

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:23-cv-00816-DLF**

WEBB v. META PLATFORMS, INC. et al  
Assigned to: Judge Dabney L. Friedrich  
Case in other court: USCA, 23-05176  
USCA, 24-05036  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/24/2023  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: Federal Question

**Petitioner**

**MIKE WEBB**

*Major  
doing business as  
MAJOR MIKE WEBB FOR VA  
also known as  
FRIENDS FOR MIKE WEBB  
doing business as  
MAJOR MIKE WEBB FOR CONGRESS  
doing business as  
ANGELS OF LIBERTY*

represented by **MIKE WEBB**  
3445 Washington Blvd.  
#306  
Arlington, VA 22201  
856-220-1354  
PRO SE

V.

**Respondent**

**META PLATFORMS, INC.**  
*TERMINATED: 02/28/2024  
formerly known as  
FACEBOOK, INC.  
TERMINATED: 02/28/2024*

represented by **Diana Szego Fassbender**  
ORRICK, HERRINGTON &  
SUTCLIFFE LLP  
2100 Pennsylvania Ave, NW  
Washington, DC 20037  
202-339-8400  
Fax: 202-339-8500  
Email: [dszego@orrick.com](mailto:dszego@orrick.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Respondent**

**OFFICE OF MANAGEMENT &  
BUDGET**  
*(OMB)*

represented by **John Bardo**  
DOJ-USAO  
601 D Street NW  
Washington, DC 20530  
(202) 870-6770  
Email: [john.bardo@usdoj.gov](mailto:john.bardo@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**John Moustakas**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 252-2518  
Email: [john.moustakas@usdoj.gov](mailto:john.moustakas@usdoj.gov)  
*TERMINATED: 01/03/2024*  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Respondent**

represented by

**EXECUTIVE OFFICE OF THE  
PRESIDENT**  
EOP

**John Bardo**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Respondent**

**DABNEY L. FRIEDRICH**

**Respondent**

**U.S. DISTRICT COURT FOR THE  
DISTRICT OF COLUMBIA**

Date Filed	#	Docket Text
03/24/2023		<b>Initiating Pleading &amp; IFP Application Received on 3/24/2023.</b> A copy of the docket sheet has been mailed to the address of record for the pro se party. (zljn) (Entered: 03/27/2023)
03/24/2023	<u>1</u>	COMPLAINT against META PLATFORMS, INC., OFFICE OF MANAGEMENT & BUDGET filed by MIKE WEBB. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet)(zljn) (Entered: 03/27/2023)
03/24/2023	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by MIKE WEBB. (zljn) (Entered: 03/27/2023)
04/12/2023	<u>3</u>	ORDER denying <u>2</u> Motion for Leave to Proceed in forma pauperis. See Order for more details. Signed by Judge Tanya S. Chutkan on 04/12/2023. (zljn) (Entered: 04/13/2023)
04/21/2023		Filing fee received: \$ 402, receipt number: 204507. (zljn) (Entered: 04/24/2023)
04/24/2023		Case Assigned to Judge Dabney L. Friedrich. (zljn) (Entered: 04/24/2023)
04/24/2023	<u>4</u>	STANDARD ORDER for civil cases. See text for details. Signed by Judge Dabney L. Friedrich on April 24, 2023. (lcldf2) (Entered: 04/24/2023)
05/11/2023	<u>5</u>	MOTION for Summary Judgment, MOTION for Temporary Restraining Order by MIKE WEBB. (zed) (Entered: 05/16/2023)
05/11/2023	<u>6</u>	AFFIDAVIT re <u>5</u> MOTION for Summary Judgment MOTION for Temporary Restraining Order by MIKE WEBB. (zed) (Entered: 05/16/2023)
05/23/2023		MINUTE ORDER denying the plaintiff's <u>5</u> Motion for Summary Judgment and Temporary Restraining Order. First, as to the motion for summary judgment, the plaintiff has not provided any record evidence supporting the motion. See Fed. R. Civ. P. 56(c)(1). Second, as to the motion for a temporary restraining order—for which the requested relief is unclear—the plaintiff has submitted no proof of service, instead stating that he "will mail" the motion "by hand delivery and/or email" to certain individuals listed as counsel for defendants. Mot. at 12. Nor has the plaintiff attempted to show that ex parte relief is warranted. See Fed. R. Civ. P. 65(b)(1). The plaintiff notes that the Court has not issued any summons in this case. See Mot. at 4. There is no record on the docket, however, that the plaintiff, who is not proceeding in forma pauperis, see Dkt. 3, has "present[ed]" a summons to the clerk for signature and seal." Fed. R. Civ. P. 4(b). The plaintiff may request such summons, serve the defendants, and file any motions as appropriate. So Ordered by Judge Dabney L. Friedrich on May 23, 2023. (lcldf2) (Entered: 05/23/2023)
05/31/2023		SUMMONS (4) Issued as to META PLATFORMS, INC., OFFICE OF MANAGEMENT & BUDGET, U.S. Attorney and U.S. Attorney General (zsl) (Entered: 05/31/2023)
06/01/2023	<u>7</u>	MOTION Issue of Summons and Service of Process by MIKE WEBB. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Summons)(zed) (Entered: 06/09/2023)
06/21/2023		MINUTE ORDER denying the plaintiff's <u>7</u> Motion for Issuance of Summons and Service of Process. The motion for issuance of summons is denied as moot because the

		Clerk of Court issued summons as to both defendants on May 31, 2023. The motion to appoint a United States marshal to effect service will also be denied. The Court previously denied the plaintiff's motion to proceed in forma pauperis on April 12, 2023. Dkt. 3. Accordingly, because the plaintiff is not "authorized to proceed in forma pauperis," there is no requirement that the Court "must" order that a marshal effect service. Fed. R. Civ. P. 4(c)(3). Still, the Court "may," for other types of plaintiffs, "[a]t the plaintiff's request,... order that service be made by a United States marshal." Id. The plaintiff here, however, has provided no reason for the Court to do so. Most importantly, "Plaintiff does not explain why an alternative means [of service]... would not be effective." White v. Hill, No. 21-cv-2348, 2021 WL 8055764, at *4 (D.D.C. Dec. 29, 2021); see also Bogoz v. Blackwell, No. 19-cv-2790, 2021 WL 1518337, at *4 (D.D.C. Apr. 16, 2021). The plaintiff has not explained why he cannot comply with the requirements of Rule 4(i) of the Federal Rules of Civil Procedure as to the government defendant or why he cannot, for example, hire a process server as to the nongovernment defendant. Nor has the plaintiff pointed to any effort made thus far to cause the defendants to be served. Accordingly, the plaintiff's motion is DENIED. The plaintiff is directed to, on or before July 21, 2023, either cause process to be served upon the defendants and proof of service to be filed with the Court or establish good cause for the failure to do so. So Ordered by Judge Dabney L. Friedrich on June 21, 2023. (lcldf2) (Entered: 06/21/2023)
06/21/2023		Set/Reset Deadlines: Time to effectuate service upon party due by 7/21/2023. (zjch, ) (Entered: 06/21/2023)
07/05/2023	<u>8</u>	MOTION for Summary Judgment, MOTION for Temporary Restraining Order by MIKE WEBB. (zed) (Entered: 07/10/2023)
07/05/2023	<u>9</u>	MOTION for Reconsideration re Order on Motion for Miscellaneous Relief by MIKE WEBB. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Process Server)(zed) (Entered: 07/10/2023)
07/05/2023	<u>10</u>	AFFIDAVIT of Service by MIKE WEBB. (zed) (Entered: 07/10/2023)
07/07/2023	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. META PLATFORMS, INC. served on 7/7/2023. (mg) (Entered: 07/25/2023)
07/10/2023	<u>11</u>	MOTION for Summary Judgment, MOTION for Temporary Restraining Order by MIKE WEBB. (Attachment: # <u>1</u> Exhibit)(zed) (Entered: 07/11/2023)
07/27/2023	<u>13</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/3/2023. (Answer due for ALL FEDERAL DEFENDANTS by 8/2/2023). RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 7/3/2023. RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. OFFICE OF MANAGEMENT & BUDGET served on 7/3/2023. (mg) (Entered: 07/28/2023)
07/28/2023	<u>14</u>	ORDER denying the plaintiff's <u>8</u> motion for summary judgment and for a temporary restraining order; <u>9</u> motion for reconsideration; and <u>11</u> motion for summary judgment and for a temporary restraining order. The plaintiff's complaint is DISMISSED without prejudice. Plaintiff may file an amended complaint on or before August 28, 2023. See text for details. Signed by Judge Dabney L. Friedrich on July 28, 2023. (lcldf1) (Entered: 07/28/2023)
08/02/2023	<u>15</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>14</u> Order on Motion for Summary Judgment,, Order on Motion for TRO, Order on Motion for Reconsideration by MIKE WEBB. Fee Status: No Fee Paid. Parties have been notified. (zed) (Entered: 08/04/2023)
08/04/2023	<u>17</u>	AMENDED COMPLAINT against META PLATFORMS, INC., OFFICE OF MANAGEMENT & BUDGET filed by MIKE WEBB. Modified filing date on 8/8/2023 (mg). (Entered: 08/07/2023)
08/07/2023	<u>16</u>	Transmission of the Notice of Appeal, Order Appealed (Memorandum Opinion), and Docket Sheet to US Court of Appeals. The fee remains to be paid and another notice will be transmitted when the fee has been paid in the District Court or motion to proceed In Forma Pauperis has been decided re <u>15</u> Notice of Interlocutory Appeal.

		(zed) (Main Document 16 replaced on 8/16/2023) (znmw). (Entered: 08/07/2023)
08/09/2023		USCA Case Number 23-5176 for <u>15</u> Notice of Interlocutory Appeal filed by MIKE WEBB. (znmw) (Entered: 08/09/2023)
08/10/2023	<u>18</u>	AFFIDAVIT of Service re <u>17</u> Amended Complaint by MIKE WEBB. (mg) (Entered: 08/11/2023)
08/17/2023	<u>19</u>	ORDER of USCA as to <u>15</u> Notice of Interlocutory Appeal filed by MIKE WEBB ; holding case in abeyance re motion to appeal in forma pauperis. USCA Case Number 23-5176. (znmw) (Entered: 08/17/2023)
08/17/2023	<u>20</u>	MOTION for Leave to Appeal in forma pauperis by MIKE WEBB. (znmw) (Entered: 08/17/2023)
08/18/2023		MINUTE ORDER. Upon consideration of the plaintiff's <u>20</u> Motion for Leave to Appeal In Forma Pauperis, the motion is DENIED. As Judge Chutkan has previously <u>3</u> explained, the plaintiff "reports a monthly income that adequately covers his basic monthly expenses," "lists no extraordinary debt or financial obligations," and "has no dependents." The Court also notes that the plaintiff reports a total monthly income of approximately \$7,400 and that he spends approximately \$1,800 per month on "litigation." For these reasons, the Court finds that the plaintiff can "pay or give security for [his] costs... and still be able to provide [for] the necessities of life," <i>McKelton v. Bruno</i> , 428 F.2d 718, 720 (D.C. Cir. 1970), meaning that he is not "unable to pay" a filing fee for his appeal, <i>see</i> 28 U.S.C. 1915(a)(1). So Ordered by Judge Dabney L. Friedrich on August 18, 2023. (lcldf1) (Entered: 08/18/2023)
08/18/2023	<u>21</u>	AFFIDAVIT of Service re <u>17</u> Amended Complaint by MIKE WEBB. (mg) (Entered: 08/24/2023)
09/06/2023	<u>22</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re 8/18/2023 Minute Order denying on Motion for Leave to Appeal in forma pauperis; USCA Case Number 23-05176. (znmw) (Entered: 09/06/2023)
09/07/2023	<u>23</u>	MOTION for Summary Judgment, MOTION for Default Judgment as to by MIKE WEBB. "Motion for leave to file is GRANTED." signed by Judge Dabney L. Friedrich on 09/07/2023 (zjm) (Entered: 09/08/2023)
09/11/2023	<u>24</u>	MOTION for Extension of Time to <i>Respond to Amended Complaint and Abeyance of Petitioner's Motion for Summary Judgment and/or Default Judgment</i> by META PLATFORMS, INC.. (Attachments: # <u>1</u> Proposed Order)(Fassbender, Diana) (Entered: 09/11/2023)
09/14/2023		MINUTE ORDER. Upon consideration of defendant Meta's <u>24</u> Motion for Extension of Time, the motion is GRANTED. In view of all the circumstances, the Court finds that Meta's failure to timely answer the Complaint amounts to "excusable neglect." <i>See Cohen v. Bd. of Trustees of the Univ. of Dist. of Columbia</i> , 819 F.3d 476, 479 (D.C. Cir. 2016). Meta shall file its answer and/or a motion to dismiss on or before October 2, 2023. So Ordered by Judge Dabney L. Friedrich on September 14, 2023. (lcldf1) (Entered: 09/14/2023)
09/14/2023		Set/Reset Deadlines: Answer due by 10/2/2023, Dispositive Motions due by 10/2/2023. (zjch, ) (Entered: 09/14/2023)
09/19/2023		USCA Appeal Fees received \$ 505 receipt number 205560 re <u>15</u> Notice of Interlocutory Appeal filed by MIKE WEBB (zjm) (Entered: 09/25/2023)
09/20/2023	<u>25</u>	AFFIDAVIT for Judicial Notice by MIKE WEBB. "Leave to file GRANTED" signed by Judge Dabney L. Friedrich on 09/20/2023 (zjm) (Entered: 09/21/2023)
09/25/2023	<u>26</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re USCA Appeal Fees received 09/19/2023 ;USCA Case Number 23-5176. (zjm) (Entered: 09/25/2023)
09/26/2023	<u>27</u>	Memorandum in opposition to re <u>24</u> Motion for Extension of Time to filed by MIKE WEBB. (Attachments: # <u>1</u> Exhibit)(mg) (Entered: 09/27/2023)
09/26/2023	<u>28</u>	NOTICE of Waiver of Oral argument by MIKE WEBB re <u>23</u> Motion for Summary Judgment, Motion for Default Judgment "Leave to file GRANTED" signed by Judge Dabney L. Friedrich on 09/26/2023 (zjm) (Entered: 09/28/2023)

09/26/2023	<u>29</u>	MEMORANDUM in Support to re <u>23</u> MOTION for Summary Judgment MOTION for Default Judgment as to filed by MIKE WEBB. "Leave to file GRANTED" signed by Judge Dabney L. Friedrich on 09/26/2023 (zjm) (Entered: 09/28/2023)
10/02/2023	<u>30</u>	MOTION to Dismiss by META PLATFORMS, INC.. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Jennifer Pricer, # <u>3</u> Text of Proposed Order)(Fassbender, Diana) (Entered: 10/02/2023)
10/02/2023	<u>31</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by META PLATFORMS, INC. (Fassbender, Diana) (Entered: 10/02/2023)
10/10/2023	<u>32</u>	MOTION for Extension of Time to File <i>Response to Amended Complaint</i> by OFFICE OF MANAGEMENT & BUDGET. (Moustakas, John) (Entered: 10/10/2023)
10/17/2023		<p>MINUTE ORDER. Upon consideration of the defendant Office of Management and Budget's <u>32</u> Motion for Extension of Time, the motion is GRANTED for good cause shown. The Office shall respond to the plaintiff's Amended Complaint on or before November 9, 2023. The plaintiff shall file any opposition on or before November 30, 2023.</p> <p>In addition, pursuant to <i>Fox v. Strickland</i>, 837 F.2d 507 (D.C. Cir. 1988), the plaintiff is advised that failure to respond to the parties' Motions to Dismiss by November 30, 2023 may result in the Court (1) treating the motions as conceded, (2) ruling on the defendants' motion based on the defendants' arguments alone; or (3) dismissing the plaintiff's claims for failure to prosecute.</p> <p>The Clerk of Court is directed to mail a copy of this Minute Order to the plaintiff's address of record. So Ordered by Judge Dabney L. Friedrich on October 17, 2023. (lcdf1) (Entered: 10/17/2023)</p>
10/17/2023		Set/Reset Deadlines: Responses due by 11/30/2023 (zjch, ) (Entered: 10/18/2023)
10/22/2023	<u>33</u>	Memorandum in opposition to re <u>30</u> Motion to Dismiss filed by MIKE WEBB. (Attachments: # <u>1</u> Certification)(mg) Modified docket text on 10/25/2023 (mg). (Entered: 10/25/2023)
10/23/2023	<u>34</u>	MEMORANDUM of Law re <u>33</u> Memorandum in Opposition filed by MIKE WEBB. (mg) Modified docket text on 10/26/2023 (mg). (Entered: 10/26/2023)
10/30/2023	<u>35</u>	REPLY to opposition to motion re <u>30</u> MOTION to Dismiss <i>Petitioner's Amended Complaint</i> filed by META PLATFORMS, INC.. (Fassbender, Diana) (Entered: 10/30/2023)
11/04/2023	<u>36</u>	MOTION for Summary Judgment, MOTION for Default Judgment as to by MIKE WEBB. (Attachments: # <u>1</u> Exhibit)(mg) (Entered: 11/07/2023)
11/06/2023	<u>37</u>	MOTION for Injunction by MIKE WEBB. (Attachments: # <u>1</u> Exhibit)(mg) (Additional attachment(s) added on 11/7/2023: # <u>2</u> Waiver of Oral Argument) (mg). (Entered: 11/07/2023)
11/07/2023		<p>MINUTE ORDER. The plaintiff has filed an <u>37</u> Extraordinary Motion for Injunctive Relief, which asks the Court to enjoin "the filing of a motion to dismiss by Respondent Office of Management &amp; Budget (OMB)." "[A] plaintiff seeking a permanent injunction" must show: (1) "that [he] has suffered an irreparable injury"; (2) "that remedies available at law, such as monetary damages, are inadequate"; (3) "that, considering the balance of hardships between the plaintiff and defendant, a remedy in equity is warranted"; and (4) "that the public interest would not be disserved by a permanent injunction." <i>eBay, Inc. v. MercExchange, LLC</i>, 547 U.S. 388 (2006). The plaintiff has not shown that allowing OMB to file a motion to dismiss would cause him an irreparable injury; that alternative legal remedies would be inadequate; that the balance of hardships tilts in his favor; or that his proposed injunction would serve the public interest. Accordingly, the plaintiff's motion is DENIED.</p> <p>To the extent that the plaintiff seeks sanctions, Federal Rule of Civil Procedure 11(c)(2) provides that a motion for sanctions "must be served under Rule 5, but... must not be filed or presented to the court if the challenged paper, claim, defense, contention, or denial is withdrawn or appropriately corrected within 21 days after service or within another time the court sets." Because Webb has not shown (among</p>

		<p>other things) that he has given OMB 21 days to respond to his motion, the motion so construed is DENIED as premature.</p> <p>So Ordered by Judge Dabney L. Friedrich on November 7, 2023. (lcldf1) (Entered: 11/07/2023)</p>
11/09/2023	<u>38</u>	<p>MOTION for Extension of Time to File <i>Response to Amended Complaint and Motion for Sanctions</i> by OFFICE OF MANAGEMENT &amp; BUDGET. (Moustakas, John) (Entered: 11/09/2023)</p>
11/09/2023		<p>MINUTE ORDER. Upon consideration of defendant Office of Management and Budget's <u>38</u> Motion for Extension of Time, the motion is GRANTED. The defendant shall respond to the plaintiff's complaint on or before December 11, 2023. So Ordered by Judge Dabney L. Friedrich on November 9, 2023. (lcldf1) (Entered: 11/09/2023)</p>
11/16/2023	<u>39</u>	<p>MOTION to Hold in Abeyance re <u>36</u> MOTION for Summary Judgment MOTION for Default Judgment as to by META PLATFORMS, INC.. (Fassbender, Diana) (Entered: 11/16/2023)</p>
11/17/2023		<p>MINUTE ORDER. The plaintiff's <u>23</u> <u>36</u> Motions for Summary Judgment and/or for Default Judgment are DENIED without prejudice as premature. Consistent with the Federal Rules of Civil Procedure, the Court will address questions relating to summary judgment after resolving the defendants' motions to dismiss and after the conclusion of the discovery process. In view of the above, Meta's <u>39</u> Motion to Hold Summary Judgment Briefing in Abeyance is DENIED as moot. So Ordered by Judge Dabney L. Friedrich on November 17, 2023. (lcldf1) (Entered: 11/17/2023)</p>
12/08/2023	<u>40</u>	<p>NOTICE of Decision by MIKE WEBB (Attachments: # <u>1</u> Exhibit)(mg) (Entered: 12/11/2023)</p>
12/11/2023	<u>41</u>	<p>MOTION for Extension of Time to File <i>Respond to Amended Complaint</i> by OFFICE OF MANAGEMENT &amp; BUDGET. (Moustakas, John) (Entered: 12/11/2023)</p>
12/13/2023		<p>MINUTE ORDER. Upon consideration of defendant OMB's <u>41</u> Motion for Extension of Time, the motion is GRANTED. OMB shall respond to the plaintiff's complaint on or before December 18, 2023. So Ordered by Judge Dabney L. Friedrich on December 13, 2023. (lcldf1) (Entered: 12/13/2023)</p>
12/18/2023	<u>42</u>	<p>NOTICE of Decision by MIKE WEBB (Attachments: # <u>1</u> Certification, # <u>2</u> Exhibit)(mg) (Entered: 12/18/2023)</p>
12/18/2023	<u>43</u>	<p>MOTION to Dismiss <i>Amended Complaint</i> by OFFICE OF MANAGEMENT &amp; BUDGET. (Moustakas, John) (Entered: 12/18/2023)</p>
12/22/2023	<u>44</u>	<p>NOTICE of Decision by MIKE WEBB (Attachments: # <u>1</u> Exhibit)(mg) (Entered: 12/27/2023)</p>
01/03/2024	<u>45</u>	<p>NOTICE OF SUBSTITUTION OF COUNSEL by John Bardo on behalf of OFFICE OF MANAGEMENT &amp; BUDGET Substituting for attorney John Moustakas (Bardo, John) (Entered: 01/03/2024)</p>
01/15/2024		<p>MINUTE ORDER. The plaintiff's opposition to defendant Office of Management and Budget's <u>43</u> Motion to Dismiss was due on January 2, 2024. As of today, January 15, 2024, the plaintiff has not filed any opposition. As the Court has previously explained, Min. Order of Oct. 17, 2023, failure to respond to a party's Motion to Dismiss may result in the Court (1) treating the motion as conceded, (2) ruling on the defendant's motion based on the defendant's arguments alone, or (3) dismissing the plaintiff's claims for failure to prosecute. <i>See Fox v. Strickland</i>, 837 F.2d 507 (D.C. Cir. 1988). Accordingly, it is ORDERED that the plaintiff shall file a response to the Office of Management and Budget's Motion to Dismiss, or seek an extension of time to do so, on or before January 28, 2024, or the Court will dismiss this case for failure to prosecute. So Ordered by Judge Dabney L. Friedrich on January 15, 2024. (lcldf1) (Entered: 01/15/2024)</p>
02/01/2024	<u>46</u>	<p>ORDER granting defendants <u>30</u> Meta Platforms, Inc. and <u>43</u> Office of Management and Budget's Motions to Dismiss. The plaintiff may file a second amended complaint, effect service on defendant Office of Management and Budget, and file proof of service with the Court within thirty (30) days of this order; otherwise, the Court will</p>

		dismiss this case. See text for details. Signed by Judge Dabney L. Friedrich on February 1, 2024. (lcldf1) (Entered: 02/01/2024)
02/01/2024	<u>47</u>	MOTION for Summary Judgment by MIKE WEBB. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(mg) (Entered: 02/02/2024)
02/02/2024	<u>48</u>	SUPPLEMENTAL MEMORANDUM to re <u>47</u> MOTION for Summary Judgment filed by MIKE WEBB. (mg) (Entered: 02/06/2024)
02/02/2024	<u>49</u>	MOTION to Compel by MIKE WEBB. (mg) (Entered: 02/06/2024)
02/03/2024		MINUTE ORDER. Consistent with the Court's <u>46</u> Order granting the defendants' motions to dismiss, the plaintiff's <u>47</u> Motion for Summary Judgment is DENIED. To proceed further in this action, the plaintiff must file an amended complaint and serve the Office of Management and Budget in accordance with the Court's prior order. So Ordered by Judge Dabney L. Friedrich on February 3, 2024. (lcldf1) (Entered: 02/03/2024)
02/06/2024		MINUTE ORDER. Upon consideration of the plaintiff's <u>49</u> Motion to Compel, the motion is DENIED. The plaintiff does not appear to have met and conferred with the defendant in accordance with this district's Local Rules, LCvR 7(m), and did not raise his motion to compel in conformity with the process outlined in Section 4 of this Court's <u>4</u> Standard Order. In addition, a motion to compel is not appropriate until the commencement of discovery, and discovery will not commence prior to the resolution of any motions to dismiss. So Ordered by Judge Dabney L. Friedrich on February 6, 2024. (lcldf1) (Entered: 02/06/2024)
02/11/2024	<u>50</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>46</u> Order on Motion to Dismiss by MIKE WEBB. Fee Status: No Fee Paid. Parties have been notified. (mg) (Entered: 02/13/2024)
02/13/2024	<u>51</u>	Transmission of the Notice of Appeal, Order Appealed (Memorandum Opinion), and Docket Sheet to US Court of Appeals. The fee remains to be paid and another notice will be transmitted when the fee has been paid in the District Court or motion to proceed In Forma Pauperis has been decided re <u>50</u> Notice of Interlocutory Appeal. (mg) (Entered: 02/13/2024)
02/21/2024		USCA Case Number 24-5036 for <u>50</u> Notice of Interlocutory Appeal filed by MIKE WEBB. (znmw) (Entered: 02/21/2024)
02/21/2024	<u>60</u>	ORDER of USCA as to <u>50</u> Notice of Interlocutory Appeal filed by MIKE WEBB ; referring motion for leave to appeal in forma pauperis to the district court. USCA Case Number 24-5036. (znmw) (Entered: 03/27/2024)
02/21/2024	<u>61</u>	MOTION for Leave to Appeal in forma pauperis by MIKE WEBB. (znmw) (Entered: 03/27/2024)
02/28/2024	<u>52</u>	AMENDED COMPLAINT against OFFICE OF MANAGEMENT & BUDGET, EXECUTIVE OFFICE OF THE PRESIDENT, DABNEY L. FRIEDRICH, U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA filed by MIKE WEBB. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit)(mg) (Entered: 03/01/2024)
02/29/2024		SUMMONS (4) Issued as to DABNEY L. FRIEDRICH, U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, U.S. Attorney and U.S. Attorney General (mg) (Entered: 03/01/2024)
03/02/2024	<u>57</u>	AFFIDAVIT of Service by MIKE WEBB. (mg) (Entered: 03/07/2024)
03/04/2024	<u>53</u>	MOTION for Summary Judgment on FOIA Claim, MOTION to Compel In Camera Inspection by MIKE WEBB. (mg) (Entered: 03/04/2024)
03/04/2024	<u>54</u>	NOTICE of Waiver of Oral Argument by MIKE WEBB re <u>53</u> Motion for Summary Judgment, Motion to Compel (mg) (Entered: 03/04/2024)
03/04/2024	<u>55</u>	ERRATA by MIKE WEBB re <u>52</u> Amended Complaint. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit)(mg) (Entered: 03/05/2024)
03/04/2024	<u>58</u>	SUPPLEMENTAL MEMORANDUM to re <u>53</u> MOTION for Summary Judgment MOTION to Compel filed by MIKE WEBB. (mg) (Entered: 03/07/2024)

03/07/2024	<u>56</u>	ORDER regarding the plaintiff's <u>52</u> Second Amended Complaint. See text for details. Signed by Judge Dabney L. Friedrich on March 7, 2024. (lcldf1) (Entered: 03/07/2024)
03/07/2024		MINUTE ORDER. Upon consideration of the plaintiff's <u>53</u> Motions, the motions are DENIED without prejudice. The Court will not grant summary judgment and/or provide for the commencement of discovery until after the defendant has answered the plaintiff's complaint and/or filed a motion to dismiss. So Ordered by Judge Dabney L. Friedrich on March 7, 2024. (lcldf1) (Entered: 03/07/2024)
03/16/2024	<u>59</u>	MOTION for Extension of Time to <i>Respond to Plaintiff's Second Amended Complaint</i> by OFFICE OF MANAGEMENT & BUDGET. (Attachments: # <u>1</u> Text of Proposed Order)(Bardo, John) (Entered: 03/16/2024)
03/18/2024		MINUTE ORDER. Upon consideration of the defendants' <u>59</u> Motion, the motion is GRANTED. The defendants shall respond to the plaintiff's Second Amended Complaint on or before May 17, 2024. So Ordered by Judge Dabney L. Friedrich on March 18, 2024. (lcldf1) (Entered: 03/18/2024)
03/19/2024	<u>64</u>	AFFIDAVIT of Service by MIKE WEBB. (mg) (Entered: 04/03/2024)
03/27/2024	<u>62</u>	Mail Returned as Undeliverable re Staff Notes, Order on Motion to Compel,, <u>46</u> Order on Motion to Dismiss,,, Set/Reset Deadlines, Sent to Mike Webb; Resent to New Address: n/a. (Attachments: # <u>1</u> Return Mail, # <u>2</u> Return Mail)(zjch, ) (Entered: 03/27/2024)
03/27/2024		MINUTE ORDER. Upon consideration of the plaintiff's <u>61</u> Motion for Leave to Appeal In Forma Pauperis, the motion is DENIED. As Judge Chutkan has previously <u>3</u> explained, and as the Court affirmed in its August 18, 2023 minute order, the plaintiff "reports a monthly income that adequately covers his basic monthly expenses," "lists no extraordinary debt or financial obligations," and "has no dependents." The Court also notes that the plaintiff reports a total monthly income of approximately \$7,400 and that he spends approximately \$1,800 per month on "litigation." For these reasons, the Court finds that the plaintiff can "pay or give security for [his] costs... and still be able to provide [for] the necessities of life," McKelton v. Bruno, 428 F.2d 718, 720 (D.C. Cir. 1970), meaning that he is not "unable to pay" a filing fee for his appeal, see 28 U.S.C. 1915(a)(1). So Ordered by Judge Dabney L. Friedrich on March 27, 2024. (lcldf1) (Entered: 03/27/2024)
04/03/2024	<u>63</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re 3/27/2024 MINUTE Order on Motion for Leave to Appeal in forma pauperis; USCA Case Number 23-05176, 24-05036. (mg) (Entered: 04/03/2024)
04/08/2024	<u>65</u>	MANDATE of USCA as to <u>15</u> Notice of Interlocutory Appeal filed by MIKE WEBB ; USCA Case Number 23-5176. (Attachments: # <u>1</u> USCA Order 2/21/2024)(znmw) (Entered: 04/08/2024)
05/10/2024	<u>67</u>	MOTION for Summary Judgment, MOTION for Default Judgment as to OFFICE OF MANAGEMENT & BUDGET, EXECUTIVE OFFICE OF THE PRESIDENT by MIKE WEBB. (Attachments: # <u>1</u> Certification, # <u>2</u> Waiver of Oral Argument, # <u>3</u> Exhibit)(mg) (Entered: 05/13/2024)
05/11/2024	<u>66</u>	MOTION for Extension of Time to <i>Respond to Amended Complaint</i> by OFFICE OF MANAGEMENT & BUDGET. (Attachments: # <u>1</u> Text of Proposed Order)(Bardo, John) (Entered: 05/11/2024)
05/13/2024	<u>68</u>	MOTION for Summary Judgment, MOTION for Default Judgment as to DABNEY L. FRIEDRICH, U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA by MIKE WEBB. (Attachments: # <u>1</u> Certification, # <u>2</u> Waiver of Oral Argument, # <u>3</u> Exhibit)(mg) (Entered: 05/13/2024)
05/14/2024		MINUTE ORDER. Upon consideration of the defendant's <u>66</u> Motion for Extension of Time, the motion is GRANTED. The defendant shall respond to the plaintiff's Second Amended Complaint on or before June 17, 2024. In view of the protracted history of this matter, the Court will not be inclined to grant further extensions of time. The plaintiff's <u>67</u> <u>68</u> Motions for Summary Judgment and/or Default Judgment are DENIED. As the Court has previously explained, the Court will not grant summary judgment and/or provide for the commencement of discovery until after the defendant



		has answered the plaintiff's complaint and/or filed a motion to dismiss. Further, any motion for default judgment is premature because the Clerk has not yet entered default against any defendant. Fed. R. Civ. P. 55(a). Finally, the plaintiff's claims against the Court are DISMISSED with prejudice. As the Court has <u>56</u> previously explained, those claims are frivolous: to the extent that the plaintiff seeks damages, his claims are barred by the Court's absolute judicial immunity, and to the extent that he seeks injunctive relief, he has not shown that he lacks an adequate remedy at law or faces a serious risk of irreparable harm. See <i>Stump v. Sparkman</i> , 435 U.S. 349, 356–57 (1978); <i>Pulliam v. Allen</i> , 466 U.S. 522, 537–38 (1984). So Ordered by Judge Dabney L. Friedrich on May 14, 2024. (lcldf1) (Entered: 05/14/2024)
05/14/2024		Set/Reset Deadlines: Answer due by 7/17/2024, (zjch, ) (Entered: 05/14/2024)
05/15/2024	<u>69</u>	NOTICE of Change of Address by MIKE WEBB (mg) (Entered: 05/16/2024)
05/21/2024	<u>70</u>	SUPPLEMENTAL MEMORANDUM to re <u>68</u> MOTION for Summary Judgment MOTION for Default Judgment as to, <u>67</u> MOTION for Summary Judgment MOTION for Default Judgment filed by MIKE WEBB. (Attachments: # <u>1</u> Exhibit)(mg) (Entered: 05/22/2024)
05/31/2024		USCA Appeal Fees received \$ 605 receipt number 207460 re <u>50</u> Notice of Interlocutory Appeal filed by MIKE WEBB (mg) (Entered: 06/03/2024)
06/03/2024	<u>71</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re USCA Appeal Fees; USCA Case Number 24–5036. (mg) (Entered: 06/03/2024)
06/17/2024	<u>72</u>	Partial MOTION to Dismiss by EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT & BUDGET. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Bardo, John) (Entered: 06/17/2024)
07/03/2024	<u>74</u>	Memorandum in opposition to re <u>72</u> Motion to Dismiss filed by MIKE WEBB. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit)(mg) (Entered: 07/10/2024)
07/05/2024		MINUTE ORDER. The plaintiff's opposition to defendant Office of Management and Budget's <u>72</u> Motion to Dismiss was due on <u>July 1, 2024</u> . As of today, <u>July 5, 2024</u> , the plaintiff has not filed any opposition. As the Court has repeatedly explained, see Min. Order of Oct. 17, 2023; Min. Order of Jan. 15, 2024, failure to respond to a party's Motion to Dismiss may result in the Court (1) treating the motion as conceded, (2) ruling on the defendant's motion based on the defendant's arguments alone, or (3) dismissing the plaintiff's claims for failure to prosecute. See <i>Fox v. Strickland</i> , 837 F.2d 507 (D.C. Cir. 1988). Accordingly, it is ORDERED that the plaintiff shall file a response to the Office of Management and Budget's Partial Motion to Dismiss, or seek an extension of time to do so, on or before <u>July 12, 2024</u> , or the Court will dismiss this case for failure to prosecute. So Ordered by Judge Dabney L. Friedrich on July 5, 2024. (lcldf1) (Entered: 07/05/2024)
07/05/2024	<u>73</u>	MOTION for Sanctions by MIKE WEBB. (Attachments: # <u>1</u> Exhibit)(mg) (Entered: 07/08/2024)
07/08/2024		MINUTE ORDER. The plaintiff's opposition to defendant Office of Management and Budget's <u>72</u> Motion to Dismiss was due on July 1, 2024. As of today, July 5, 2024, the plaintiff has not filed any opposition. As the Court has repeatedly explained, see Min. Order of Oct. 17, 2023; Min. Order of Jan. 15, 2024, failure to respond to a party's Motion to Dismiss may result in the Court (1) treating the motion as conceded, (2) ruling on the defendant's motion based on the defendant's arguments alone, or (3) dismissing the plaintiff's claims for failure to prosecute. See <i>Fox v. Strickland</i> , 837 F.2d 507 (D.C. Cir. 1988). Accordingly, it is ORDERED that the plaintiff shall file a response to the Office of Management and Budget's Motion to Dismiss, or seek an extension of time to do so, on or before July 12, 2024, or the Court will dismiss this case for failure to prosecute. So Ordered by Judge Dabney L. Friedrich on July 5, 2024. (lcldf1) (Entered: 07/08/2024)
07/11/2024	<u>75</u>	SUPPLEMENTAL MEMORANDUM to re <u>73</u> MOTION for Sanctions filed by MIKE WEBB. (Attachments: # <u>1</u> Exhibit)(mg) (Entered: 07/12/2024)
07/15/2024	<u>78</u>	MOTION for Summary Judgment, MOTION to Compel by MIKE WEBB. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit)(mg) (Entered: 07/17/2024)

07/17/2024	<u>76</u>	NOTICE by EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT & BUDGET re <u>73</u> Motion for Sanctions (Bardo, John) (Entered: 07/17/2024)
07/17/2024		MINUTE ORDER. The plaintiff has filed a <u>73</u> Motion for Sanctions. Federal Rule of Civil Procedure 11(c)(2) provides that a motion for sanctions "must be served under Rule 5, but... must not be filed or presented to the court if the challenged paper, claim, defense, contention, or denial is withdrawn or appropriately corrected within 21 days after service or within another time the court sets." Because Webb has not shown (among other things) that he has given OMB 21 days to respond to his motion, the motion so construed is DENIED as premature. So Ordered by Judge Dabney L. Friedrich on July 17, 2024. (lcldf2) (Entered: 07/17/2024)
07/17/2024	<u>77</u>	MOTION for Extension of Time to <i>File a Reply</i> by EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT & BUDGET. (Attachments: # <u>1</u> Text of Proposed Order)(Bardo, John) (Entered: 07/17/2024)
07/18/2024		MINUTE ORDER granting defendant's <u>77</u> Motion for Extension of Time to File a Reply. Accordingly, the defendant shall file their reply on or before August 16, 2024. So ordered by Judge Dabney L. Friedrich on July 18, 2024. (lcldf2) (Entered: 07/18/2024)
07/18/2024		Set/Reset Deadlines/Hearings: Replies due by 8/16/2024. (zjch, ) (Entered: 07/20/2024)
07/20/2024	<u>79</u>	REPLY re <u>76</u> Notice filed by MIKE WEBB. (Attachments: # <u>1</u> Exhibit)(mg) (Entered: 07/22/2024)
07/30/2024	<u>80</u>	MOTION for Extension of Time to <i>Oppose Plaintiff's Motion for Summary Judgment</i> by OFFICE OF MANAGEMENT & BUDGET. (Attachments: # <u>1</u> Text of Proposed Order)(Bardo, John) (Entered: 07/30/2024)
08/02/2024	<u>81</u>	Memorandum in opposition to re <u>80</u> Motion for Extension of Time to filed by MIKE WEBB. (mg) (Entered: 08/05/2024)
08/05/2024		MINUTE ORDER. Upon consideration of the defendant's <u>80</u> Motion for Extension of Time to Oppose Plaintiffs Motion for Summary Judgment and the plaintiff's <u>81</u> Memorandum in Opposition, the Court finds good cause to extend the time for the defendant to respond to the plaintiff's <u>78</u> Motion for Summary Judgment. Granting the defendant's <u>80</u> motion will advance judicial efficiency by allowing the Court to proceed to the merits of the case. See Fed. R Civ. P. 6(b). Accordingly, the defendant's <u>80</u> Motion for Extension is GRANTED. The defendant shall file its opposition and cross motion for summary judgment on or before August 30, 2024. So Ordered by Judge Dabney L. Friedrich on August 5, 2024. (lcldf1) (Entered: 08/05/2024)
08/16/2024	<u>82</u>	REPLY to opposition to motion re <u>72</u> Partial MOTION to Dismiss filed by EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT & BUDGET. (Bardo, John) (Entered: 08/16/2024)
08/23/2024	<u>83</u>	MOTION to Hold in Abeyance by MIKE WEBB. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit)(mg) (Entered: 08/27/2024)
08/23/2024	84	NOTICE of Sanctions by MIKE WEBB. (See docket entry <u>83</u> to view document). (mg) (Entered: 08/27/2024)
08/24/2024	<u>85</u>	NOTICE of Exhibits by MIKE WEBB re <u>83</u> Motion to Hold in Abeyance (mg) (Entered: 08/27/2024)
08/30/2024	<u>86</u>	Cross MOTION for Summary Judgment <i>and Opposition to Plaintiff's Motion for Summary Judgment (ECF No. 78)</i> by EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT & BUDGET. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order, # <u>4</u> Exhibit Declaration and Exhibit, # <u>5</u> Certificate of Service)(Bardo, John) (Entered: 08/30/2024)
08/30/2024	87	Memorandum in opposition to re <u>78</u> Motion for Summary Judgment, filed by EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT & BUDGET. (See docket entry <u>86</u> to view document). (mg) (Entered: 09/03/2024)

09/04/2024	<u>88</u>	RESPONSE re <u>86</u> Cross MOTION for Summary Judgment filed by MIKE WEBB. (Attachments: # <u>1</u> Exhibit)(mg) (Entered: 09/05/2024)
09/05/2024	<u>89</u>	Memorandum in opposition to re <u>83</u> Motion to Hold in Abeyance filed by EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT & BUDGET. (Attachments: # <u>1</u> Text of Proposed Order)(Bardo, John) (Entered: 09/05/2024)
09/09/2024	<u>91</u>	REPLY to opposition to motion re <u>78</u> MOTION for Summary Judgment MOTION to Compel filed by MIKE WEBB. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit)(mg) (Entered: 09/13/2024)
09/10/2024	<u>90</u>	MOTION for Extension of Time to File Response/Reply by OFFICE OF MANAGEMENT & BUDGET. (Attachments: # <u>1</u> Text of Proposed Order)(Bardo, John) (Entered: 09/10/2024)
09/11/2024		MINUTE ORDER. Upon consideration of the defendant's <u>90</u> Motion for Extension of Time to File a Reply, the Court finds good cause to extend the time for the defendant to respond to the plaintiff's <u>88</u> Opposition. See Fed. R Civ. P. 6(b). Granting the defendant's <u>90</u> motion also will advance judicial efficiency. Accordingly, the defendant's <u>90</u> Motion for Extension is GRANTED. The defendant shall file its reply on or before September 26, 2024. So Ordered by Judge Dabney L. Friedrich on September 11, 2024. (lcdf2) (Entered: 09/11/2024)
09/11/2024	<u>92</u>	MOTION to Compel by MIKE WEBB. (Attachments: # <u>1</u> Exhibit)(mg) (Entered: 09/13/2024)
09/17/2024	<u>93</u>	SUPPLEMENTAL MEMORANDUM to re <u>94</u> MOTION for Reconsideration re Minute Order granting Extension of Time (mg) Modified link on 9/19/2024 (znmw). (Entered: 09/18/2024)
09/17/2024	<u>94</u>	MOTION for Reconsideration re 9/11/2024 MINUTE Order, by MIKE WEBB. (Attachments: # <u>1</u> Exhibit)(mg) Modified date on 9/18/2024 (mg). (Entered: 09/18/2024)
09/17/2024	<u>95</u>	MOTION for Sanctions by MIKE WEBB. (Attachments: # <u>1</u> Exhibit)(mg) Modified date on 9/18/2024 (mg). (Entered: 09/18/2024)
09/17/2024	<u>96</u>	NOTICE of Service by MIKE WEBB re <u>95</u> Motion for Sanctions (Attachments: # <u>1</u> Exhibit)(mg) (Entered: 09/18/2024)
09/20/2024	<u>97</u>	Mail Returned as Undeliverable re Orders dated 5/14/24, 3/7/24, 3/18/24, 3/27/24 Order <u>56</u> Sent to Mike Webb; Resent to New Address: 3445 Washington Blvd. #306 Arlington, VA 22201. (Attachments: # <u>1</u> returned mail, # <u>2</u> returned mail, # <u>3</u> returned mail)(zjch, ) Modified on 9/20/2024 (zjch, ). (Entered: 09/20/2024)
09/25/2024	<u>98</u>	LEAVE TO FILE DENIED– Plaintiff's Letter. This document is unavailable as the Court denied its filing. Pro Se party has been notified by first class mail. "LEAVE TO FILE DENIED. To the extent the Plaintiff has a Motion to file, he shall file it on the docket." Signed by Judge Dabney L. Friedrich on 9/25/2024. (mg) (Entered: 09/25/2024)