

CLOSED

**U.S. District Court
District Of Montana (Great Falls)
CIVIL DOCKET FOR CASE #: 4:15-cv-00068-BMM**

Davis v. U.S. Department of the Air Force
Assigned to: Judge Brian Morris
Cause: 05:552 Freedom of Information Act

Date Filed: 08/14/2015
Date Terminated: 02/08/2016
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Kenneth Russell Davis, Jr.**

represented by **Alexander Blewett , III**
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V.

Defendant**U.S. Department of the Air Force**

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Date Filed	#	Docket Text
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08/14/2015	<u>1</u>	COMPLAINT FOR INJUNCTIVE RELIEF against U.S. Department of the Air Force, filed by Kenneth Russell Davis, Jr. (Filing fee \$ 400 receipt number 0977-1634750.) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Civil Cover Sheet, # <u>6</u> Blank Summons) (SLR,) (Entered: 08/14/2015)
08/14/2015	<u>2</u>	Summons Issued as to U.S. Department of the Air Force. Issued Summons mailed to Counsel Blewett. (SLR,) (Entered: 08/14/2015)
09/04/2015	<u>3</u>	SUMMONS Returned Executed by Kenneth Russell Davis, Jr. U.S. Department of the Air Force served on 8/31/2015, answer due 10/30/2015. (Blewett, Drew) (Entered: 09/04/2015)
09/28/2015	<u>4</u>	ANSWER to <u>1</u> Complaint, by U.S. Department of the Air Force. (Francis, Victoria) (Entered: 09/28/2015)
09/28/2015	<u>5</u>	PRELIMINARY PRETRIAL CONFERENCE ORDER: Preliminary Pretrial Statement due by 10/28/2015. Joint Discovery Plan due by 10/28/2015. Statement of Stipulated Facts due by 10/28/2015. Pretrial Conference set for 11/4/2015 at 01:30 PM in Great Falls, MT before Judge Brian Morris. Signed by Judge Brian Morris on 9/28/2015. (SLL,) (Entered: 09/28/2015)
10/15/2015	<u>6</u>	Text Order Re-Setting: IT IS HEREBY ORDERED that the Pretrial Conference is RESET for 11/3/2015 at 01:30 PM in Great Falls, MT before Judge Brian Morris. Signed by Judge Brian Morris on 10/15/2015. (SLL,) (Entered: 10/15/2015)
10/15/2015	<u>7</u>	Unopposed MOTION to Continue <i>Preliminary Pretrial Deadlines</i> Victoria L. Francis appearing for Defendant U.S. Department of the Air Force (Attachments: # <u>1</u> Text of Proposed Order) (Francis, Victoria) (Entered: 10/15/2015)
10/15/2015	<u>8</u>	ORDER GRANTING <u>7</u> Unopposed MOTION to Continue <i>Preliminary Pretrial Deadlines</i> filed by U.S. Department of the Air Force.The preliminary pretrial deadlines set in this Courts Order dated September 28, 2015 (Dkt. 5) are extended for a period of 30 days. The Pretrial Conference set for November 3, 2015 is VACATED. The parties shall meet and confer and consider matters related to the Freedom of Information Act scheduling as listed in Fed.R.Civ.P. 26(f), on or before November 12, 2015. On or before November 30, 2015, the parties shall jointly file with the Court a written case management plan setting the date for the filing of a Vaughn index, and proposed briefing schedule on the motions for summary judgment. Signed by Judge Brian Morris on 10/15/2015. (SLL,) (Entered: 10/15/2015)
11/10/2015		Set Deadlines: Case Management Plan due 11/30/2015. (SLR,) (Entered: 11/10/2015)
11/30/2015	<u>9</u>	JOINT CASE MANAGEMENT PLAN by U.S. Department of the Air Force. (Francis, Victoria) (Entered: 11/30/2015)
12/16/2015	<u>10</u>	Unopposed MOTION for Extension of Time to File <i>Vaughn Documents and Administrative Record</i> (See <i>Joint Case Management Plan, Doc. 9</i>) Victoria L. Francis appearing for Defendant U.S. Department of the Air Force (Attachments: # <u>1</u> Text of Proposed Order) (Francis, Victoria) (Entered: 12/16/2015)
12/17/2015	<u>11</u>	ORDER granting <u>10</u> Motion for Extension of Time to File. IT IS HEREBY ORDERED that Defendant's <u>10</u> motion for extension is GRANTED. The deadline to file the Vaughn declaration and index and administrative record set forth in the <u>9</u> Joint Case Management Plan is extended to December 30, 2015. Signed by Judge Brian Morris on 12/17/2015. (SLL,) Modified on 12/17/2015 to add language from Order. (SLR,). (Entered: 12/17/2015)
12/17/2015		Set Deadlines: Vaughn declaration and index and administrative record is due 12/30/15. (SLR,) (Entered: 12/17/2015)
12/30/2015	<u>12</u>	Unopposed MOTION for Extension of Time to File <i>Vaughn Documents and Administrative Record</i> Victoria L. Francis appearing for Defendant U.S. Department of the Air Force (Attachments: # <u>1</u> Text of Proposed Order) (Francis, Victoria) (Entered: 12/30/2015)
12/31/2015	<u>13</u>	Text ORDER granting <u>12</u> Motion for Extension of Time to File. IT IS HEREBY ORDERED that Defendants motion for extension to file Vaughn index and administrative record is GRANTED. The deadline to file the Vaughn declaration and index and administrative record is extended to January 15, 2016. Signed by Judge

		Brian Morris on 12/31/2015. (SLL,) (Entered: 12/31/2015)
01/14/2016	<u>14</u>	AFFIDAVIT/DECLARATION of <i>Brigadier General Keith M. Givens</i> by U.S. Department of the Air Force. (Attachments: # <u>1</u> Exhibit A) (Francis, Victoria) (Entered: 01/14/2016)
01/14/2016	<u>15</u>	AFFIDAVIT/DECLARATION of <i>Captain David D. Mitchell Setting Forth the FOIA Administrative Record</i> by U.S. Department of the Air Force. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E) (Francis, Victoria) (Entered: 01/14/2016)
01/14/2016	<u>16</u>	NOTICE by U.S. Department of the Air Force (<i>Notice of Filing Administrative Record and Vaughn Index</i>) (Francis, Victoria) (Entered: 01/14/2016)
01/26/2016	<u>17</u>	Unopposed MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> Victoria L. Francis appearing for Defendant U.S. Department of the Air Force (Attachments: # <u>1</u> Text of Proposed Order) (Francis, Victoria) (Entered: 01/26/2016)
01/26/2016	<u>18</u>	ORDER granting <u>17</u> Motion for Extension of Time to File. Signed by Judge Brian Morris on 1/26/2016. (SLL,) (Entered: 01/26/2016)
01/26/2016		Set Deadlines: Motion for Summary Judgment is extended to 1/29/2016 per Order <u>18</u> . (MMS,) (Entered: 01/26/2016)
01/28/2016	<u>19</u>	MOTION for Summary Judgment Victoria L. Francis appearing for Defendant U.S. Department of the Air Force (Francis, Victoria) (Entered: 01/28/2016)
01/28/2016	<u>20</u>	Brief/Memorandum in Support re <u>19</u> MOTION for Summary Judgment filed by U.S. Department of the Air Force. (Francis, Victoria) (Entered: 01/28/2016)
01/28/2016	<u>21</u>	Statement of Undisputed Fact re: <u>19</u> MOTION for Summary Judgment . (Francis, Victoria) (Entered: 01/28/2016)
02/04/2016	<u>22</u>	RESPONSE to Motion re <u>19</u> MOTION for Summary Judgment filed by Kenneth Russell Davis, Jr. (Blewett, Drew) (Entered: 02/04/2016)
02/04/2016	<u>23</u>	Statement of Disputed Facts re: <u>19</u> MOTION for Summary Judgment . (Attachments: # <u>1</u> Exhibit 1–DC Complaint, # <u>2</u> Exhibit 2–Report) (Blewett, Drew) (Entered: 02/04/2016)
02/08/2016	<u>24</u>	ORDER granting <u>19</u> Motion for Summary Judgment. Signed by Judge Brian Morris on 2/8/2016. (SLL,) (Entered: 02/08/2016)
02/08/2016	<u>25</u>	CLERK'S JUDGMENT: Defendant's Motion for Summary Judgment is GRANTED. (MMS,) (Entered: 02/08/2016)