## U.S. District Court District of Columbia (Washington, DC) CIVIL DOCKET FOR CASE #: 1:14-cv-00240-ESH

AGUIAR v. DRUG ENFORCEMENT ADMINISTRATION

Assigned to: Judge Ellen S. Huvelle Case in other court: USCA, 16–05029 USCA, 18–05356

Cause: 05:552 Freedom of Information Act

**Plaintiff** 

**STEPHEN AGUIAR** 

Date Filed: 01/13/2014 Date Terminated: 11/15/2018 Jury Demand: Defendant

Nature of Suit: 550 Prisoner Petition: Civil

Rights (Other)

Jurisdiction: U.S. Government Defendant

represented by STEPHEN AGUIAR

R03722-082 PETERSBURG FEDERAL CORRECTIONAL INSTITUTION Inmate Mail/Parcels P.O. BOX 1000 PETERSBURG, VA 23804-1000 PRO SE

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V.

**Defendant** 

DRUG ENFORCEMENT ADMINISTRATION

represented by Johnny Hillary Walker, III

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TERMINATED: 09/05/2014

Date Filed	#	Docket Text
01/13/2014	1	COMPLAINT against DRUG ENFORCEMENT ADMINISTRATION (Filing fee \$ 0.00) filed by STEPHEN AGUIAR. (Attachments: # 1 Civil Cover Sheet, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C)(rc) (Entered: 02/27/2014)
01/13/2014		SUMMONS (3) Issued as to DRUG ENFORCEMENT ADMINISTRATION, U.S. Attorney and U.S. Attorney General. (rc) (Entered: 02/27/2014)
01/13/2014	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by STEPHEN AGUIAR. (rc) (Entered: 02/27/2014)
01/13/2014	<u>3</u>	PRISONER TRUST FUND ACCOUNT STATEMENT for period of six months by STEPHEN AGUIAR. (rc) (Entered: 02/27/2014)
01/13/2014	4	ORDER directing an initial partial filing fee of \$28.10 to the Clerk of the United States District Court for the District of Columbia from the Prison Account of STEPHEN AGUIAR. It is further ordered that the Plaintiff's application to proceed in forma pauperis 2 is GRANTED, except to the extend that Plaintiff is required to make the payments set forth in this order. Signed by Judge Reggie B. Walton on 01/08/2014. (rc) (Entered: 02/27/2014)
03/04/2014	<u>5</u>	MOTION to Appoint Counsel by STEPHEN AGUIAR (jf, ) (Entered: 03/06/2014)
03/11/2014	7	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 03/05/2014. (jf, ) (Entered: 03/12/2014)
03/12/2014	<u>6</u>	ORDER denying <u>5</u> Motion to Appoint Counsel. Signed by Judge Ellen S. Huvelle on March 12, 2014. (AG) (Entered: 03/12/2014)
03/26/2014	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DRUG ENFORCEMENT ADMINISTRATION served on 3/26/2014 (jf, ) (Entered: 03/27/2014)

04/07/2014	2	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/2/2014. Answer due for ALL FEDERAL DEFENDANTS by 5/2/2014. (rdj) (Entered: 04/07/2014)
04/10/2014	<u>10</u>	NOTICE of Appearance by Timothy E. Broomhead on behalf of DRUG ENFORCEMENT ADMINISTRATION (Broomhead, Timothy) (Entered: 04/10/2014)
05/02/2014	<u>11</u>	First MOTION for Extension of Time to File Response/Reply <i>to Plaintiff's Complaint</i> by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # 1 Text of Proposed Order)(Broomhead, Timothy) (Entered: 05/02/2014)
05/06/2014		MINUTE ORDER granting 11 Motion for Extension of Time: UPON CONSIDERATION of Defendant's Motion for an Extension of Time, the merits therein, and for good cause shown, it is hereby ORDERED that the Motion is GRANTED; and it is FURTHER ORDERED that Defendant shall have up to and including June 30, 2014, to respond to the Complaint. Signed by Judge Ellen S. Huvelle on May 6, 2014. (AG) (Entered: 05/06/2014)
05/06/2014		Set/Reset Deadlines: Answer due by 6/30/2014. (zmm, ) (Entered: 05/06/2014)
06/30/2014	<u>12</u>	MOTION for Extension of Time to <i>File a Response to Plaintiff's Complaint</i> by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # <u>1</u> Text of Proposed Order)(Broomhead, Timothy) (Entered: 06/30/2014)
07/03/2014		MINUTE ORDER granting 12 Motion for Extension of Time: UPON CONSIDERATION of Defendant's Motion for an Extension of Time, the merits therein, and for good cause shown, it is hereby ORDERED that the Motion is GRANTED; and it is FURTHER ORDERED that Defendant shall have up to and including August 29, 2014, to respond to the Complaint. Signed by Judge Ellen S. Huvelle on July 3, 2014. (AG) (Entered: 07/03/2014)
07/07/2014		Set/Reset Deadlines: Answer due by 8/29/2014. (zmm, ) (Entered: 07/07/2014)
08/15/2014	<u>13</u>	AMENDED COMPLAINT against DRUG ENFORCEMENT ADMINISTRATION filed by STEPHEN AGUIAR.(jf, ) (Entered: 08/18/2014)
08/27/2014	<u>14</u>	MOTION for Extension of Time to <i>File a Response to Plaintiff's Amended Complaint</i> by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # 1 Text of Proposed Order)(Broomhead, Timothy) (Entered: 08/27/2014)
08/28/2014		MINUTE ORDER granting 14 Motion for Extension of Time: UPON CONSIDERATION of Defendant's Motion for an Extension of Time, the merits therein, and for good cause shown, it is hereby ORDERED that the Motion is GRANTED; and it is further ORDERED that Defendant shall have up to and including September 29, 2014, to respond to the Complaint. Signed by Judge Ellen S. Huvelle on August 28, 2014. (AG) (Entered: 08/28/2014)
08/28/2014		Set/Reset Deadlines: Answer due by 9/29/2014. (zmm, ) (Entered: 08/28/2014)
09/05/2014	<u>15</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Laura Emily Jennings on behalf of DRUG ENFORCEMENT ADMINISTRATION Substituting for attorney Timothy Broomhead (Jennings, Laura) (Entered: 09/05/2014)
09/29/2014	<u>16</u>	MOTION for Extension of Time to File Response/Reply by DRUG ENFORCEMENT ADMINISTRATION (Jennings, Laura) (Entered: 09/29/2014)
09/29/2014		MINUTE ORDER granting 16 defendant's Motion for Extension of Time: UPON CONSIDERATION of Defendant's Motion for an Extension of Time, the merits therein, and for good cause shown, it is hereby ORDERED that the Motion is GRANTED; and it is FURTHER ORDERED that Defendant shall have up to and including October 29, 2014, to respond to the Amended Complaint. Signed by Judge Ellen S. Huvelle on September 29, 2014. (AG) (Entered: 09/29/2014)
09/30/2014		Set/Reset Deadlines: Response to Amended Complaint due by 10/29/2014. (zmm, ) (Entered: 09/30/2014)

10/28/2014	<u>17</u>	MOTION for Extension of Time to File Response/Reply by DRUG ENFORCEMENT ADMINISTRATION (Jennings, Laura) (Entered: 10/28/2014)
10/30/2014		MINUTE ORDER granting 17 Motion for Extension of Time: UPON CONSIDERATION of Defendant's Motion for an Enlargement of Time, the merits therein, and for good cause shown, it is hereby ORDERED that the Motion is GRANTED; and it is FURTHER ORDERED that Defendant shall have up to and including December 2, 2014, to respond to the Amended Complaint. Signed by Judge Ellen S. Huvelle on October 30, 2014. (AG) (Entered: 10/30/2014)
10/31/2014		Set/Reset Deadlines: Answer to Amended Complaint due by 12/2/2014. (zmm, ) (Entered: 10/31/2014)
12/01/2014	<u>18</u>	MOTION for Extension of Time to File Response/Reply by DRUG ENFORCEMENT ADMINISTRATION (Jennings, Laura) (Entered: 12/01/2014)
12/01/2014		MINUTE ORDER granting 18 Motion for Extension of Time to File: UPON CONSIDERATION of Defendant's Motion for an Enlargement of Time, the merits therein, and for good cause shown, it is hereby ORDERED that the Motion is GRANTED; and it is FURTHER ORDERED that Defendant shall have up to and including January 8, 2015, to respond to the Amended Complaint. Signed by Judge Ellen S. Huvelle on December 1, 2014. (AG, ) (Entered: 12/01/2014)
12/02/2014		Set/Reset Deadlines: Answer to Amended Complaint due by 1/8/2015. (zmm, ) (Entered: 12/02/2014)
12/04/2014		Set/Reset Deadlines: Answer to Amended Complaint due by 1/8/2015. (zmm, ) (Entered: 12/04/2014)
12/11/2014	<u>19</u>	Memorandum in opposition to re <u>18</u> MOTION for Extension of Time to File Response/Reply filed by STEPHEN AGUIAR. (jf, ) (Entered: 12/12/2014)
01/08/2015	<u>20</u>	ANSWER to 13 Amended Complaint by DRUG ENFORCEMENT ADMINISTRATION. Related document: 13 Amended Complaint filed by STEPHEN AGUIAR.(Jennings, Laura) (Entered: 01/08/2015)
01/12/2015		MINUTE ORDER SETTING BRIEFING SCHEDULE: On January 8, 2015, after having been granted numerous extensions of time, defendant filed its answer to plaintiff's amended complaint. Having reviewed the amended complaint and the answer, and as the requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federa Rules of Civil Procedure are inapplicable to this FOIA case, it is hereby ORDERED that the following schedule shall apply to further proceedings in this matter: (1) defendant shall have until February 9, 2015, to produce any additional responsive documents and to produce a Vaughn index that corresponds to the 232 pages the DEA withheld in response to plaintiffs July 11, 2013 FOIA request and any additional documents that are withheld; (2) defendant shall have until March 2, 2015, to file its dispositive motion; (2) plaintiff shall file his opposition and any cross—motion by March 30, 2015; (3) defendant shall file its reply and opposition to any cross—motion by April 20, 2015; and (4) plaintiff shall file his reply by May 11, 2015. Signed by Judge Ellen S. Huvelle on January 12, 2015. (AG) (Entered: 01/12/2015)
01/12/2015		Set/Reset Deadlines: Defendant to produce any additional responsive documents by 2/9/2015; Dispositive Motion due by 3/2/2015. Response to Dispositive Motion and Cross Motion due by 3/30/2015. Reply to Dispositive Motion and Response to Cross Motion due by 4/20/2015. Reply to Cross Motion due by 5/11/2015. (zmm, ) (Entered 01/12/2015)
01/20/2015	<u>21</u>	MOTION for Vaughn Index by STEPHEN AGUIAR (jf, ) (Entered: 01/22/2015)
01/20/2015	<u>22</u>	MOTION to Expedite by STEPHEN AGUIAR (jf, ) (Entered: 01/22/2015)
01/20/2015	<u>23</u>	MOTION for Case Management Order by STEPHEN AGUIAR (jf, ) (Entered: 01/22/2015)
01/22/2015		MINUTE ORDER: On January 12, 2015, the Court issued an Order directing the government to file a Vaughn index and setting an expedited briefing schedule. Accordingly, it is hereby ORDERED that plaintiff's 21 Motion for Vaughn Index, 22 Motion to Expedite, and 23 Motion for Scheduling Order are DENIED AS MOOT; and it is further ORDERED that the Clerk shall include another copy of the Court's

		January 12, 2015 Order with the copy of this order sent to plaintiff. Signed by Judge Ellen S. Huvelle on January 22, 2015. (AG) (Entered: 01/22/2015)
02/09/2015	<u>24</u>	NOTICE of Filing by DRUG ENFORCEMENT ADMINISTRATION (Jennings, Laura) (Entered: 02/09/2015)
02/24/2015	<u>25</u>	MOTION for Extension of Time to <i>file dispositive motion</i> by DRUG ENFORCEMENT ADMINISTRATION (Jennings, Laura) (Entered: 02/24/2015)
02/25/2015		MINUTE ORDER granting in part and denying in part <u>25</u> defendant's Motion for Extension of Time: Upon consideration of defendant's motion, plaintiff's presumed opposition thereto, the multiple extensions of time granted to defendant to file its answer, and the entire record herein, it is hereby ORDERED that the motion is GRANTED IN PART AND DENIED IN PART; it is further ORDERED that defendant shall file its Vaughn index with the Court and produce the withheld documents for ex parte, in camera review by March 2, 2015; and it is further ORDERED that defendant shall have until March 10, 2015 to file its dispositive motion; plaintiff shall have until April 7, 2015, to file its opposition and any cross—motion; defendant shall file its reply and its opposition to any cross—motion by April 27, 2015; and plaintiff shall file its reply by May 18, 2015. Signed by Judge Ellen S. Huvelle on February 25, 2015. (AG) (Entered: 02/25/2015)
02/26/2015	<u>26</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Eric Joseph Young on behalf of All Defendants Substituting for attorney Laura E. Jennings (Young, Eric) (Entered: 02/26/2015)
03/02/2015	<u>27</u>	NOTICE of Compliance with Court Order by DRUG ENFORCEMENT ADMINISTRATION re Order on Motion for Extension of Time to,,, (Young, Eric) (Entered: 03/02/2015)
03/09/2015	<u>28</u>	MOTION for Extension of Time to File <i>Dispositive Motion</i> by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # 1 Declaration Declaration of Agency Counsel)(Young, Eric) (Entered: 03/09/2015)
03/13/2015	<u>29</u>	RESPONSE re <u>27</u> NOTICE of Compliance with Court Order filed by STEPHEN AGUIAR. (Attachments: # <u>1</u> Exhibit)(jf, ) (Entered: 03/16/2015)
03/31/2015		MINUTE ORDER granting in part and denying in part <u>28</u> defendant's Motion for Extension of Time to File Dispositive Motion: Upon consideration of defendant's motion, plaintiff's lack of opposition thereto, the number of prior extensions of time sought and granted, and the entire record herein, it is hereby ORDERED that the motion is GRANTED IN PART AND DENIED IN PART; and it is further ORDERED that defendant shall have until April 20, 2015, to file its dispositive motion in the above–captioned case. No further extensions of time will be granted. Signed by Judge Ellen S. Huvelle on March 31, 2015. (AG) (Entered: 03/31/2015)
04/08/2015	<u>30</u>	First MOTION for Summary Judgment by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # 1 Memorandum in Support Memorandum of Point & Authorities (includes certificate of service), # 2 Statement of Facts, # 3 Declaration DEA Myrick's Declaration, # 4 Exhibit Declaration Exhibits A to HH, # 5 Exhibit Vaughn Index Part II, # 6 Exhibit Vaughn Index Part III, # 7 Exhibit VAughn Index Part III)(Young, Eric) (Entered: 04/08/2015)
04/09/2015	31	Order advising plaintiff to respond or Court may deem matter as conceded re 30 First MOTION for Summary Judgment filed by DRUG ENFORCEMENT ADMINISTRATION. Plaintiff's response is due by 5/11/2015. Signed by Judge Ellen S. Huvelle on April 9, 2015. (AG) (Entered: 04/09/2015)
04/09/2015		Set/Reset Deadlines: Response to defendant's motion for summary judgment due by 5/11/2014. (zmm, ) (Entered: 04/09/2015)
05/08/2015	<u>32</u>	Memorandum in opposition to re <u>30</u> First MOTION for Summary Judgment filed by STEPHEN AGUIAR. (td, ) (Entered: 05/11/2015)
05/18/2015	<u>33</u>	REPLY to opposition to motion re <u>30</u> First MOTION for Summary Judgment filed by DRUG ENFORCEMENT ADMINISTRATION. (Young, Eric) (Entered: 05/18/2015)

07/20/2015	<u>34</u>	ORDER to defendant to file supplemental declaration by August 3, 2015. See order for details. Signed by Judge Ellen S. Huvelle on July 20, 2015. (AG) . (Entered: 07/20/2015)
07/20/2015		Set/Reset Deadlines/Hearings: Defendant's supplemental declaration due by 8/3/2015. (cdw) (Entered: 07/20/2015)
07/24/2015	<u>35</u>	MOTION for Extension of Time to respond to Court Order by DRUG ENFORCEMENT ADMINISTRATION (Young, Eric) (Entered: 07/24/2015)
07/27/2015		MINUTE ORDER granting in part and denying in part <u>35</u> defendant's Motion for Extension of Time: Upon consideration of defendant's motion, it is hereby ORDERED that the motion is GRANTED IN PART AND DENIED IN PART; and it is further ORDERED that defendant shall respond to the Court's July 20, 2015 Order by September 10, 2015. Signed by Judge Ellen S. Huvelle on July 27, 2015. (AG) (Entered: 07/27/2015)
07/27/2015		Set/Reset Deadlines: Response to Court's 7/20/2015 Order due by 9/10/2015. (zmm) (Entered: 07/27/2015)
09/09/2015	<u>36</u>	NOTICE of Compliance with Court Order by DRUG ENFORCEMENT ADMINISTRATION re 34 Order (Attachments: # 1 Declaration Supplemental)(Young, Eric) (Entered: 09/09/2015)
09/17/2015	<u>37</u>	RESPONSE re <u>36</u> NOTICE of Compliance with Court Order filed by STEPHEN AGUIAR. (jf) (Entered: 09/18/2015)
09/30/2015	<u>38</u>	MEMORANDUM OPINION re <u>30</u> defendant's motion for summary judgment. Signed by Judge Ellen S. Huvelle on September 30, 2015. (AG) (Entered: 09/30/2015)
09/30/2015	<u>39</u>	ORDER granting in part and deferring ruling in part on <u>30</u> defendant's Motion for Summary Judgment for the reasons stated in the accompanying Memorandum Opinion (ECF No. <u>38</u> ). Defendant to file supplemental affidavit and notice of mailing CD to plaintiff by October 21, 2015. See order for details. Signed by Judge Ellen S. Huvelle on September 30, 2015. (AG) (Main Document 39 replaced on 9/30/2015) (jf). (Entered: 09/30/2015)
09/30/2015		Set/Reset Deadlines: Defendant to file affidavit and notify the Court that it has mailed a copy of the CD with the GPS tracking data to Plaintiff by 10/21/2015. (zmm) (Entered: 09/30/2015)
10/09/2015	<u>40</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Caitlin O'Leary Trujillo on behalf of All Defendants Substituting for attorney Eric Young (Trujillo, Caitlin) (Entered: 10/09/2015)
10/20/2015	41	MOTION for Extension of Time to <i>Comply with Court's Order</i> by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # 1 Text of Proposed Order)(Trujillo, Caitlin) (Entered: 10/20/2015)
10/20/2015		MINUTE ORDER granting 41 Defendant's Motion for Extension of Time: Upon Consideration of Defendant's Motion for Enlargement of Time, it is hereby ORDERED that Defendant's Motion is GRANTED; and it is further ORDERED that Defendant shall have until November 9, 2015, to comply with the Court's September 30, 2015 Order. No further extensions of time will be granted. Signed by Judge Ellen S. Huvelle on October 20, 2015. (AG) (Entered: 10/20/2015)
10/20/2015		Set/Reset Deadlines/Hearings: Defendant's compliance to Court's 9/30/15 Order due by 11/9/2015. (cdw) (Entered: 10/22/2015)
11/09/2015	<u>42</u>	MOTION for Extension of Time to <i>File Supplemental Declaration</i> by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # 1 Text of Proposed Order)(Trujillo, Caitlin) (Entered: 11/09/2015)
11/10/2015	<u>43</u>	NOTICE of Compliance with Court Order by DRUG ENFORCEMENT ADMINISTRATION re 39 Order on Motion for Summary Judgment, (Attachments: # 1 Declaration Supplemental Declaration of Katherine Myrick)(Trujillo, Caitlin) (Entered: 11/10/2015)

11/10/2015		MINUTE ORDER granting 42 defendant's Motion for Extension of Time. Signed by
11/10/2017	4.4	Judge Ellen S. Huvelle on November 10, 2015. (AG) (Entered: 11/10/2015)
11/19/2015	<u>44</u>	MOTION to reconsider interlocutory order by STEPHEN AGUIAR (td) (Entered: 11/20/2015)
11/23/2015	<u>47</u>	RESPONSE re <u>43</u> NOTICE of Compliance with Court Order filed by STEPHEN AGUIAR. (jf) (Entered: 11/25/2015)
11/24/2015	<u>45</u>	MEMORANDUM OPINION. Signed by Judge Ellen S. Huvelle on November 24, 2015. (AG) (Entered: 11/24/2015)
11/24/2015	<u>46</u>	ORDER denying <u>44</u> plaintiff's Motion to Reconsider September 30, 2015 Order <u>39</u> , granting summary judgment to defendant on one remaining issue, and directing Clerk to close case. See order for details. Signed by Judge Ellen S. Huvelle on November 24, 2015. (AG) (Entered: 11/24/2015)
12/10/2015	<u>48</u>	MOTION to Alter Judgment as to <u>46</u> Order on Motion for Order, <u>45</u> Memorandum & Opinion by STEPHEN AGUIAR (td) (Entered: 12/15/2015)
12/10/2015	<u>49</u>	MOTION to Award Fees and Costs to Plaintiff by STEPHEN AGUIAR (td) (Entered: 12/15/2015)
01/15/2016	<u>50</u>	ORDER denying <u>48</u> plaintiff's Motion to Alter Judgment; granting in part and denying in part <u>49</u> plaintiff's Motion for Order Awarding Fees and Costs. See order for details. Signed by Judge Ellen S. Huvelle on January 15, 2016. (AG) (Entered: 01/15/2016)
02/01/2016	<u>51</u>	NOTICE OF APPEAL as to <u>50</u> Order on Motion to Alter Judgment, Order on Motion for Order, <u>46</u> Order on Motion for Order, <u>45</u> Memorandum & Opinion by STEPHEN AGUIAR. Fee Status: No Fee Paid. Parties have been notified. (jf) (Entered: 02/02/2016)
02/01/2016	<u>52</u>	MOTION for Leave to Appeal in forma pauperis by STEPHEN AGUIAR (jf) (Additional attachment(s) added on 2/2/2016: # 1 Affidavit Financial) (jf). (Entered: 02/02/2016)
02/02/2016	<u>53</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. Motion to proceed on appeal in forma pauperis has been filed. Another transmission will be forwarded when the motion has been decided re <u>51</u> Notice of Appeal. (jf) (Entered: 02/02/2016)
02/02/2016		MINUTE ORDER granting <u>52</u> Motion for Leave to Appeal in forma pauperis: It is hereby ORDERED that plaintiff's motion for leave to proceed in forma pauperis on appeal is GRANTED. The Clerk of Court shall transmit a copy of this Order to the Court of Appeals. Signed by Judge Ellen S. Huvelle on February 2, 2016. (AG) (Entered: 02/02/2016)
02/03/2016	<u>54</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re Minute Order granting Motion for Leave to Appeal in forma pauperis; USCA Case No. Unknown. (znmw) (Entered: 02/03/2016)
02/10/2016		USCA Case Number 16–5029 for <u>51</u> Notice of Appeal filed by STEPHEN AGUIAR. (zrdj) (Entered: 02/10/2016)
03/07/2016	<u>55</u>	MOTION to Alter or Amend Judgment as to <u>50</u> Order on Motion to Alter Judgment, Order on Motion for Order by STEPHEN AGUIAR. "Let this be filed" signed by Judge Ellen Segal Huvelle on 03/01/2016 (jf) (Entered: 03/07/2016)
03/24/2016	<u>56</u>	Memorandum in opposition to re <u>55</u> MOTION to Alter Judgment as to <u>50</u> Order on Motion to Alter Judgment, Order on Motion for Order filed by DRUG ENFORCEMENT ADMINISTRATION. (Attachments: # <u>1</u> Text of Proposed Order)(Trujillo, Caitlin) (Entered: 03/24/2016)
04/04/2016	<u>57</u>	REPLY to opposition to re <u>55</u> MOTION to Alter Judgment as to <u>50</u> Order on Motion to Alter Judgment, Order on Motion for Order filed by STEPHEN AGUIAR. (jf) (Entered: 04/06/2016)
04/06/2016	<u>58</u>	ORDER denying <u>55</u> Plaintiff's Motion to Alter Judgment. See order for details. Signed by Judge Ellen S. Huvelle on April 6, 2016. (AG) (Entered: 04/06/2016)

10/17/2016	<u>59</u>	MOTION to Compel by STEPHEN AGUIAR (jf) (Entered: 10/19/2016)
10/27/2016	<u>60</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Johnny Hillary Walker, III on behalf of DRUG ENFORCEMENT ADMINISTRATION Substituting for attorney Caitlin O'Leary Trujillo (Attachments: # 1 Certificate of Service)(Walker, Johnny) (Entered: 10/27/2016)
10/27/2016	<u>61</u>	RESPONSE re <u>59</u> MOTION to Compel filed by DRUG ENFORCEMENT ADMINISTRATION. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Walker, Johnny) (Entered: 10/27/2016)
10/28/2016		MINUTE ORDER re <u>59</u> MOTION to Compel filed by STEPHEN AGUIAR and <u>61</u> Response to motion filed by DRUG ENFORCEMENT ADMINISTRATION: Upon consideration of plaintiff's motion to compel and defendant's response thereto, it is hereby ORDERED that defendant shall have until November 28, 2016, to notify the Court that payment has been accomplished or to file a status report that explains why not. Signed by Judge Ellen S. Huvelle on October 28, 2016. (AG) (Entered: 10/28/2016)
10/31/2016		Set/Reset Deadlines: Status Report due by 11/28/2016 (gdf) (Entered: 10/31/2016)
11/28/2016	<u>62</u>	STATUS REPORT by DRUG ENFORCEMENT ADMINISTRATION. (Attachments: # 1 Certificate of Service)(Walker, Johnny) (Entered: 11/28/2016)
11/29/2016		MINUTE ORDER re <u>62</u> Status Report filed by DRUG ENFORCEMENT ADMINISTRATION: Upon consideration of defendant's status report filed on November 28, 2106, it is hereby ORDERED that defendant shall have until December 28, 2016, to notify the Court that payment has been accomplished or to file a status report that explains why not. Signed by Judge Ellen S. Huvelle on November 29, 2016. (AG) (Entered: 11/29/2016)
12/01/2016		Set/Reset Deadlines: Status Report due by 12/28/2016 (gdf) (Entered: 12/01/2016)
12/15/2016	<u>63</u>	STATUS REPORT by DRUG ENFORCEMENT ADMINISTRATION. (Attachments: # 1 Exhibit 1, # 2 Certificate of Service)(Walker, Johnny) (Entered: 12/15/2016)
01/03/2017		MINUTE ORDER denying <u>59</u> plaintiff's Motion to Compel as moot: Upon consideration of <u>63</u> defendant's status report indicating that it has issued payment to Mr. Aguiar in the amount of \$450.00, it is hereby ORDERED that plaintiff's motion to compel is DENIED AS MOOT. Signed by Judge Ellen S. Huvelle on January 3, 2017. (AG) (Entered: 01/03/2017)
01/26/2017	<u>64</u>	MOTION to Alter/Amend Judgment as to Minute Order filed on 01/03/2017, by STEPHEN AGUIAR (zjf) (Entered: 01/27/2017)
02/09/2017	<u>65</u>	Memorandum in opposition to re <u>64</u> MOTION to Alter Judgment as to Order on Motion to Compel, filed by DRUG ENFORCEMENT ADMINISTRATION. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(Walker, Johnny) (Entered: 02/09/2017)
02/24/2017	<u>66</u>	REPLY to opposition to re <u>64</u> MOTION to Alter Judgment as to Order on Motion to Compel, filed by STEPHEN AGUIAR. (jf) (Entered: 02/27/2017)
03/13/2017	<u>67</u>	MOTION for Leave to File <i>to File Surreply</i> by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # 1 Proposed Surreply, # 2 Text of Proposed Order, # 3 Certificate of Service)(Walker, Johnny) (Entered: 03/13/2017)
03/15/2017		MINUTE ORDER granting <u>67</u> Motion for Leave to File Surreply: Upon consideration of Defendant's motion for leave to file a surreply, it is hereby ORDERED that the motion is GRANTED; and it is further ORDERED that the proposed surreply attached to Defendant's motion for leave shall be deemed filed as of this date. Signed by Judge Ellen S. Huvelle on March 15, 2017. (AG) (Entered: 03/15/2017)
03/15/2017	<u>68</u>	SURREPLY to re <u>64</u> MOTION to Alter Judgment as to Order on Motion to Compel, filed by DRUG ENFORCEMENT ADMINISTRATION. (znmw) (Entered: 03/16/2017)
03/17/2017	<u>69</u>	ORDER denying <u>64</u> plaintiff's Motion to Alter January 3, 2017 Order. Signed by Judge Ellen S. Huvelle on March 17, 2017. (AG) (Entered: 03/17/2017)

03/17/2017	<u>70</u>	MOTION for Leave to File Supplemental Complaint or New Complaint by STEPHEN AGUIAR (jf) (Entered: 03/20/2017)
03/29/2017	71	Memorandum in opposition to re <u>70</u> MOTION for Leave to File filed by DRUG ENFORCEMENT ADMINISTRATION. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Walker, Johnny) (Entered: 03/29/2017)
03/29/2017		MINUTE ORDER denying 70 plaintiff's Motion for Leave: Before the Court is plaintiff Stephen Aguilar's motion for leave to file a supplemental complaint. (See ECF No. 70.) Due to the pendency of plaintiff's appeal, the Court presently lacks jurisdiction to consider this motion. See Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58, 103 S. Ct. 400, 402, 74 L. Ed. 2d 225 (1982) ("The filing of a notice of appeal is an event of jurisdictional significance — it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.") Accordingly, it is hereby ORDERED that the motion is DENIED without prejudice. Signed by Judge Ellen S. Huvelle on March 29, 2017. (AG) (Entered: 03/29/2017)
04/03/2017	<u>72</u>	MOTION for Leave to File Supplemental Complaint or, in the alternative, New Complaint by STEPHEN AGUIAR (jf) (Entered: 04/04/2017)
04/04/2017		MINUTE ORDER denying 72 plaintiff's Motion for Leave to File a Corrected Supplemental Complaint: Before the Court is plaintiff Stephen Aguilar's motion for leave to file a "corrected" supplemental complaint. The Court previously denied his motion for leave to file a supplemental complaint, due to lack of jurisdiction. (See Minute Order, March 29, 2017 ("due to the pendency of plaintiff's appeal, the Court presently lacks jurisdiction to consider this motion. See Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58, 103 S. Ct. 400, 402, 74 L. Ed. 2d 225 (1982) ("The filing of a notice of appeal is an event of jurisdictional significance — it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.").) The Court similarly lacks jurisdiction over this motion. Accordingly, it is hereby ORDERED that plaintiff's motion for leave to file a corrected supplemental complaint is DENIED without prejudice. Signed by Judge Ellen S. Huvelle on April 4, 2017. (AG) (Entered: 04/04/2017)
04/05/2017	<u>73</u>	WITHDRAWN PURSUANT TO MINUTE ORDER FILED ON 05/01/2017MOTION to Stay by STEPHEN AGUIAR (jf) Modified on 5/1/2017 (jf). (Entered: 04/06/2017)
04/26/2017	<u>74</u>	MOTION to Withdraw <u>73</u> MOTION to Stay by STEPHEN AGUIAR (zrdj) (Entered: 04/27/2017)
05/01/2017		MINUTE ORDER granting <u>74</u> plaintiff's Motion to Withdraw <u>73</u> plaintiff's MOTION to Stay. Signed by Judge Ellen S. Huvelle on May 1, 2017. (AG) (Entered: 05/01/2017)
08/21/2017	<u>75</u>	MOTION for Leave to File Motion for Leave to File a Supplemental Complaint by STEPHEN AGUIAR (Attachments: # 1 Exhibit Supplemental Complaint)(jf) (Entered: 08/24/2017)
08/29/2017	<u>76</u>	MOTION for Extension of Time to File Response/Reply as to <u>75</u> MOTION for Leave to File by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Walker, Johnny) (Entered: 08/29/2017)
09/05/2017		VACATED AS PER ORDER DATED 9/29/17 MINUTE ORDER denying 75 Plaintiff's Motion for Leave to File Supplemental Complaint and finding as moot 76 Defendant's Motion for Extension of Time to File Response re Plaintiff's Motion for Leave to File Supplemental Complaint: Before the Court is plaintiff Stephen Aguilar's motion for leave to file a supplemental complaint. The Court has previously denied two similar motions due to its lack of jurisdiction while plaintiff's appeal is pending. Although the Court of Appeals issued a decision on August 4, 2017, remanding the case for further proceedings, this Court does not have jurisdiction until the mandate issues from the Court of Appeals. Accordingly, it is hereby ORDERED that plaintiff's motion for leave to file a supplemental complaint is DENIED without prejudice; and it is further ORDERED the defendant's motion for an extension of time to respond to plaintiff's motion is DENIED AS MOOT. Signed by Judge Ellen S. Huvelle on September 5, 2017. (AG) (Entered: 09/05/2017)

09/06/2017	<u>77</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re Minute Order denying Motion for Leave to File, Minute Order finding as moot Motion for Extension of Time to File Response/Reply; USCA Case Number 16–5029. (znmw) (Entered: 09/06/2017)
09/18/2017	<u>78</u>	MOTION for Reconsideration re MINUTE ORDER filed on 09/05/2017, MOTION to Stay by STEPHEN AGUIAR (jf) (Entered: 09/20/2017)
09/26/2017	<u>79</u>	MANDATE of USCA as to <u>51</u> Notice of Appeal filed by STEPHEN AGUIAR; USCA Case Number 16–5029. (Attachments: # <u>1</u> USCA Judgment)(td) (Entered: 09/26/2017)
09/29/2017	80	ORDER granting <u>78</u> plaintiff's Motion for Reconsideration, VACATING 9/5/2017 Minute Order and reinstating plaintiff's motion for leave to file a supplemental complaint, which is deemed filed as of today, 9/29/2017; ordering defendant to respond to motion for leave to file a supplemental complaint by 10/13/2017; appointing counsel as amicus curiae on behalf of plaintiff; ordering defendant to file renewed motion for summary judgment on the issues remanded by the Court of Appeals by 11/17/2017; and ordering amicus to respond to defendant's renewed motion for summary judgment by 12/15/2017. See order for details. Signed by Judge Ellen S. Huvelle on September 29, 2017. (AG) (Main Document 80 replaced on 9/29/2017) (jf). (Entered: 09/29/2017)
09/29/2017		Set/Reset Deadlines: Defendant to respond to motion for leave to file a supplemental complaint by 10/13/2017. Defendant to file renewed motion for summary judgment on the issues remanded by the Court of Appeals by 11/17/2017. Amicus' response to renewed motion for summary judgment due by 12/15/2017. (jl) (Entered: 09/29/2017)
09/29/2017	<u>82</u>	ENTERED IN ERRORAMENDED COMPLAINT against DRUG ENFORCEMENT ADMINISTRATION, EXECUTIVE OFFICE FOR U.S. ATTORNEYS, UNKNOWN U.S. DOJ GPS CONTRACTOR with Jury Demand filed by STEPHEN AGUIAR.(znmw) Modified on 10/3/2017 (znmw). (Entered: 10/02/2017)
10/02/2017	<u>81</u>	NOTICE of Appearance by Masha Godina Hansford on behalf of STEPHEN AGUIAR (Hansford, Masha) (Entered: 10/02/2017)
10/03/2017		NOTICE OF CORRECTED DOCKET ENTRY: Docket Entry <u>82</u> Amended Complaint was entered in error; filed prematurely by the Clerk's Office. Please disregard. (znmw) (Entered: 10/03/2017)
10/13/2017	<u>83</u>	Memorandum in opposition to re <u>75</u> MOTION for Leave to File filed by DRUG ENFORCEMENT ADMINISTRATION. (Attachments: # <u>1</u> Certificate of Service)(Walker, Johnny) (Entered: 10/13/2017)
10/16/2017	<u>84</u>	NOTICE to the Court by STEPHEN AGUIAR (jf) (Entered: 10/18/2017)
10/25/2017	<u>85</u>	REPLY to opposition to motion re <u>75</u> MOTION for Leave to File filed by STEPHEN AGUIAR. (td) (Entered: 10/26/2017)
11/09/2017	<u>86</u>	MOTION for Extension of Time to <i>Move for Summary Judgment</i> by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # 1 Text of Proposed Order, # 2 Certificate of Service)(Walker, Johnny) (Entered: 11/09/2017)
11/10/2017		MINUTE ORDER granting <u>86</u> defendant's consent Motion for Extension of Time: Upon consideration of Defendant's motion for an extension of time to file its motion for summary judgment, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED that Defendant shall file a renewed motion for summary judgment on the issues remanded by the Court of Appeals on or before December 18, 2017; and it is further ORDERED that amicus shall respond to Defendant's renewed motion for summary judgment on or before January 26, 2018. Signed by Judge Ellen S. Huvelle on November 10, 2017. (AG) (Entered: 11/10/2017)
12/18/2017	<u>87</u>	Renewed MOTION for Summary Judgment by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # 1 Memorandum in Support, # 2 Statement of Facts, # 3 Declaration of Paul Roy, # 4 Third Supplemental Declaration of Katherine Myrick, # 5 Text of Proposed Order, # 6 Certificate of Service)(Walker, Johnny) (Entered: 12/18/2017)

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01/26/2018	88	MOTION for Partial Summary Judgment by STEPHEN AGUIAR (Attachments: # 1 Memorandum in Support, # 2 Statement of Facts, # 3 Text of Proposed Order)(Hansford, Masha) (Entered: 01/26/2018)
01/26/2018	<u>89</u>	Memorandum in opposition to re <u>87</u> MOTION for Summary Judgment filed by STEPHEN AGUIAR. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Text of Proposed Order)(Hansford, Masha) (Entered: 01/26/2018)
01/29/2018	<u>90</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>88</u> MOTION for Partial Summary Judgment, <u>87</u> MOTION for Summary Judgment by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Walker, Johnny) (Entered: 01/29/2018)
01/29/2018		MINUTE ORDER granting 90 Consent Motion for Extension of Time to File Reply re 87 defendant's MOTION for Summary Judgment and Response and Reply re 88 amicus curiae's MOTION for Partial Summary Judgment: Upon consideration of Defendant's motion for an extension of time to file a reply in support of its motion for summary judgment and an opposition to the cross—motion for summary judgment by amicus curiae, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED that Defendant shall file a reply in support of its motion for summary judgment and an opposition to the cross—motion for partial summary judgment by amicus curiae or before February 23, 2018; and it is further ORDERED that amicus curiae shall file a reply in support of her cross—motion for partial summary judgment on or before March 9, 2018. Signed by Judge Ellen S. Huvelle on January 29, 2018. (AG) (Entered: 01/29/2018)
01/30/2018		Set/Reset Deadlines: Response to Cross Motions due by 2/23/2018. Reply to Cross Motions due by 3/9/2018. Reply to Motion for Summary Judgment due by 2/23/2018. (gdf) (Entered: 01/30/2018)
01/30/2018	91	NOTICE of Appearance by Jena Neuscheler on behalf of STEPHEN AGUIAR (Neuscheler, Jena) (Entered: 01/30/2018)
02/23/2018	<u>92</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>88</u> MOTION for Partial Summary Judgment, <u>87</u> MOTION for Summary Judgment by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Walker, Johnny) (Entered: 02/23/2018)
02/26/2018		MINUTE ORDER granting 92 Consent Motion for Extension of Time: Upon consideration of Defendant's motion for an extension of time to file a reply in support of its motion for summary judgment and an opposition to the cross-motion for summary judgment by amica curiae, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED that Defendant shall file a reply in support of its motion for summary judgment and an opposition to the cross-motion for summary judgment by amica curiae by March 9, 2018; and it is further ORDERED that amica curiae shall file a reply in support of her cross-motion for summary judgment by March 28, 2018. Signed by Judge Ellen S. Huvelle on February 26, 2018. (AG) (Entered: 02/26/2018)
03/09/2018	<u>93</u>	Memorandum in opposition to re <u>88</u> MOTION for Partial Summary Judgment filed by DRUG ENFORCEMENT ADMINISTRATION. (Attachments: # 1 Declaration of William Little (with exhibits), # 2 Response to Plaintiff's Statement of Facts as to Which There Is No Genuine Issue, # 3 Certificate of Service)(Walker, Johnny) (Entered: 03/09/2018)
03/09/2018	94	REPLY to opposition to motion re <u>87</u> MOTION for Summary Judgment filed by DRUG ENFORCEMENT ADMINISTRATION. (Attachments: # <u>1</u> Declaration of William Little (with exhibits), # <u>2</u> Certificate of Service)(Walker, Johnny) (Entered: 03/09/2018)
03/28/2018	<u>95</u>	REPLY to opposition to motion re <u>88</u> MOTION for Partial Summary Judgment filed by STEPHEN AGUIAR. (Hansford, Masha) (Entered: 03/28/2018)
09/24/2018	<u>96</u>	MEMORANDUM OPINION. Signed by Judge Ellen S. Huvelle on 9/24/18. (lcesh2) (Entered: 09/24/2018)
09/24/2018	<u>97</u>	ORDER granting in part and denying in part <u>87</u> Defendant's Renewed Motion for Summary Judgment; and granting in part and denying in part <u>88</u> Plaintiff's Motion for

		Partial Summary Judgment. Defendant must make reasonable efforts within 25 days to contact the agent who signed and testified about the four subpoenas identified in Plaintiff's 4/28/14 FOIA request and no later than 10/22/18 shall file a declaration with the Court as to the result of this inquiry. It is further ordered that 75 Plaintiff's Motion for Leave to File a Supplemental Complaint is denied. See Order for details. Signed by Judge Ellen S. Huvelle on 9/24/18. (lcesh2) (Entered: 09/24/2018)
09/24/2018		Set/Reset Deadlines: Declaration due by 10/22/2018. Response due by 11/14/2018. (gdf) (Entered: 09/25/2018)
10/22/2018	<u>98</u>	NOTICE of Filing Declaration by DRUG ENFORCEMENT ADMINISTRATION re 97 Order on Motion for Summary Judgment,,, Order on Motion for Partial Summary Judgment,, (Attachments: # 1 Fifthe Declaration of Kathleen Myrick, # 2 Certificate of Service)(Walker, Johnny) (Entered: 10/22/2018)
11/14/2018	<u>99</u>	NOTICE of Amicus re: Court Order by STEPHEN AGUIAR (Hansford, Masha) (Entered: 11/14/2018)
11/15/2018	100	FINAL JUDGMENT in favor of defendant. It is hereby ordered that <u>87</u> defendant's renewed motion for summary judgment is granted and final judgment is entered in favor of defendant. The Clerk of Court shall serve plaintiff with a copy of this Judgment at his current address. See order for details. Signed by Judge Ellen S. Huvelle on 11/15/18. (lcesh2) (Entered: 11/15/2018)
12/03/2018	<u>101</u>	NOTICE OF APPEAL as to <u>97</u> Order on Motion for Summary Judgment, Order on Motion for Partial Summary Judgment, <u>96</u> Memorandum & Opinion, <u>100</u> FINAL JUDGMENT by STEPHEN AGUIAR. Fee Status: No Fee Paid, IFP pending. Parties have been notified. (tth); Modified text on 12/11/2018 (tth). (Entered: 12/11/2018)
12/03/2018	<u>102</u>	MOTION for Leave to Appeal in forma pauperis by STEPHEN AGUIAR. (tth) (Entered: 12/11/2018)
12/03/2018	<u>103</u>	PRISONER TRUST FUND ACCOUNT STATEMENT for period of six months by STEPHEN AGUIAR. (tth) (Entered: 12/11/2018)
12/11/2018	<u>104</u>	Transmission of the Notice of Appeal, Order Appealed (Memorandum Opinion), and Docket Sheet to US Court of Appeals. Motion to proceed on appeal in forma pauperis has been filed. Another transmission will be forwarded when the motion has been decided re 101 Notice of Appeal. (tth) (Entered: 12/11/2018)
12/11/2018		MINUTE ORDER granting 102 Motion for Leave to Appeal in forma pauperis: It is hereby ORDERED that plaintiff's motion for leave to proceed in forma pauperis on appeal is GRANTED. The Clerk of Court shall transmit a copy of this Order to the Court of Appeals. Signed by Judge Ellen S. Huvelle on December 11, 2018. (AG) (Entered: 12/11/2018)
12/12/2018		USCA Case Number 18–5356 for <u>101</u> Notice of Appeal, filed by STEPHEN AGUIAR. (zrdj) (Entered: 12/12/2018)
12/13/2018	<u>105</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re Order on Motion for Leave to Appeal in forma pauperis, ;USCA Case Number 18–5356. (ztd) (Entered: 12/13/2018)
02/07/2019	<u>106</u>	NOTICE of Change of Address by Masha Godina Hansford (Hansford, Masha) (Entered: 02/07/2019)
09/04/2019	<u>107</u>	ORDER of USCA as to 101 Notice of Appeal, filed by STEPHEN AGUIAR; USCA Case Number 18–5356. (zrdj) (Entered: 09/10/2019)
02/27/2020	<u>108</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to STEPHEN AGUIAR. Attorney Jena Neuscheler terminated. (Attachments: # 1 Declaration Masha G. Hansford)(Neuscheler, Jena) (Entered: 02/27/2020)
03/26/2020	<u>109</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to STEPHEN AGUIAR. Attorney Masha Godina Hansford terminated. (Hansford, Masha) (Entered: 03/26/2020)