

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:19-cv-01317-APM**

CENTER FOR BIOLOGICAL DIVERSITY v. U.S.  
ENVIRONMENTAL PROTECTION AGENCY  
Assigned to: Judge Amit P. Mehta  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/07/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**CENTER FOR BIOLOGICAL  
DIVERSITY**

represented by **Jonathan Carter Evans**  
CENTER FOR BIOLOGICAL  
DIVERSITY  
1212 Broadway  
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Oakland, CA 94612  
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**ATTORNEY TO BE NOTICED**

**Hannah Mary Margaret Connor**  
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DIVERSITY  
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V.

**Defendant**

**U.S. ENVIRONMENTAL  
PROTECTION AGENCY**

represented by **John Cuong Truong**  
U.S. ATTORNEY'S OFFICE FOR THE  
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**ATTORNEY TO BE NOTICED**

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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/07/2019	<u>1</u>	COMPLAINT against U.S. ENVIRONMENTAL PROTECTION AGENCY ( Filing fee \$ 400 receipt number 0090-6106656) filed by CENTER FOR BIOLOGICAL DIVERSITY. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons United States Attorney, # <u>3</u> Summons Attorney General, # <u>4</u> Summons Environmental Protection Agency)(Connor, Hannah) (Entered: 05/07/2019)

05/07/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CENTER FOR BIOLOGICAL DIVERSITY (Connor, Hannah) (Entered: 05/07/2019)
05/07/2019	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Jonathan Carter Evans, :Firm– Center for Biological Diversity, :Address– 1212 Broadway, Suite 800, Oakland, CA 94612. Phone No. – 510–844–7118. Fax No. – n/a Filing fee \$ 100, receipt number 0090–6106741. Fee Status: Fee Paid. by CENTER FOR BIOLOGICAL DIVERSITY (Attachments: # <u>1</u> Declaration of Jonathan Evans, # <u>2</u> Text of Proposed Order)(Connor, Hannah) (Entered: 05/07/2019)
05/08/2019		Case Assigned to Judge Amit P. Mehta. (zef, ) (Entered: 05/08/2019)
05/08/2019	<u>4</u>	SUMMONS (3) Issued Electronically as to U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef, ) (Entered: 05/08/2019)
05/09/2019		MINUTE ORDER granting <u>3</u> Plaintiff's Motion for Admission of Attorney Pro Hac Vice. Attorney Jonathan Carter Evans is hereby admitted pro hac vice to appear in this matter. Signed by Judge Amit P. Mehta on 05/09/2019. (lcapm1) (Entered: 05/09/2019)
05/10/2019	<u>5</u>	NOTICE of Appearance by Jonathan Evans on behalf of CENTER FOR BIOLOGICAL DIVERSITY (Evans, Jonathan) (Entered: 05/10/2019)
05/24/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/17/2019. Answer due for ALL FEDERAL DEFENDANTS by 6/16/2019. (Attachments: # <u>1</u> Exhibit Certified Mail Return Receipt)(Connor, Hannah) (Entered: 05/24/2019)
05/24/2019	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. ENVIRONMENTAL PROTECTION AGENCY served on 5/16/2019 (Attachments: # <u>1</u> Exhibit Certified Mail Return Receipt)(Connor, Hannah) (Entered: 05/24/2019)
05/24/2019	<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 5/17/2019. (Attachments: # <u>1</u> Exhibit Certified Mail Return Receipt)(Connor, Hannah) (Entered: 05/24/2019)
06/11/2019	<u>9</u>	Consent MOTION for Extension of Time to <i>Respond to Complaint</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY (Truong, John) (Entered: 06/11/2019)
06/12/2019		MINUTE ORDER granting <u>9</u> Defendant's Consent Motion for an Extension of Time. Defendant's response to Plaintiff's Complaint shall be due on or before July 9, 2019. Signed by Judge Amit P. Mehta on 06/12/2019. (lcapm1) (Entered: 06/12/2019)
06/12/2019		Set/Reset Deadlines: Defendant's Responsive Pleading due by 7/9/2019. (zjd) (Entered: 06/12/2019)
07/09/2019	<u>10</u>	ANSWER to Complaint by U.S. ENVIRONMENTAL PROTECTION AGENCY.(Truong, John) (Entered: 07/09/2019)
07/10/2019	<u>11</u>	ORDER. Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before July 24, 2019. The Joint Status Report shall include (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for stay is likely under <i>Open America v. Watergate Special Prosecution Force</i> , 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Amit P. Mehta on 07/10/2019. (lcapm1) Modified document type on 7/12/2019 (zjd). (Entered: 07/10/2019)
07/10/2019		Set/Reset Deadlines: Joint Status Report due by 7/24/2019. (zjd) (Entered: 07/12/2019)
07/24/2019	<u>12</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Truong, John) (Entered: 07/24/2019)

07/25/2019		MINUTE ORDER. The parties shall file a Joint Status Report on or before August 23, 2019, which updates the court on the agency's search and production efforts. Signed by Judge Amit P. Mehta on 7/25/2019. (lcapm1) (Entered: 07/25/2019)
07/25/2019		Set/Reset Deadlines: Joint Status Report due by 8/23/2019. (zjd) (Entered: 07/25/2019)
08/20/2019	<u>13</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Truong, John) (Entered: 08/20/2019)
08/21/2019		MINUTE ORDER. The parties shall file a Joint Status Report on or before October 8, 2019, which updates the court on the agency's search and production efforts. Signed by Judge Amit P. Mehta on 8/21/2019. (lcapm1) (Entered: 08/21/2019)
08/21/2019		Set/Reset Deadlines: Joint Status Report due by 10/8/2019. (zjd) (Entered: 08/21/2019)
10/08/2019	<u>14</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Truong, John) (Entered: 10/08/2019)
11/13/2019	<u>15</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Truong, John) (Entered: 11/13/2019)
11/13/2019		MINUTE ORDER. The parties shall file an additional Joint Status Report by December 18, 2019, which proposes a schedule for further proceedings in this matter, if necessary. Signed by Judge Amit P. Mehta on 11/13/2019. (lcapm1) (Entered: 11/13/2019)
11/13/2019		Set/Reset Deadlines: Joint Status Report due by 12/18/2019. (zjd) (Entered: 11/15/2019)
12/18/2019	<u>16</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY. (Evans, Jonathan) (Entered: 12/18/2019)
12/18/2019		MINUTE ORDER. The parties shall file an additional Joint Status Report by February 5, 2020, which advises the court whether they have reached resolution regarding fees and costs and, if not, proposes a briefing schedule. Signed by Judge Amit P. Mehta on 12/18/2019. (lcapm1) (Entered: 12/18/2019)
12/18/2019		Set/Reset Deadlines: Joint Status Report due by 2/5/2020. (zjd) (Entered: 12/20/2019)
02/04/2020	<u>17</u>	NOTICE of Appearance by Brenda A. Gonzalez on behalf of U.S. ENVIRONMENTAL PROTECTION AGENCY (Gonzalez, Brenda) (Entered: 02/04/2020)
02/05/2020	<u>18</u>	Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY. (Attachments: # <u>1</u> Text of Proposed Order)(Evans, Jonathan) (Entered: 02/05/2020)
02/06/2020		MINUTE ORDER entering the briefing schedule proposed in the parties' <u>18</u> Joint Status Report. Plaintiff shall file any motion for attorneys fees and costs by March 31, 2020; Defendant shall file any opposition by April 21, 2020; and Plaintiff shall file any reply by May 5, 2020. Signed by Judge Amit P. Mehta on 2/6/2020. (lcapm1) (Entered: 02/06/2020)
02/06/2020		Set/Reset Deadlines: Motion for Attorney's Fees and Costs due by 3/31/2020. Opposition due by 4/21/2020. Reply due by 5/5/2020. (zjd) (Entered: 02/06/2020)
03/16/2020	<u>19</u>	Consent MOTION for Extension of Time to <i>file Motion for Attorneys Fees and Costs</i> by CENTER FOR BIOLOGICAL DIVERSITY (Attachments: # <u>1</u> Text of Proposed Order [Proposed] Order)(Evans, Jonathan) (Entered: 03/16/2020)
03/16/2020		MINUTE ORDER granting Plaintiff's <u>19</u> Consent Motion for Extension of Time. Plaintiff shall file any motion for attorney's fees and costs by May 29, 2020; Defendant shall file any opposition by June 17, 2020; and Plaintiff shall file any reply by July 1, 2020. Signed by Judge Amit P. Mehta on 3/16/2020. (lcapm1) (Entered: 03/16/2020)
03/16/2020		Set/Reset Deadlines: Motion for Attorney's Fees and Costs due by 5/29/2020. Opposition due by 6/17/2020. Reply due by 7/1/2020. (zjd) (Entered: 03/18/2020)
05/21/2020	<u>20</u>	Consent MOTION for Extension of Time to <i>file Motion for Attorneys Fees and Costs</i> by CENTER FOR BIOLOGICAL DIVERSITY (Attachments: # <u>1</u> Text of Proposed Order [Proposed] Order)(Evans, Jonathan) (Entered: 05/21/2020)

05/22/2020		MINUTE ORDER granting Plaintiff's <u>20</u> Consent Motion for Extension of Time. Plaintiff shall file any motion for attorney's fees and costs by July 10, 2020; Defendant shall file any opposition by July 31, 2020; and Plaintiff shall file any reply by August 14, 2020. Signed by Judge Amit P. Mehta on 5/22/2020. (lcapm1) (Entered: 05/22/2020)
05/22/2020		Set/Reset Deadlines: Motion for Attorney's Fees and Costs due by 7/10/2020. Opposition due by 7/31/2020. Reply due by 8/14/2020. (zjd) (Entered: 05/26/2020)
07/10/2020	<u>21</u>	STIPULATION of Dismissal by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Truong, John) (Entered: 07/10/2020)