

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:24-cv-01336-RDM**

CHELMOWSKI v. UNITED STATES ENVIRONMENT  
PROTECTION AGENCY

Assigned to: Judge Randolph D. Moss

Related Case: 1:22-cv-03177-RDM

Case in other court: Illinois Northern, 1:23-cv-14725

Cause: 05:552 Freedom of Information Act

**Plaintiff**

**JAMES CHELMOWSKI**

Date Filed: 05/08/2024

Jury Demand: None

Nature of Suit: 895 Freedom of  
Information Act

Jurisdiction: U.S. Government Defendant

represented by **JAMES CHELMOWSKI**

705 W. Central Road

Mt. Prospect, IL 60056

(847) 768-0000

Email: [jchelmowski@comcast.net](mailto:jchelmowski@comcast.net)

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V.

**Defendant**

**UNITED STATES ENVIRONMENT  
PROTECTION AGENCY**

"EPA"

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**

Date Filed	#	Docket Text
10/11/2023	<u>1</u>	RECEIVED COMPLAINT by James Chelmowski (Exhibits) (Attachments) (jg, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 10/12/2023)
10/11/2023	<u>2</u>	CIVIL Cover Sheet (jg, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 10/12/2023)
10/11/2023		CASE ASSIGNED to the Honorable Steven C. Seeger and Honorable Steven C. Seeger. Designated as Magistrate Judge the Honorable Keri L. Holleb Hotaling. FEE DUE, NO INFORMA PAUPERIS APPLICATION SUBMITTED. Case assignment: Random assignment. (Civil Category 2). (jg, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 10/12/2023)
10/11/2023	<u>3</u>	RECEIPT regarding payment of filing fee paid on 10/11/2023 in the amount of \$402.00, receipt number 4624292006. (jg, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 10/12/2023)
10/11/2023	<u>4</u>	COMPLAINT filed by James Chelmowski (Exhibits) (Attachments) (jg, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 10/12/2023)
10/11/2023	<u>5</u>	SUMMONS Issued as to United States Environment Protection Agency, The, U.S. Attorney, and U.S. Attorney General. (jg, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 10/12/2023)
10/12/2023		CLERK'S NOTICE: Pursuant to Local Rule 73.1(b), a United States Magistrate Judge of this court is available to conduct all proceedings in this civil action. If all parties consent to have the currently assigned United States Magistrate Judge conduct all proceedings in this case, including trial, the entry of final judgment, and all post-trial proceedings, all parties must sign their names on the attached <u>Consent To form. This</u>

		<u>consent form is eligible for filing only if executed by all parties. The parties can also express their consent to jurisdiction by a magistrate judge in any joint filing, including the Joint Initial Status Report or proposed Case Management Order. (jg, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 10/12/2023)</u>
10/23/2023	<u>6</u>	MINUTE entry before the Honorable Steven C. Seeger: An initial status report is due by January 5, 2024. Counsel must read the Standing Order entitled "Initial Status Conferences and Joint Initial Status Reports" on the Court's website. The parties must confer as required by Rule 26(f) about the nature, scope, and duration of discovery. The parties must submit two documents to the Court. First, the parties must file the Joint Initial Status Report under Rule 26(f) on the docket. A Word version of the Joint Initial Status Report is available on the Court's website. All parties must participate in the preparation and filing of the Joint Initial Status Report. The Court requires a joint report, so a filing by one side or the other is not sufficient. Second, the parties must email a Word version of a proposed Scheduling Order under Rule 16(b) to the Court's proposed order inbox. Lead counsel for the parties must participate in filing the initial status report. Plaintiff must serve this Order on all other parties. If the defendant has not been served with process, plaintiff's counsel must contact the Courtroom Deputy at jessica_j_ramos@ilnd.uscourts.gov to reschedule the initial status report deadline. Plaintiff should not file the Joint Initial Status Report before the defendant(s) has been served with process. The parties must discuss settlement in good faith and make a serious attempt to resolve this case amicably. All counsel of record must read and comply with this Court's Standing Orders on its webpage. Please pay special attention to the Standing Orders about Depositions and Discovery. Mailed notice. (jjr, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 10/23/2023)
11/15/2023	<u>7</u>	DESIGNATION of Kurt N. Lindland as U.S. Attorney for Defendant United States Environment Protection Agency, The (Lindland, Kurt) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 11/15/2023)
11/15/2023	<u>8</u>	MOTION by Defendant United States Environment Protection Agency, The for extension of time to file answer  (Lindland, Kurt) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 11/15/2023)
11/27/2023	<u>9</u>	MINUTE entry before the Honorable Steven C. Seeger: Defendant's motion for extension of time to answer or otherwise plead (Dckt. No. <u>8</u> ) is granted. Defendant shall respond by January 15, 2024. Mailed notice. (jjr, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 11/27/2023)
12/28/2023	<u>10</u>	<u>ANNUAL REMINDER: Pursuant to Local Rule 3.2 (Notification of Affiliates), any nongovernmental party, other than an individual or sole proprietorship, must file a statement identifying all its affiliates known to the party after diligent review or, if the party has identified no affiliates, then a statement reflecting that fact must be filed. An affiliate is defined as follows: any entity or individual owning, directly or indirectly (through ownership of one or more other entities), 5% or more of a party. The statement is to be electronically filed as a PDF in conjunction with entering the affiliates in CM/ECF as prompted. As a reminder to counsel, parties must supplement their statements of affiliates within thirty (30) days of any change in the information previously reported. This minute order is being issued to all counsel of record to remind counsel of their obligation to provide updated information as to additional affiliates if such updating is necessary. If counsel has any questions regarding this process, this LINK will provide additional information. Signed by the Executive Committee on 12/28/2023; Mailed notice. (tg, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 12/29/2023)</u>
01/16/2024	<u>11</u>	MOTION by Defendant United States Environment Protection Agency, The to dismiss <i>Motion for Partial Dismissal &amp; to Transfer Venue</i>  (Lindland, Kurt) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 01/16/2024)
01/16/2024	<u>12</u>	Memorandum in Support of Motion by United States Environment Protection Agency, The (Lindland, Kurt) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 01/16/2024)

01/23/2024	<u>13</u>	MINUTE entry before the Honorable Steven C. Seeger: The Court reviewed the EPA's motion for partial dismissal and motion to transfer venue. (Dckt. No. <u>11</u> ) Plaintiff Chelmowski apparently has filed multiple FOIA and Privacy Act cases in the District of DC. Plaintiff must show cause why the case should not be transferred to DC. The response is due by February 12, 2024. Mailed notice. (jjr, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 01/23/2024)
01/24/2024	<u>14</u>	CERTIFICATE of Service by Kurt N. Lindland on behalf of United States Environment Protection Agency, The regarding MOTION by Defendant United States Environment Protection Agency, The to dismiss <i>Motion for Partial Dismissal &amp; to Transfer Venue</i>  <u>11</u> , other <u>12</u> (Lindland, Kurt) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 01/24/2024)
01/25/2024	<u>15</u>	DECLARATION of James Chelmowski in support of motion for entry of default. (Attachments: # <u>1</u> Proposed Order)(daj, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 01/26/2024)
02/14/2024	<u>16</u>	CERTIFICATE of Service by Kurt N. Lindland on behalf of United States Environment Protection Agency, The (Lindland, Kurt) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 02/14/2024)
02/15/2024	<u>17</u>	MOTION by Plaintiff James Chelmowski for extension of time.  (jb, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 02/15/2024)
02/20/2024	<u>18</u>	MINUTE entry before the Honorable Steven C. Seeger: Plaintiff's motion for an extension of time (Dckt. No. <u>17</u> ) is hereby granted. The Court grants Plaintiff leave to file his response by February 26, 2024. The reply is due two weeks later. In the motion, Plaintiff complained that the government's counsel has not been serving him with copies of the filings. But the government did file a certificate of service on January 24, 2024 (Dckt. No. <u>14</u> ), which is eight days after the filing of the government's motion on January 16, 2024. Going forward, the government must serve Defendant on the same day as any court filing. Mailed notice (jjr, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 02/20/2024)
02/26/2024	<u>19</u>	CONSENT MOTION by Plaintiff James Chelmowski to extend time to respond to defendant's motion for partial dismissal and to transfer venue (Exhibits) (lm, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 02/26/2024)
03/01/2024	<u>20</u>	MOTION by Plaintiff James Chelmowski to extend time to respond to Defendant's motion for partial dismissal and to transfer venue; Proposed Order  (jg, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 03/04/2024)
03/05/2024	<u>21</u>	PLAINTIFF'S OPPOSITION Defendant's Motion <u>11</u> for Partial Dismissal and to Transfer Venue (Oral Hearing Requested) (Received via pro se email on 03/05/2024).  (smb, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 03/05/2024)
03/06/2024	<u>22</u>	MINUTE entry before the Honorable Steven C. Seeger: Plaintiff's two motions for an extension of time (Dckt. Nos. <u>19</u> , <u>20</u> ) are hereby granted. The Court extends the deadline to March 5, 2024. Plaintiff later filed the response. (Dckt. No. <u>21</u> ) The reply is due by March 22, 2024. Mailed notice. (jjr, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 03/06/2024)
03/21/2024	<u>23</u>	REPLY by Defendant United States Environment Protection Agency, The <i>Reply in Support of Defendant's Motion for Partial Dismissal and to Transfer Venue</i> (Lindland, Kurt) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 03/21/2024)
04/23/2024	<u>24</u>	ORDER: For those reasons, this Court grants in part and denies in part the EPA's motion for partial dismissal and to transfer venue. The Clerk of Court is directed to transfer this case to the United States District Court for the District of Columbia forthwith and to close this docket. Civil case terminated. Signed by the Honorable Steven C. Seeger on 4/23/2024. Mailed notice. (jjr, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 04/23/2024)

05/07/2024	<u>25</u>	TRANSFERRED to the United States District Court for the District of Columbia the electronic record.(gcy, ) [Transferred from Illinois Northern on 5/8/2024.] (Entered: 05/07/2024)
05/08/2024	<u>26</u>	Case transferred in from District of Illinois Northern; Case Number 1:23-cv-14725. Original file ,transfer order and docket sheet received. (Entered: 05/08/2024)
05/28/2024	<u>27</u>	MOTION for Extension of Time to <i>Respond to the Complaint</i> by UNITED STATES ENVIRONMENT PROTECTION AGENCY. (Attachments: # <u>1</u> Text of Proposed Order)(Bardo, John) (Entered: 05/28/2024)
05/28/2024	<u>28</u>	CERTIFICATE OF SERVICE by UNITED STATES ENVIRONMENT PROTECTION AGENCY re <u>27</u> MOTION for Extension of Time to <i>Respond to the Complaint</i> . (Bardo, John) (Entered: 05/28/2024)
06/06/2024	<u>29</u>	GENERAL ORDER FOR CIVIL CASES BEFORE THE HONORABLE REGGIE B. WALTON. Signed by Judge Reggie B. Walton on June 6, 2024. (lcrbw2) (Entered: 06/06/2024)
06/06/2024		MINUTE ORDER. Upon consideration of the <u>27</u> Defendan[']t's Motion to Extend Time to Respond to the Complaint, it is hereby ORDERED that the <u>27</u> Defendan[']t's Motion to Extend Time to Respond to the Complaint is GRANTED. It is further ORDERED that, on or before June 28, 2024, the defendant shall file its answer or otherwise respond to the plaintiff's Complaint. It is further ORDERED that the Clerk of the Court shall forthwith mail a copy of this Minute Order to the plaintiff's address on record. Signed by Judge Reggie B. Walton on June 6, 2024. (lcrbw2) (Entered: 06/06/2024)
06/07/2024	<u>30</u>	ORDER. In accordance with the attached Order, it is hereby ORDERED that, on or before June 24, 2024, the parties shall submit a notice to the Court indicating their position regarding whether this case should be designated as related to Chelmowski v. United States Environmental Protection Agency, Civil Action No. 22-3177 (RDM), pursuant to Local Civil Rule 40.5. It is further ORDERED that the Clerk of the Court shall forthwith mail a copy of this Order to the plaintiff's address on record. Signed by Judge Reggie B. Walton on June 7, 2024. (lcrbw2) (Entered: 06/07/2024)
06/24/2024	<u>31</u>	NOTICE OF RELATED CASE by UNITED STATES ENVIRONMENT PROTECTION AGENCY. Case related to Case No. 22-3177. (Bardo, John) (Entered: 06/24/2024)
06/28/2024	<u>32</u>	ORDER. In accordance with the attached Order, it is hereby ORDERED that, on or before July 15, 2024, the parties shall each file a notice on the docket indicating their positions and explaining their rationale regarding whether this case should or should not be reassigned to Judge Moss as related to Chelmowski v. United States Environmental Protection Agency, Civil Action No. 22-3177 (RDM), pursuant to Local Civil Rule 40.5. It is further ORDERED that the Clerk of the Court shall forthwith mail a copy of this Order to the plaintiff's address on record. Signed by Judge Reggie B. Walton on June 28, 2024. (lcrbw2) (Entered: 06/28/2024)
06/28/2024	<u>33</u>	ANSWER to <u>4</u> Complaint by UNITED STATES ENVIRONMENT PROTECTION AGENCY. (Attachments: # <u>1</u> Exhibit)(zdp) (Entered: 07/01/2024)
07/15/2024	<u>34</u>	RESPONSE TO ORDER OF THE COURT <i>Notice In Response to the Court's Order (ECF No. 32)</i> by UNITED STATES ENVIRONMENT PROTECTION AGENCY re <u>32</u> Order (Bardo, John) Modified event title and link on 7/16/2024 (znmw). (Entered: 07/15/2024)
07/19/2024	<u>35</u>	MOTION for CM/ECF Password by JAMES CHELMOWSKI. (zdp) (Entered: 07/19/2024)
07/22/2024		MINUTE ORDER. Upon consideration of the plaintiff's <u>35</u> Motion for CM/ECF Password, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the Clerk of the Court shall forthwith ISSUE a CM/ECF User Name and Password to the plaintiff. It is further ORDERED that the Clerk of the Court shall forthwith mail a copy of this Minute Order to the plaintiff's address on record. Signed by Judge Reggie B. Walton on July 22, 2024. (lcrbw2) (Entered: 07/22/2024)

07/25/2024	<u>36</u>	Mail Returned as Undeliverable; Sent to James Chelmowski; Type of Document Returned: <u>29</u> General Order and Minute Order dated 6/6/2024; Resent to New Address: 705 W. Central Road Mt. Prospect, IL 60056. (zalh) (Entered: 07/25/2024)
08/14/2024	<u>37</u>	Mail Returned as Undeliverable; Sent to James Chelmowski; Type of Document Returned: <u>32</u> Order; Resent to New Address: 705 W. Central Road Mt. Prospect, IL 60056. (zalh) (Entered: 08/14/2024)
08/19/2024	<u>38</u>	RESPONSE TO ORDER OF THE COURT <i>Agreement to Transfer Case to Honorable Judge Randolph Moss</i> by JAMES CHELMOWSKI re <u>32</u> Order (CHELMOWSKI, JAMES) Modified event title and link on 8/19/2024 (znmw). (Entered: 08/19/2024)
08/20/2024	<u>39</u>	Case directly reassigned to Judge Randolph D. Moss as there is an earlier related case. Judge Reggie B. Walton is no longer assigned to the case. (rj) (Entered: 08/20/2024)
08/20/2024		MINUTE ORDER: It is hereby ORDERED that, on or before September 18, 2024, the parties shall file a joint status report addressing the status of Defendant's response, if any, to Plaintiff's FOIA request and proposing next steps in this case, including whether consolidation with <i>Chelmowski v. EPA</i> , 22-cv-3177, is appropriate. Signed by Judge Randolph D. Moss on 8/20/2024. (lcrdm3) (Entered: 08/20/2024)
09/09/2024	<u>40</u>	Mail Returned as Undeliverable; Sent to James Chelmowski; Type of Document Returned: Minute Order dated 7/22/2024; Resent to New Address: 705 W. Central Road Mt. Prospect, IL 60056. (zalh) (Entered: 09/09/2024)
09/18/2024	<u>41</u>	Joint STATUS REPORT by UNITED STATES ENVIRONMENT PROTECTION AGENCY. (Bardo, John) (Entered: 09/18/2024)
09/23/2024		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>41</u> , it is hereby ORDERED that the parties shall submit a further joint status report on or before November 4, 2024. Signed by Judge Randolph D. Moss on 9/23/2024. (lcrdm3) (Entered: 09/23/2024)
11/04/2024	<u>42</u>	Joint STATUS REPORT by UNITED STATES ENVIRONMENT PROTECTION AGENCY. (Bardo, John) (Entered: 11/04/2024)
11/07/2024		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>42</u> it is hereby ORDERED that Defendant shall provide Plaintiff with a draft search declaration and draft Vaughn Index on or before January 17, 2025, and shall file a notice requesting a pre-motion conference on or before January 31, 2025. Signed by Judge Randolph D. Moss on 11/7/2024. (lcrdm3) (Entered: 11/07/2024)