: # <u>1</u> Affidavit Wayne Declaration, # <u>2</u> Exhibit A, # <u>3</u> Proposed Order Proposed Order).(Wayne, Merrick) (Entered: 05/10/2024)   |
| 05/10/2024 |           | <b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>20</u> MOTION for Merrick J. Wayne to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-29338191. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bc)</b> (Entered: 05/10/2024)  |
| 05/13/2024 | <u>21</u> | ORDER FOR ADMISSION PRO HAC VICE granting <u>20</u> MOTION for Merrick J. Wayne to Appear Pro Hac Vice. The motion of Merrick Wayne for admission to appear pro hac vice in the above-captioned matter is granted.. (Signed by Judge Jennifer L. Rochon on 5/13/2024) (jca) (Entered: 05/13/2024)  |
| 05/21/2024 | <u>22</u> | LETTER MOTION for Extension of Time to File Answer addressed to Judge Jennifer L. Rochon from Adam Gitlin dated May 21, 2024. Document filed by U.S. Department of the Army..(Gitlin, Adam) (Entered: 05/21/2024)  |
| 05/21/2024 | <u>23</u> | ORDER granting <u>22</u> Letter Motion for Extension of Time to Answer re <u>22</u> LETTER MOTION for Extension of Time to File Answer addressed to Judge Jennifer L. Rochon from Adam Gitlin dated May 21, 2024. The request is GRANTED. The Government shall respond to the Complaint by June 23, 2024. SO ORDERED. U.S. Department of the Army answer due 6/23/2024. (Signed by Judge Jennifer L. Rochon on 5/21/2024) (jca) (Entered: 05/21/2024)  |
| 06/20/2024 | <u>24</u> | LETTER MOTION for Extension of Time to File Answer addressed to Judge Jennifer L. Rochon from Adam Gitlin dated June 20, 2024. Document filed by U.S. Department of the Army..(Gitlin, Adam) (Entered: 06/20/2024)   |
| 06/20/2024 | <u>25</u> | ORDER granting <u>24</u> Letter Motion for Extension of Time to Answer re <u>24</u> LETTER MOTION for Extension of Time to File Answer addressed to Judge Jennifer L. Rochon from Adam Gitlin dated June 20, 2024. The request is GRANTED. The Government shall respond to the complaint by July 16, 2024. SO ORDERED. U.S. Department of the Army answer due 7/16/2024. (Signed by Judge Jennifer L. Rochon on 6/20/2024) (jca) (Entered: 06/20/2024) |
| 07/15/2024 | <u>26</u> | LETTER MOTION for Extension of Time to File Answer addressed to Judge Jennifer L. Rochon from Adam Gitlin dated July 15, 2024. Document filed by U.S. Department of the Army..(Gitlin, Adam) (Entered: 07/15/2024)   |
| 07/15/2024 | <u>27</u> | ORDER granting <u>26</u> Letter Motion for Extension of Time to Answer.The request is GRANTED. The Government shall respond to the complaint by August 30, 2024. SO ORDERED. U.S. Department of the Army answer due 8/30/2024. (Signed by Judge Jennifer L. Rochon on 7/15/2024) (jca) (Entered: 07/15/2024)   |
| 07/23/2024 | <u>28</u> | STATUS REPORT. Document filed by U.S. Department of the Army..(Gitlin, Adam) (Entered: 07/23/2024)   |
| 07/24/2024 | <u>29</u> | MEMO ENDORSEMENT on re: <u>28</u> Status Report filed by U.S. Department of the Army ENDORSEMENT The request is GRANTED. The parties shall submit another status report by September 23, 2024. SO ORDERED. (Signed by Judge Jennifer L. Rochon on 7/24/2024) (jca) (Entered: 07/24/2024)   |
| 08/28/2024 | <u>30</u> | LETTER MOTION for Extension of Time to File Answer addressed to Judge Jennifer L. Rochon from AUSA Adam Gitlin dated August 28, 2024. Document filed by U.S. Department of the Army..(Gitlin, Adam) (Entered: 08/28/2024)  |
| 08/29/2024 | <u>31</u> | ORDER granting <u>30</u> Letter Motion for Extension of Time to Answer re <u>1</u> Complaint. The request is GRANTED. The Government shall respond to the Complaint by October 29, 2024. SO ORDERED. U.S. Department of the Army answer due  |

|            |           |  |
|------------|-----------|--|
|            |           | 10/29/2024. (Signed by Judge Jennifer L. Rochon on 8/29/2024) (tg) (Entered: 08/29/2024)           |
| 09/23/2024 | <u>32</u> | STATUS REPORT. Document filed by U.S. Department of the Army..(Gitlin, Adam) (Entered: 09/23/2024) |