

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-02800-TSC**

AMERICAN OVERSIGHT v. U.S. DEPARTMENT OF
DEFENSE et al
Assigned to: Judge Tanya S. Chutkan
Cause: 05:552 Freedom of Information Act

Date Filed: 10/21/2021
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

AMERICAN OVERSIGHT

represented by **David Kronig**
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TERMINATED: 07/14/2022
PRO HAC VICE

V.

Defendant

U.S. DEPARTMENT OF DEFENSE

represented by **Lisa Newman**
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LEAD ATTORNEY

Defendant

U.S. ARMY

represented by **Lisa Newman**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DEPARTMENT OF HOMELAND SECURITY

represented by **Lisa Newman**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

U.S. DEPARTMENT OF THE INTERIOR

represented by **Lisa Newman**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Lisa Newman**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

U.S. DEPARTMENT OF HOMELAND SECURITY OFFICE OF INSPECTOR GENERAL
TERMINATED: 04/28/2022

represented by **Lisa Newman**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/21/2021	<u>1</u>	COMPLAINT against U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF HOMELAND SECURITY OFFICE OF INSPECTOR GENERAL, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR (Filing fee \$ 402 receipt number ADCDC-8815833) filed by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons USAO, # <u>3</u> Summons AG, # <u>4</u> Summons Army, # <u>5</u> Summons DHS, # <u>6</u> Summons DHS OIG, # <u>7</u> Summons DOD, # <u>8</u> Summons DOJ, # <u>9</u> Summons DOI)(Lewis, Emma) (Entered: 10/21/2021)
10/21/2021	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN OVERSIGHT (Lewis, Emma) (Entered: 10/21/2021)
10/21/2021		Case Assigned to Judge Tanya S. Chutkan. (adh,) (Entered: 10/21/2021)
10/21/2021	<u>3</u>	SUMMONS (8) Issued Electronically as to U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF HOMELAND SECURITY OFFICE OF INSPECTOR GENERAL, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(adh,) (Entered: 10/21/2021)
12/06/2021	<u>4</u>	ANSWER to Complaint by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF HOMELAND SECURITY OFFICE OF INSPECTOR GENERAL, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR.(Newman, Lisa) (Entered: 12/06/2021)

12/06/2021		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 1/21/22. The joint status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 12/6/21. (DJS) (Entered: 12/06/2021)
12/07/2021		Set/Reset Deadlines: Joint Status Report due by 1/21/2022. (tb) (Entered: 12/07/2021)
01/20/2022	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– John Zachery Morris, Filing fee \$ 100, receipt number ADCDC–8990830. Fee Status: Fee Paid. by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Declaration)(Lewis, Emma) (Entered: 01/20/2022)
01/21/2022	<u>6</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF HOMELAND SECURITY OFFICE OF INSPECTOR GENERAL, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 01/21/2022)
01/21/2022		MINUTE ORDER: Granting <u>5</u> Motion for Leave to Appear Pro Hac Vice. John Zachery Morris is hereby admitted pro hac vice to appear in this matter on behalf of Plaintiff. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Tanya S. Chutkan on 1/21/22. (DJS) (Entered: 01/21/2022)
01/21/2022		MINUTE ORDER: Having considered the parties' joint status report, it is hereby ordered that the parties shall file another joint report by 2/22/22 and every 30 days thereafter. To the extent the parties propose a briefing schedule, the report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 1/21/22. (DJS) (Entered: 01/21/2022)
01/25/2022		Set/Reset Deadlines: Joint Report due by 2/22/2022. (tb) (Entered: 01/25/2022)
01/26/2022	<u>7</u>	NOTICE of Appearance by John Zachery Morris on behalf of AMERICAN OVERSIGHT (Morris, John) (Entered: 01/26/2022)
02/22/2022	<u>8</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF HOMELAND SECURITY OFFICE OF INSPECTOR GENERAL, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 02/22/2022)
03/03/2022	<u>9</u>	STIPULATION of Dismissal by U.S. DEPARTMENT OF HOMELAND SECURITY OFFICE OF INSPECTOR GENERAL. (Newman, Lisa) (Entered: 03/03/2022)
03/23/2022	<u>10</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 03/23/2022)
04/26/2022	<u>11</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 04/26/2022)
04/28/2022		MINUTE ORDER: Having considered Plaintiff's Notice of Partial Voluntary Dismissal <u>9</u> , all claims against the Defendant Department of Homeland Security Office of the Inspector General are hereby DISMISSED. Signed by Judge Tanya S. Chutkan on 4/28/22. (DJS) (Entered: 04/28/2022)
05/26/2022	<u>12</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 05/26/2022)

06/30/2022	<u>13</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 06/30/2022)
07/14/2022	<u>14</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to AMERICAN OVERSIGHT. Attorney John Zachery Morris terminated. (Morris, John) (Entered: 07/14/2022)
08/01/2022	<u>15</u>	NOTICE of Appearance by Khahilia Y. Shaw on behalf of AMERICAN OVERSIGHT (Shaw, Khahilia) (Entered: 08/01/2022)
08/01/2022	<u>16</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Shaw, Khahilia) (Entered: 08/01/2022)
08/22/2022	<u>17</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Shaw, Khahilia) (Entered: 08/22/2022)
09/22/2022	<u>18</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 09/22/2022)
10/24/2022	<u>19</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 10/24/2022)
11/30/2022	<u>20</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Shaw, Khahilia) (Entered: 11/30/2022)
12/01/2022		MINUTE ORDER: Having considered the parties' <u>20</u> joint status report, it is hereby ordered that the parties shall file another joint report by 1/12/23 and every 30 days thereafter. To the extent the parties propose a briefing schedule, the report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 12/1/22. (lcss) (Entered: 12/01/2022)
12/01/2022		Set/Reset Deadlines: Status Report due by 1/12/2023 (zjch,) (Entered: 12/05/2022)
01/12/2023	<u>21</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Shaw, Khahilia) (Entered: 01/12/2023)
01/13/2023		RESOLVED...NOTICE of Provisional/Government Not Certified Status re <u>21</u> Joint STATUS REPORT by AMERICAN OVERSIGHT. (Shaw, Khahilia). Your attorney renewal has not been received. As a result, your membership with the U.S. District & Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Civil Rule 83.9, you must immediately correct your membership status by following the appropriate instructions on this page of our website: https://www.dcd.uscourts.gov/attorney-renewal . Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 1/20/2023. (zbaj) Modified on 1/25/2023 (zbaj). (Entered: 01/13/2023)
02/16/2023	<u>22</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 02/16/2023)
03/16/2023	<u>23</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 03/16/2023)
04/07/2023	<u>24</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Shaw, Khahilia) (Entered: 04/07/2023)
05/11/2023	<u>25</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 05/11/2023)
06/08/2023	<u>26</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Shaw, Khahilia) (Entered: 06/08/2023)

07/06/2023	<u>27</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Shaw, Khahilia) (Entered: 07/06/2023)
08/02/2023	<u>28</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 08/02/2023)
09/05/2023	<u>29</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Shaw, Khahilia) (Entered: 09/05/2023)
10/04/2023	<u>30</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 10/04/2023)
11/09/2023	<u>31</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 11/09/2023)
12/07/2023	<u>32</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 12/07/2023)
01/11/2024	<u>33</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 01/11/2024)
02/15/2024	<u>34</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 02/15/2024)
03/07/2024	<u>35</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Shaw, Khahilia) (Entered: 03/07/2024)
04/04/2024	<u>36</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Shaw, Khahilia) (Entered: 04/04/2024)
05/09/2024	<u>37</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Shaw, Khahilia) (Entered: 05/09/2024)
06/05/2024	<u>38</u>	NOTICE of Appearance by David Kronig on behalf of AMERICAN OVERSIGHT (Kronig, David) (Main Document 38 replaced on 6/6/2024) (zjm). NOTICE of Appearance by David Kronig on behalf of AMERICAN OVERSIGHT (Kronig, David) (Main Document 38 replaced on 6/6/2024) (zjm). (Entered: 06/05/2024)
06/13/2024	<u>39</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Kronig, David) (Entered: 06/13/2024)
07/18/2024	<u>40</u>	Joint STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY, U.S. ARMY, U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF THE INTERIOR. (Newman, Lisa) (Entered: 07/18/2024)
08/13/2024	<u>41</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Kronig, David) (Entered: 08/13/2024)
09/24/2024	<u>42</u>	Joint STATUS REPORT by U.S. ARMY. (Newman, Lisa) (Entered: 09/24/2024)