

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:22-cv-03176-TSC**

CHELMOWSKI v. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
Assigned to: Judge Tanya S. Chutkan  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/14/2022  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****JAMES CHELMOWSKI**

represented by **JAMES CHELMOWSKI**  
705 W. Central Road  
Mt. Prospect, IL 60056  
(847) 768-0000  
Email: [jchelmowski@comcast.net](mailto:jchelmowski@comcast.net)  
PRO SE

V.

**Defendant**

**NATIONAL ARCHIVES AND  
RECORDS ADMINISTRATION**  
NARA

represented by **L'Shauntee J. Robertson**  
DOJ-USAO  
601 D Street NW  
Suite 7.731  
Washington, DC 20530  
(202) 252-1729  
Fax: (202) 252-2599  
Email: [lshauntee.robertson@usdoj.gov](mailto:lshauntee.robertson@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/14/2022	<u>1</u>	COMPLAINT against NATIONAL ARCHIVES AND RECORDS ADMINISTRATION ( Filing fee \$ 402, receipt number 203272) filed by JAMES CHELMOWSKI. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit)(zjm) (Entered: 10/20/2022)
10/14/2022		SUMMONS Not Issued as to NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (zjm) (Entered: 10/20/2022)
10/23/2022	<u>2</u>	ORDER: Advising pro se Plaintiff of his obligation to follow the FRCP, Local Rules and orders of the court, including rules regarding service of process. Failure to adhere to these rules or orders may result in sanctions, up to and including dismissal of this action. The Clerk of the Court shall mail a copy of this order to Plaintiff at her address of record (See order for further details). Signed by Judge Tanya S. Chutkan on 10/23/2022. (lcja) (Entered: 10/23/2022)
10/27/2022		SUMMONS (3) Issued as to NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, U.S. Attorney and U.S. Attorney General (zjm) (Entered: 10/27/2022)
12/12/2022	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/25/2022. ( Answer due for ALL FEDERAL DEFENDANTS by 12/25/2022.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/22/2022., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION served on 11/21/2022 (zjm) (Entered: 12/15/2022)

12/21/2022	<u>4</u>	NOTICE of Non-Service by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (Hudak, Brian) (Entered: 12/21/2022)
01/03/2023	<u>5</u>	ORDER: Plaintiff must serve a copy of the summons and complaint in a manner that complies with Rule 4(i) and Rule 4(l)(1) of the Federal Rules of Civil Procedure. No later than January 27, 2023, Plaintiff shall either file a response to Defendant's Notice of Non-Service, <i>see</i> ECF No. 4, demonstrating that service was perfected in accordance with applicable rules, or Plaintiff shall properly serve Defendant. The Clerk of the Court shall mail a copy of this order to Plaintiff at her address of record (See order for further details). Signed by Judge Tanya S. Chutkan on 1/3/2023. (lcja) (Entered: 01/03/2023)
01/03/2023		Set/Reset Deadlines: Response due by 1/27/2023. Copy of Order <u>5</u> mailed to plaintiff on 01/03/23. (tb) (Entered: 01/03/2023)
01/11/2023	<u>6</u>	RESPONSE to Defendant's Notice of Non-Service and US Attorney Confirmation of Proof of Services re <u>4</u> Notice (Other) filed by JAMES CHELMOWSKI. (zjm) (Entered: 01/13/2023)
01/11/2023	<u>7</u>	MOTION for CM/ECF Password by JAMES CHELMOWSKI. (zjm) (Entered: 01/13/2023)
01/25/2023	<u>8</u>	NOTICE of Appearance by L'Shauntee J. Robertson on behalf of All Defendants (Robertson, L'Shauntee) (Entered: 01/25/2023)
01/25/2023	<u>9</u>	MOTION for Extension of Time to File Response/Reply by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Robertson, L'Shauntee) (Entered: 01/25/2023)
01/30/2023		MINUTE ORDER: Defendant's <u>9</u> Motion for Extension of Time to File Response is hereby GRANTED. Defendant's Response to the Complaint is due March 16, 2023. The Clerk of the Court shall mail a copy of this order to pro se Plaintiff at his address of record. Signed by Judge Tanya S. Chutkan on 1/30/2023. (lcja) (Entered: 01/30/2023)
03/13/2023		MINUTE ORDER: Plaintiff's <u>7</u> Motion for CM/ECF Password is GRANTED in part. Plaintiff is advised that he is granted a CM/ECF password by leave of Court. The CM/ECF password may be used only by Plaintiff. Plaintiff shall limit his electronic filings to documents that are relevant and required by Court Order, the Federal Rules of Civil Procedure, and the Local Civil Rules of this Court, and he shall refrain from filing documents that are frivolous, vexatious, or harassing. The Clerk may direct Plaintiff to re-file any document that has been filed incorrectly or to correct any docket entry that is erroneous or inaccurate. Once Plaintiff obtains a CM/ECF password, he consents to electronic service of all documents, and he is responsible for monitoring his e-mail account, retrieving electronic filings, and ensuring the accuracy of the official docket generated by the CM/ECF software. The Clerk of the Court shall mail a copy of this order, along with the ECF password application, to Plaintiff at his address of record. Signed by Judge Tanya S. Chutkan on 3/13/2023. (lcja) (Entered: 03/13/2023)
03/16/2023	<u>10</u>	ANSWER to <u>1</u> Complaint by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.(Robertson, L'Shauntee) (Entered: 03/16/2023)
03/22/2023		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 Defendant shall file, on behalf of the parties, a joint report that addresses these issues no later than May 5, 2023. The joint status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 3/22/2023. (lcja) (Entered: 03/22/2023)
03/29/2023		Set/Reset Deadlines: Joint Report due by 5/5/2023. (tb) (Entered: 03/29/2023)

05/05/2023	<u>11</u>	STATUS REPORT by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Robertson, L'Shauntee) (Entered: 05/05/2023)
05/05/2023	<u>12</u>	MOTION for Leave to File <i>Plaintiff's Status Report</i> by JAMES CHELMOWSKI. (CHELMOWSKI, JAMES) (Entered: 05/05/2023)
05/05/2023	14	MOTION FOR RELIEF FROM THE COURTS MEET & CONFER REQUIREMENT by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (See Docket Entry <u>11</u> to view document) (zjm) (Entered: 05/08/2023)
05/08/2023	<u>13</u>	MOTION for Leave to File <i>PRO SE PLAINTIFFS MOTION FOR LEAVE TO FILE PLAINTIFFS STATUS REPORT with the Plaintiff's Proposed Status Report to be filed with Leave</i> by JAMES CHELMOWSKI. (Attachments: # <u>1</u> Proposed Status Report With Both Parties Positions, # <u>2</u> Exhibit 1 – Proposed Status Report, # <u>3</u> Exhibit 2 – Proposed Status Report, # <u>4</u> Proposed Order to Proposed Status Report, # <u>5</u> Proposed Order Motion For Leave to file)(CHELMOWSKI, JAMES) (Entered: 05/08/2023)
05/08/2023		NOTICE OF ERROR re <u>11</u> Status Report; emailed to lshauntee.robertson@usdoj.gov, cc'd 3 associated attorneys — The PDF file you docketed contained errors: 1. <b>Notice of Corrected Docket Entry:</b> Your entry has been modified as a courtesy. Please note the appropriate reminders for future filings; do not refile document, 2. DO NOT REFILE: Counsel reminded: for two-part document; second docket entry is required. (zjm, ) (Entered: 05/08/2023)
05/08/2023		MINUTE ORDER: Plaintiff's <u>12</u> Motion for Leave to File Status Report is GRANTED; Plaintiff's <u>13</u> Motion for Leave to File is DENIED as MOOT in part and DENIED in part; and Defendant's 14 Motion for Relief from the Court's Meet and Confer Requirement is GRANTED. In consideration of these motions and Defendant's Status Report, the parties are hereby ORDERED as follows: (i) Defendant SHALL file a Status Report on July 3, 2023 that addresses 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; (ii) Defendant SHALL file another status report every 60 days thereafter; (iii) the parties are RELIEVED from the "meet and confer" requirement for purposes of submitting periodic status reports; and (iv) Plaintiff SHALL file his own status reports, on the same timeline as set forth, limited to no more than five pages. Signed by Judge Tanya S. Chutkan on 5/8/2023. (lcja) (Entered: 05/08/2023)
07/03/2023	<u>15</u>	STATUS REPORT by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Robertson, L'Shauntee) (Entered: 07/03/2023)
09/27/2023	<u>16</u>	STATUS REPORT by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Robertson, L'Shauntee) (Entered: 09/27/2023)
11/27/2023	<u>17</u>	STATUS REPORT by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Robertson, L'Shauntee) (Entered: 11/27/2023)
01/26/2024	<u>18</u>	STATUS REPORT by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Robertson, L'Shauntee) (Entered: 01/26/2024)
03/26/2024	<u>19</u>	STATUS REPORT by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Robertson, L'Shauntee) (Entered: 03/26/2024)
05/27/2024	<u>20</u>	STATUS REPORT by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Robertson, L'Shauntee) (Entered: 05/27/2024)
07/26/2024	<u>21</u>	STATUS REPORT by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Robertson, L'Shauntee) (Entered: 07/26/2024)
09/26/2024	<u>22</u>	STATUS REPORT by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Robertson, L'Shauntee) (Entered: 09/26/2024)