

**U.S. District Court
 District of Columbia (Washington, DC)
 CIVIL DOCKET FOR CASE #: 1:19-cv-01283-EGS**

GULLEY v. DEPARTMENT OF THE ARMY
 Assigned to: Judge Emmet G. Sullivan
 Cause: 05:552 Freedom of Information Act

Date Filed: 05/02/2019
 Date Terminated: 12/03/2020
 Jury Demand: None
 Nature of Suit: 895 Freedom of Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff

RICHARD GULLEY

represented by **Patrick Joseph Hughes**
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ATTORNEY TO BE NOTICED

V.

Defendant

DEPARTMENT OF THE ARMY

represented by **Sean Patrick Mahard**
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TERMINATED: 08/31/2020

Date Filed	#	Docket Text
05/02/2019	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0090-6099346) filed by RICHARD GULLEY. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Hughes, Patrick) (Entered: 05/02/2019)
05/03/2019		Case Assigned to Judge Emmet G. Sullivan. (zef,) (Entered: 05/03/2019)
05/03/2019	<u>2</u>	ENTERED IN ERROR.....SUMMONS (3) Issued Electronically as to DEPARTMENT OF THE ARMY, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) Modified on 5/3/2019 (zef,). (Entered: 05/03/2019)
05/03/2019		NOTICE OF CORRECTED DOCKET ENTRY: re <u>2</u> Summons Issued Electronically as to AUSA was entered in error and counsel was instructed to refile Summons for FOIA Nature of Suit cases. (zef,) (Entered: 05/03/2019)

05/03/2019		SUMMONS Not Issued as to DEPARTMENT OF THE ARMY. (zef,) (Entered: 05/03/2019)
05/06/2019	<u>3</u>	REQUEST FOR SUMMONS TO ISSUE filed by RICHARD GULLEY. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons)(Hughes, Patrick) (Entered: 05/06/2019)
05/08/2019	<u>4</u>	SUMMONS (3) Issued Electronically as to DEPARTMENT OF THE ARMY, U.S. Attorney and U.S. Attorney General (jf) (Entered: 05/08/2019)
05/10/2019	<u>5</u>	STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 05/10/19. (Attachment: Exhibit 1) (mac) (Entered: 05/10/2019)
07/23/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF THE ARMY served on 7/22/2019 (Hughes, Patrick) (Entered: 07/23/2019)
07/23/2019	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 7/23/2019. (Hughes, Patrick) (Entered: 07/23/2019)
07/23/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/23/2019. Answer due for ALL FEDERAL DEFENDANTS by 8/22/2019. (Hughes, Patrick) (Entered: 07/23/2019)
08/22/2019	<u>9</u>	ANSWER to Complaint by DEPARTMENT OF THE ARMY.(Haugh, Jeremy) (Entered: 08/22/2019)
10/02/2019		MINUTE ORDER. Plaintiff brings this action pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552. The parties are directed to meet and confer and propose a joint scheduling order for further proceedings in this case by no later than November 8, 2019. The parties joint proposed scheduling order shall address the following: (1) The status of plaintiffs FOIA request; (2) The anticipated number of documents responsive to plaintiffs FOIA request; (3) The anticipated date(s) for release of documents responsive to plaintiffs FOIA request; (4) Whether a motion for an Open America stay is likely in this case; (5) Whether a Vaughn index will be required in this case; (6) Whether this case would benefit from referral to a magistrate judge or the District Court Mediation Program for purposes of settlement; and (7) A proposed briefing schedule for dispositive motions, if applicable. If the parties are unable to agree on a joint recommendation, the joint proposed scheduling order shall include each party's individual recommendations. Signed by Judge Emmet G. Sullivan on 10/2/2019. (lcegs2) (Entered: 10/02/2019)
10/03/2019		Set/Reset Deadlines: Joint Proposed Scheduling Order due by 11/8/2019. (mac) (Entered: 10/03/2019)
11/08/2019	<u>10</u>	Joint STATUS REPORT by DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Text of Proposed Order)(Haugh, Jeremy) (Entered: 11/08/2019)
11/12/2019		MINUTE ORDER. Upon consideration of <u>10</u> the parties' joint status report, the parties are directed to file a further joint status report by no later than December 9, 2019. Signed by Judge Emmet G. Sullivan on 11/12/2019. (lcegs2) (Entered: 11/12/2019)
11/13/2019		Set/Reset Deadlines: Further Joint Status Report due by 12/9/2019. (mac) (Entered: 11/13/2019)
12/09/2019	<u>11</u>	Joint STATUS REPORT by DEPARTMENT OF THE ARMY. (Haugh, Jeremy) (Entered: 12/09/2019)
12/10/2019		MINUTE ORDER. In view of the parties joint status report, the parties are directed to file a further joint status report by no later than January 9, 2020. Signed by Judge Emmet G. Sullivan on 12/10/2019. (lcegs2) (Entered: 12/10/2019)
12/10/2019		Set/Reset Deadlines: Joint Status Report due by 1/9/2020. (mac) (Entered: 12/10/2019)

01/09/2020	<u>12</u>	Joint STATUS REPORT by DEPARTMENT OF THE ARMY. (Haugh, Jeremy) (Entered: 01/09/2020)
01/09/2020		MINUTE ORDER. Upon consideration of <u>12</u> the parties' joint status report the following briefing schedule shall govern these proceedings. Plaintiff shall file a motion for summary judgment by no later than March 16, 2020. Defendant shall file its reply by no later than April 15, 2020. Plaintiff shall file a reply by no later than April 29, 2020. Signed by Judge Emmet G. Sullivan on 1/9/2020. (lcegs2) (Entered: 01/09/2020)
01/10/2020		Set/Reset Deadlines: Plaintiff Motion For Summary Judgment due by 3/16/2020. Defendant Reply due by 4/15/2020. Plaintiff Reply due by 4/29/2020. (mac) (Entered: 01/10/2020)
03/13/2020	<u>13</u>	Consent MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by RICHARD GULLEY (Hughes, Patrick) (Entered: 03/13/2020)
03/13/2020		MINUTE ORDER granting <u>13</u> Consent MOTION for Extension of Time to File Motion for Summary Judgment. The current briefing schedule is vacated, and the following briefing schedule shall govern these proceedings: Plaintiff shall file a motion for summary judgment by no later than March 23, 2020. Defendant shall file its Response by no later than April 22, 2020. Plaintiff shall file a reply by no later than May 6, 2020. Plaintiff is reminded that Local Civil Rule 7(c) requires that "[e]ach motion and opposition shall be accompanied by a proposed order." Signed by Judge Emmet G. Sullivan on 3/13/2020. (lcegs2) Modified on 3/13/2020 (lcegs2). (Entered: 03/13/2020)
03/23/2020	<u>14</u>	MOTION for Summary Judgment by RICHARD GULLEY (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit Exhibits 1-8)(Hughes, Patrick) (Entered: 03/23/2020)
04/02/2020	<u>15</u>	Consent MOTION to Stay <i>Proceedings</i> by DEPARTMENT OF THE ARMY (Haugh, Jeremy) (Entered: 04/02/2020)
04/02/2020		MINUTE ORDER denying without prejudice <u>15</u> Consent MOTION to Stay Proceedings for failure to comply with Local Civil Rule 7(c). Any subsequent motion shall be accompanied by a proposed order. LCvR 7(c) ("Each motion and opposition shall be accompanied by a proposed order."). Signed by Judge Emmet G. Sullivan on 4/2/2020. (lcegs2) (Entered: 04/02/2020)
04/02/2020	<u>16</u>	Consent MOTION to Stay <i>Proceedings</i> by DEPARTMENT OF THE ARMY (Attachments: # <u>1</u> Text of Proposed Order)(Haugh, Jeremy) (Entered: 04/02/2020)
04/03/2020		MINUTE ORDER granting <u>16</u> Consent MOTION to Stay Proceedings. The proceedings in this case are STAYED. The parties shall file a Joint Status Report by no later than June 2, 2020 advising the Court of Defendants production progress and whether the parties agree to request that the STAY be continued, or if one or both parties requests that the stay be lifted and summary judgment briefing be reinstated. Signed by Judge Emmet G. Sullivan on 4/3/2020. (lcegs2) (Entered: 04/03/2020)
04/06/2020		Set/Reset Deadlines: Joint Status Report due by 6/2/2020. (mac) (Entered: 04/06/2020)
06/02/2020	<u>17</u>	Joint STATUS REPORT by DEPARTMENT OF THE ARMY. (Haugh, Jeremy) (Entered: 06/02/2020)
06/02/2020		MINUTE ORDER. In view of <u>17</u> Joint STATUS REPORT, the proceedings in this case shall remain STAYED. The parties shall file a Joint Status Report by no later than July 3, 2020 advising the Court of Defendants' production progress and whether the parties agree to request that the STAY be continued, or if one or both parties requests that the stay be lifted and summary judgment briefing be reinstated. Signed by Judge Emmet G. Sullivan on 6/2/2020. (lcegs2) (Entered: 06/02/2020)
06/03/2020		Set/Reset Deadlines: Joint Status Report due by 7/3/2020. (mac) (Entered: 06/03/2020)
07/02/2020	<u>18</u>	Joint STATUS REPORT by DEPARTMENT OF THE ARMY. (Haugh, Jeremy) (Entered: 07/02/2020)
07/04/2020		MINUTE ORDER. In view of <u>18</u> Joint STATUS REPORT, the proceedings in this case shall remain STAYED. The parties shall file a Joint Status Report by no later than August 3, 2020. Signed by Judge Emmet G. Sullivan on 7/4/2020. (lcegs2) (Entered: 07/04/2020)

		07/04/2020)
07/06/2020		Set/Reset Deadlines: Joint Status Report due by 8/3/2020. (mac) (Entered: 07/06/2020)
08/03/2020	<u>19</u>	Joint STATUS REPORT by DEPARTMENT OF THE ARMY. (Haugh, Jeremy) (Entered: 08/03/2020)
08/03/2020		MINUTE ORDER. In view of <u>19</u> Joint STATUS REPORT, the proceedings in this case shall remain STAYED. The parties shall file a Joint Status Report by no later than September 2, 2020. Signed by Judge Emmet G. Sullivan on 8/3/2020. (lcegs2) (Entered: 08/03/2020)
08/04/2020		Set/Reset Deadlines: Joint Status Report due by 9/2/2020 (mac) (Entered: 08/04/2020)
08/31/2020	<u>20</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Sean Patrick Mahard on behalf of DEPARTMENT OF THE ARMY Substituting for attorney Jeremy A. Haugh (Mahard, Sean) (Entered: 08/31/2020)
09/02/2020	<u>21</u>	Joint STATUS REPORT by DEPARTMENT OF THE ARMY. (Mahard, Sean) (Entered: 09/02/2020)
09/02/2020		MINUTE ORDER. In view of <u>21</u> Joint STATUS REPORT, the proceedings in this case shall remain STAYED. The parties shall file a Joint Status Report by no later than October 2, 2020. Signed by Judge Emmet G. Sullivan on 9/2/2020. (lcegs2) (Entered: 09/02/2020)
09/02/2020		Set/Reset Deadlines: Joint Status Report due by 10/2/2020 (mac) (Entered: 09/02/2020)
10/02/2020	<u>22</u>	Joint STATUS REPORT by DEPARTMENT OF THE ARMY. (Mahard, Sean) (Entered: 10/02/2020)
10/02/2020		MINUTE ORDER. In view of <u>22</u> Joint STATUS REPORT, the proceedings in this case shall remain STAYED. The parties shall file a Joint Status Report by no later than November 2, 2020. Signed by Judge Emmet G. Sullivan on 10/2/2020. (lcegs2) (Entered: 10/02/2020)
10/02/2020		Set/Reset Deadlines: Joint Status Report due by 11/2/2020 (mac) (Entered: 10/02/2020)
11/02/2020	<u>23</u>	Joint STATUS REPORT by DEPARTMENT OF THE ARMY. (Mahard, Sean) (Entered: 11/02/2020)
12/01/2020		MINUTE ORDER. In view of <u>23</u> Joint STATUS REPORT, the proceedings in this case shall remain STAYED. The parties shall file a Joint Status Report by no later than December 2, 2020, as parties agreed to in the Joint Status Report. Signed by Judge Emmet G. Sullivan on 12/1/2020. (lcegs2) (Entered: 12/01/2020)
12/01/2020		Set/Reset Deadlines: Joint Status Report due by 12/2/2020 (mac) (Entered: 12/01/2020)
12/02/2020	<u>24</u>	STIPULATION of Dismissal (<i>Joint</i>) by DEPARTMENT OF THE ARMY. (Mahard, Sean) (Entered: 12/02/2020)
12/02/2020		MINUTE ORDER. In view of Parties' <u>24</u> STIPULATION of Dismissal, this case is HEREBY dismissed with prejudice. The Clerk of Court is directed to close this case. Signed by Judge Emmet G. Sullivan on 12/2/2020. (lcegs2) (Entered: 12/02/2020)