

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-02373-ABJ**

CAUSE OF ACTION INSTITUTE v. UNITED STATES  
DEPARTMENT OF JUSTICE  
Assigned to: Judge Amy Berman Jackson  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/15/2018  
Date Terminated: 05/06/2020  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**CAUSE OF ACTION INSTITUTE**

represented by **Lee A. Steven**  
CAUSE OF ACTION INSTITUTE  
1310 N. Courthouse Road  
Suite 700  
Arlington, VA 22201-2961  
(571) 329-1716  
Email: [lee.steven@causeofaction.org](mailto:lee.steven@causeofaction.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Russel James Valvo , III**  
CAUSE OF ACTION INSTITUTE  
1310 N. Courthouse Road  
Suite 700  
Arlington, VA 22201-2961  
202-603-1386  
Email: [james.valvo@causeofaction.org](mailto:james.valvo@causeofaction.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Ryan Patrick Mulvey**  
CAUSE OF ACTION INSTITUTE  
1310 N. Courthouse Road  
Suite 700  
Arlington, VA 22201-2961  
571-444-2841  
Email: [ryan.mulvey@causeofaction.org](mailto:ryan.mulvey@causeofaction.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES DEPARTMENT  
OF JUSTICE**

represented by **Rebecca Marie Cutri-Kohart**  
U.S. DEPARTMENT OF JUSTICE  
Civil Division, Federal Programs Branch  
1100 L Street NW  
Washington, DC 20005  
(202) 514-0265  
Fax: (202) 616-8460  
Email: [rebecca.cutri-kohart@usdoj.gov](mailto:rebecca.cutri-kohart@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Damon William Taaffe**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
Washington, DC 20530

(202) 252-2544  
 Fax: (202) 252-2599  
 Email: [damon.taaffe@usdoj.gov](mailto:damon.taaffe@usdoj.gov)  
 TERMINATED: 01/30/2019

Date Filed	#	Docket Text
10/15/2018	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF JUSTICE ( Filing fee \$ 400 receipt number 0090-5738133) filed by CAUSE OF ACTION INSTITUTE. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Civil Cover Sheet, # <u>12</u> Summons AG, # <u>13</u> Summons DOJ, # <u>14</u> Summons US Atty)(Valvo, Russel) (Entered: 10/15/2018)
10/15/2018	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CAUSE OF ACTION INSTITUTE (Valvo, Russel)Modified on 10/17/2018 (zrdj). (Entered: 10/15/2018)
10/15/2018	<u>3</u>	NOTICE of Appearance by Ryan Patrick Mulvey on behalf of CAUSE OF ACTION INSTITUTE (Mulvey, Ryan) (Entered: 10/15/2018)
10/17/2018		Case Assigned to Judge Amy Berman Jackson. (zrdj) (Entered: 10/17/2018)
10/17/2018	<u>4</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zrdj) (Entered: 10/17/2018)
10/18/2018	<u>5</u>	ENTERED IN ERROR.....NOTICE of Appearance by Lee A. Steven on behalf of CAUSE OF ACTION INSTITUTE (Steven, Lee) (Main Document 5 replaced on 10/23/2018) (znmw). Modified on 10/23/2018 (znmw). (Entered: 10/18/2018)
10/18/2018	<u>6</u>	NOTICE of Appearance by Lee A. Steven on behalf of CAUSE OF ACTION INSTITUTE (Steven, Lee) (Main Document 6 replaced on 10/23/2018) (znmw). (Entered: 10/18/2018)
10/23/2018		NOTICE OF CORRECTED DOCKET ENTRY: Docket Entry <u>5</u> Notice of Appearance was entered in error and refiled by counsel as Docket Entry ] <u>6</u> Notice of Appearance. (znmw) (Entered: 10/23/2018)
10/25/2018	<u>7</u>	NOTICE of Appearance by Damon William Taaffe on behalf of UNITED STATES DEPARTMENT OF JUSTICE (Taaffe, Damon) (Entered: 10/25/2018)
10/25/2018	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/17/2018. (Steven, Lee) Modified on 10/26/2018 to correct served date (jf). (Entered: 10/25/2018)
10/25/2018	<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 10/22/2018. Answer due for ALL FEDERAL DEFENDANTS by 11/21/2018. (Steven, Lee) (Entered: 10/25/2018)
10/25/2018	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF JUSTICE served on 10/22/2018 (Steven, Lee) (Entered: 10/25/2018)
11/21/2018	<u>11</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by UNITED STATES DEPARTMENT OF JUSTICE (Taaffe, Damon) (Entered: 11/21/2018)
11/21/2018		MINUTE ORDER granting <u>11</u> Motion for Extension of Time to Answer. Defendant must file a responsive pleading by November 28, 2018. Signed by Judge Amy Berman Jackson on 11/21/2018. (lcabj2) (Entered: 11/21/2018)
11/28/2018	<u>12</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF JUSTICE.(Taaffe, Damon) (Entered: 11/28/2018)
11/29/2018	<u>13</u>	ORDER. Before the Court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federal Rules of Civil

		Procedure appear to be inapplicable. Defendant shall file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiff, on or before January 3, 2019. Signed by Judge Amy Berman Jackson on 11/29/2018. (lcabj2) (Entered: 11/29/2018)
12/18/2018	<u>14</u>	NOTICE of Appearance by Rebecca Marie Cutri-Kohart on behalf of UNITED STATES DEPARTMENT OF JUSTICE (Cutri-Kohart, Rebecca) (Entered: 12/18/2018)
12/18/2018	<u>15</u>	PROPOSED BRIEFING SCHEDULE by UNITED STATES DEPARTMENT OF JUSTICE. (Cutri-Kohart, Rebecca) (Entered: 12/18/2018)
12/19/2018		MINUTE ORDER. In light of the parties' proposed briefing schedule <u>15</u> , it is ORDERED that defendant's motion for summary judgment must be filed by February 4, 2019; plaintiff's cross-motion for summary judgment and opposition must be filed by February 25, 2019; defendant's opposition and reply must be filed by March 11, 2019; and plaintiff's reply must be filed March 18, 2019. Signed by Judge Amy Berman Jackson on 12/19/2018. (lcabj2) (Entered: 12/19/2018)
01/14/2019	<u>16</u>	Unopposed MOTION to Stay <i>all proceedings</i> by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Cutri-Kohart, Rebecca) (Entered: 01/14/2019)
01/14/2019		MINUTE ORDER granting <u>16</u> Motion to Stay. The parties must notify the Court within two business days of the resumption of government operations and propose a revised schedule for summary judgment, if necessary. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/14/2019. (lcabj2) (Entered: 01/14/2019)
01/29/2019	<u>17</u>	NOTICE of Restoration of Appropriations and Proposed Briefing Schedule by UNITED STATES DEPARTMENT OF JUSTICE (Cutri-Kohart, Rebecca) (Entered: 01/29/2019)
01/30/2019		MINUTE ORDER. In light of the parties' joint notice <u>17</u> , the Court's January 14, 2019 minute order granting a stay in this case is hereby lifted. It is ORDERED that defendant must file its motion for summary judgment by April 5, 2019. Plaintiff must file its opposition and any cross-motion for summary judgment by April 26, 2019. Defendant must file its opposition and reply by May 10, 2019, and plaintiff must file its reply by May 17, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/30/2019. (lcabj2) (Entered: 01/30/2019)
01/30/2019	<u>18</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to UNITED STATES DEPARTMENT OF JUSTICE. Attorney Damon William Taaffe terminated. (Taaffe, Damon) (Entered: 01/30/2019)
04/05/2019	<u>19</u>	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Declaration Vanessa Brinkmann)(Cutri-Kohart, Rebecca) (Entered: 04/05/2019)
04/26/2019	<u>20</u>	Memorandum in opposition to re <u>19</u> MOTION for Summary Judgment filed by CAUSE OF ACTION INSTITUTE. (Attachments: # <u>1</u> Statement of Facts Pl.'s Resp. to Def.'s SUMF, # <u>2</u> Statement of Facts Pl.'s SUMF, # <u>3</u> Declaration Valvo Decl., # <u>4</u> Text of Proposed Order)(Valvo, Russel) (Entered: 04/26/2019)
04/26/2019	<u>21</u>	Cross MOTION for Summary Judgment by CAUSE OF ACTION INSTITUTE (Attachments: # <u>1</u> Statement of Facts Pl.'s Resp. to Def.'s SUMF, # <u>2</u> Statement of Facts Pl.'s SUMF, # <u>3</u> Declaration Valvo Decl., # <u>4</u> Text of Proposed Order)(Valvo, Russel) (Entered: 04/26/2019)
05/01/2019	<u>22</u>	Consent MOTION for Extension of Time to File Response/Reply by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Cutri-Kohart, Rebecca) (Entered: 05/01/2019)
05/02/2019		MINUTE ORDER granting <u>22</u> Motion for Extension of Time. Defendant's cross-opposition and reply in support of its motion for summary judgment is due on May 29, 2019, and plaintiff's reply in support of its cross-motion for summary judgment is due on June 12, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/2/2019. (lcabj2) (Entered: 05/02/2019)

05/29/2019	<u>23</u>	RESPONSE re <u>21</u> Cross MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Statement of Facts Def.'s Resp. to Pl.'s SUMF)(Cutri-Kohart, Rebecca) (Entered: 05/29/2019)
05/29/2019	<u>24</u>	REPLY to opposition to motion re <u>19</u> MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Statement of Facts Def.'s Resp. to Pl.'s SUMF)(Cutri-Kohart, Rebecca) (Entered: 05/29/2019)
06/12/2019	<u>25</u>	REPLY to opposition to motion re <u>21</u> Cross MOTION for Summary Judgment filed by CAUSE OF ACTION INSTITUTE. (Valvo, Russel) (Entered: 06/12/2019)
10/31/2019	<u>26</u>	NOTICE of Change of Address by Lee A. Steven (Steven, Lee) (Entered: 10/31/2019)
04/06/2020	<u>27</u>	ORDER. Pursuant to Federal Rules of Civil Procedure 56 and 58, and for the reasons stated in the accompanying Memorandum Opinion, it is hereby ORDERED that defendant's motion for summary judgment <u>19</u> is GRANTED IN PART AND DENIED IN PART, and plaintiff's cross-motion for summary judgment <u>21</u> is GRANTED IN PART AND DENIED IN PART. It is FURTHER ORDERED that the parties shall file a joint status report by May 4, 2020 to update the Court on whether further proceedings are necessary in this matter. See Order for details. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/6/2020. (lcabj2) (Entered: 04/06/2020)
04/06/2020	<u>28</u>	MEMORANDUM OPINION. Signed by Judge Amy Berman Jackson on 4/6/2020. (lcabj2) (Entered: 04/06/2020)
05/04/2020	<u>29</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Declaration of Vanessa R. Brinkmann)(Cutri-Kohart, Rebecca) (Entered: 05/04/2020)
05/06/2020		MINUTE ORDER. In light of the representations in the joint status report <u>29</u> , in which the parties agree that no further proceedings are necessary in this case, the Court hereby dismisses the action. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/6/2020. (lcabj2) (Entered: 05/06/2020)