

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:23-cv-02232-LLA**

PARADISE OCEAN CLUB LLC. v. NATIONAL PARK
SERVICE et al
Assigned to: Judge Loren L. AliKhan
Cause: 05:552 Freedom of Information Act

Date Filed: 08/02/2023
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: Federal Question

Plaintiff**PARADISE OCEAN CLUB LLC.**

represented by **Kevin R. Garden**
THE GARDEN LAW FIRM PC
66 Canal Center Plaza
Suite 505
Alexandria, VA 22314
703-535-5565
Email: kevin@gardenlawfirm.com
ATTORNEY TO BE NOTICED

V.

Defendant

NATIONAL PARK SERVICE
*an agency of the United States
Department of the Interior*

represented by **Fithawi Berhane**
U.S. ATTORNEY'S OFFICE
601 D Street NW
Suite 7-210
Washington, DC 20001
(202) 252-6653
Email: fithawi.berhane@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**UNITED STATES DEPARTMENT OF
THE INTERIOR**

represented by **Fithawi Berhane**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/02/2023	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 402 receipt number ADCDC-10248457) filed by PARADISE OCEAN CLUB LLC. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons US Attorney General, # <u>3</u> Summons US Attorney Dist. of Columbia, # <u>4</u> Summons National Park Service, # <u>5</u> Summons US Dept. of the Interior)(Garden, Kevin) (Entered: 08/02/2023)
08/02/2023	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by PARADISE OCEAN CLUB LLC (Garden, Kevin) (Entered: 08/02/2023)
08/03/2023		NOTICE OF ERROR re <u>1</u> Complaint; emailed to kevin@gardenlawfirm.com, cc'd 0 associated attorneys -- The PDF file you docketed contained errors: 1. Missing/incorrect summonses. Please submit using the event Request for Summonses to issue., 2. FOIA Summons' needed. (cb,) (Entered: 08/03/2023)
08/03/2023		Case Assigned to Judge Randolph D. Moss. (zcb) (Entered: 08/03/2023)
08/03/2023		NOTICE OF ERROR re <u>1</u> Complaint; emailed to kevin@gardenlawfirm.com, cc'd 0 associated attorneys -- The PDF file you docketed contained errors: 1. Noncompliance with LCvR 5.1(c). Please file an errata correcting the initiating pleading to include the name & full residence address of each party using the event

		Errata. (cb,) (Entered: 08/03/2023)
08/04/2023	<u>3</u>	STANDING ORDER: The parties are hereby ORDERED to comply with the directives set forth in the attached Standing Order. See document for details. Signed by Judge Randolph D. Moss on 8/4/2023. (lcrdm1) (Entered: 08/04/2023)
08/04/2023	<u>4</u>	ERRATA (to correct Complaint caption to include name and addresses of each party) by PARADISE OCEAN CLUB LLC.. (Garden, Kevin) (Entered: 08/04/2023)
08/04/2023	<u>5</u>	REQUEST FOR SUMMONS TO ISSUE filed by PARADISE OCEAN CLUB LLC.. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons)(Garden, Kevin) (Entered: 08/04/2023)
08/08/2023	<u>6</u>	SUMMONS (4) Issued Electronically as to NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zjm) (Entered: 08/08/2023)
08/30/2023	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 08/23/2023. (Garden, Kevin) (Entered: 08/30/2023)
08/30/2023	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF THE INTERIOR served on 8/22/2023 (Garden, Kevin) (Entered: 08/30/2023)
08/30/2023	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/16/2023. Answer due for ALL FEDERAL DEFENDANTS by 9/15/2023. (Garden, Kevin) (Entered: 08/30/2023)
08/30/2023	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. NATIONAL PARK SERVICE served on 8/22/2023 (Garden, Kevin) (Entered: 08/30/2023)
09/15/2023	<u>11</u>	NOTICE of Appearance by Fithawi Berhane on behalf of NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR (Berhane, Fithawi) (Entered: 09/15/2023)
09/15/2023	<u>12</u>	Consent MOTION for Extension of Time to Respond to Complaint by NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR. (Attachments: # <u>1</u> Text of Proposed Order)(Berhane, Fithawi) (Entered: 09/15/2023)
09/15/2023		MINUTE ORDER: Upon consideration of Defendants' consent motion for extension of time to respond, Dkt. <u>12</u> , it is hereby ORDERED that the motion is GRANTED. Defendants shall respond to the complaint on or before October 16, 2023. Signed by Judge Randolph D. Moss on 9/15/2023. (lcrdm1) (Entered: 09/15/2023)
10/03/2023	<u>13</u>	ANSWER to Complaint by NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR.(Berhane, Fithawi) (Entered: 10/03/2023)
10/04/2023		MINUTE ORDER: It is ORDERED that, on or before October 20, 2023, the parties shall confer and file a joint status report addressing (1) any documents still to be produced pursuant to FOIA; (2) an anticipated schedule for processing and producing any such documents; and (3) any substantive areas of disagreement between the parties. It is FURTHER ORDERED that the parties shall appear by video for an Initial Scheduling Conference on October 27, 2023, at 2:00 p.m., before Judge Randolph D. Moss. Signed by Judge Randolph D. Moss on 10/4/2023. (lcrdm1) (Entered: 10/04/2023)
10/04/2023		NOTICE of Hearing: Initial Scheduling Conference RESET for 10/27/2023 at 01:30 PM before Judge Randolph D. Moss via video. (zglw) (Entered: 10/04/2023)
10/20/2023	<u>14</u>	Joint STATUS REPORT by NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR. (Berhane, Fithawi) (Entered: 10/20/2023)
10/23/2023		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>14</u> , the parties are hereby ORDERED to file a further joint status report on or before October 27, 2023. Signed by Judge Randolph D. Moss on 10/23/2023. (lcrdm1) (Entered: 10/23/2023)

10/27/2023		Minute Entry for proceedings held before Judge Randolph D. Moss: Scheduling Conference held on 10/27/2023. Joint Status Report due on or before 1/2/2024 and every 60 days after on or before the 1st business day of that month. (Court Reporter Tammi Sefranek) (zglw) (Entered: 10/27/2023)
12/15/2023		Case directly reassigned to Judge Loren L. AliKhan. Judge Randolph D. Moss is no longer assigned to the case. (rj) (Entered: 12/15/2023)
12/28/2023	<u>15</u>	Joint STATUS REPORT by NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR. (Berhane, Fithawi) (Entered: 12/28/2023)
01/02/2024		MINUTE ORDER: Upon consideration of Defendants' Joint Status Report <u>15</u> , it is hereby ORDERED that Plaintiff shall file a status report on or before February 16, 2024, stating whether Plaintiff will voluntarily dismiss this case, or whether it intends to challenge any aspect of Defendant's search and/or withholdings. Signed by Judge Loren L. AliKhan on 1/2/2024. (lc1la1) (Entered: 01/02/2024)
01/03/2024		Set/Reset Deadlines/Hearings: Plaintiff's Status Report due by 2/16/2024. (zcdw) (Entered: 01/03/2024)
02/16/2024	<u>16</u>	STATUS REPORT by PARADISE OCEAN CLUB LLC.. (Garden, Kevin) (Entered: 02/16/2024)
02/20/2024		MINUTE ORDER: Upon consideration of Plaintiff's Status Report <u>16</u> , Plaintiff is hereby ORDERED to file a status report or proposed briefing schedule on or before March 1, 2024. Signed by Judge Loren L. AliKhan on 2/20/2024. (lc1la1) (Entered: 02/20/2024)
02/20/2024		Set/Reset Deadlines/Hearings: Plaintiff's Status Report or Proposed Briefing Schedule due by 3/1/2024. (zcdw) (Entered: 02/20/2024)
03/01/2024	<u>17</u>	PROPOSED BRIEFING SCHEDULE re Order <i>dated February 20, 2024</i> by PARADISE OCEAN CLUB LLC.. (Garden, Kevin) (Entered: 03/01/2024)
03/04/2024	<u>18</u>	STATUS REPORT by NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR. (Berhane, Fithawi) (Entered: 03/04/2024)
03/04/2024		MINUTE ORDER: Upon consideration of Plaintiff's Proposed Briefing Schedule <u>17</u> and Defendants' Status Report <u>18</u> , it is hereby ORDERED that the parties shall file a joint status report on or before April 3, 2024, updating the court on Defendants' efforts to resolve Plaintiff's objections to its withholdings and, if necessary, proposing a briefing schedule. Signed by Judge Loren L. AliKhan on 3/4/2024. (lc1la1) (Entered: 03/04/2024)
03/06/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 4/3/2024. (zcdw) (Entered: 03/06/2024)
04/03/2024	<u>19</u>	Joint STATUS REPORT by NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR. (Berhane, Fithawi) (Entered: 04/03/2024)
04/04/2024		MINUTE ORDER: Upon consideration of the parties' Joint Status Report <u>19</u> , it is hereby ORDERED that the parties shall file a joint status report on or before June 14, 2024, updating the court on Defendants' efforts to provide Plaintiff with responsive records and, if necessary, proposing a briefing schedule. Signed by Judge Loren L. AliKhan on 4/4/2024. (lc1la1) (Entered: 04/04/2024)
04/04/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 6/14/2024. (zcdw) (Entered: 04/04/2024)
06/14/2024	<u>20</u>	Joint STATUS REPORT by PARADISE OCEAN CLUB LLC.. (Garden, Kevin) (Entered: 06/14/2024)
06/14/2024		MINUTE ORDER: Upon consideration of the parties' Joint Status Report <u>20</u> , it is hereby ORDERED that the parties shall file a joint status report on or before June 28, 2024, advising the court of how the parties would like to proceed. Signed by Judge Loren L. AliKhan on 6/14/2024. (lc1la1) (Entered: 06/14/2024)
06/15/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 6/28/2024. (zcdw) (Entered: 06/15/2024)

06/28/2024	<u>21</u>	Joint STATUS REPORT by NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR. (Berhane, Fithawi) (Entered: 06/28/2024)
06/29/2024		MINUTE ORDER: Upon consideration of the parties' Joint Status Report <u>21</u> , it is hereby ORDERED that the parties shall file a joint status report on or before July 30, 2024, advising the court how the parties would like to proceed. Signed by Judge Loren L. AliKhan on 6/29/2024. (lc11a1) (Entered: 06/29/2024)
06/30/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 7/30/2024. (zcdw) (Entered: 06/30/2024)
07/30/2024	<u>22</u>	Joint STATUS REPORT by NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR. (Berhane, Fithawi) (Entered: 07/30/2024)
07/31/2024		MINUTE ORDER: Upon consideration of the parties' Joint Status Report <u>22</u> , it is hereby ORDERED that the parties shall file a joint status report on or before August 6, 2024, advising the court how the parties would like to proceed. Signed by Judge Loren L. AliKhan on 7/31/2024. (lc11a1) (Entered: 07/31/2024)
07/31/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 8/6/2024. (zcdw) (Entered: 07/31/2024)
08/06/2024	<u>23</u>	Joint STATUS REPORT by PARADISE OCEAN CLUB LLC.. (Garden, Kevin) (Entered: 08/06/2024)
08/07/2024		MINUTE ORDER: Upon consideration of the parties' Joint Status Report <u>23</u> , it is hereby ORDERED that the parties shall file a joint status report on or before September 4, 2024, advising the court how the parties would like to proceed. Signed by Judge Loren L. AliKhan on 8/7/2024. (lc11a1) (Entered: 08/07/2024)
08/07/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 9/4/2024. (zcdw) (Entered: 08/07/2024)
09/04/2024	<u>24</u>	Joint STATUS REPORT by NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR. (Berhane, Fithawi) (Entered: 09/04/2024)
09/05/2024		MINUTE ORDER: Upon consideration of the parties' Joint Status Report <u>24</u> , it is hereby ORDERED that the parties shall file another joint status report on or before September 25, 2024, unless a stipulation of dismissal is filed before then. Signed by Judge Loren L. AliKhan on 09/05/2024. (lc11a1) (Entered: 09/05/2024)
09/09/2024		Set/Reset Deadlines/Hearings: Joint Status Report due by 9/25/2024. (zcdw) (Entered: 09/09/2024)
09/25/2024	<u>25</u>	Joint STATUS REPORT by NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR. (Berhane, Fithawi) (Entered: 09/25/2024)