

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:13-cv-00345-GK**

ELECTRONIC PRIVACY INFORMATION CENTER v.  
DEPARTMENT OF EDUCATION  
Assigned to: Judge Gladys Kessler  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/15/2013  
Date Terminated: 11/04/2013  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**ELECTRONIC PRIVACY  
INFORMATION CENTER**

represented by **Ginger P. McCall**  
ELECTRONIC PRIVACY  
INFORMATION CENTER  
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Email: [mccall@epic.org](mailto:mccall@epic.org)  
*TERMINATED: 08/02/2013*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Khaliah N'Cole Barnes**  
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V.

**Defendant**

**DEPARTMENT OF EDUCATION**

represented by **Addy R. Schmitt**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
03/15/2013	<u>1</u>	COMPLAINT against DEPARTMENT OF EDUCATION ( Filing fee \$ 350 receipt number 0090-3251472) filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons)(McCall, Ginger) (Entered: 03/15/2013)
03/15/2013	<u>2</u>	Corporate Disclosure Statement by ELECTRONIC PRIVACY INFORMATION CENTER. (McCall, Ginger) (Entered: 03/15/2013)
03/15/2013		Case Assigned to Judge Gladys Kessler. (md, ) (Entered: 03/18/2013)
03/18/2013	<u>3</u>	ELECTRONIC SUMMONS Issued (1) as to DEPARTMENT OF EDUCATION, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice of Consent, # <u>2</u> Consent Form)(md, ) (Entered: 03/18/2013)
03/22/2013	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/22/2013. Answer due for ALL FEDERAL DEFENDANTS by 4/21/2013. (McCall, Ginger) (Entered: 03/22/2013)
03/22/2013	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF EDUCATION served on 3/22/2013, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 3/22/2013. (See Docket Entry <u>4</u> to view document). (znmw, ) (Entered: 03/25/2013)
04/23/2013	<u>6</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint by DEPARTMENT OF EDUCATION (Schmitt, Addy) (Entered: 04/23/2013)
04/23/2013		MINUTE ORDER granting <u>6</u> Defendant's Motion for Extension of Time; Defendant shall have up to and including May 24, 2013, to answer or otherwise respond to Plaintiff's Complaint. Signed by Judge Gladys Kessler on 4/23/13. (CL, ) (Entered: 04/23/2013)
04/23/2013		Set/Reset Deadlines: Answer due by 5/24/2013 (CL, ). (Entered: 04/23/2013)
05/20/2013	<u>7</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint by DEPARTMENT OF EDUCATION (Schmitt, Addy) (Entered: 05/20/2013)
05/21/2013		MINUTE ORDER granting <u>7</u> Defendant's Motion for Extension of Time; Defendant shall have up to and including June 23, 2013, in which to answer or otherwise respond to Plaintiff's Complaint. Signed by Judge Gladys Kessler on 5/21/13. (CL, ) (Entered: 05/21/2013)
05/21/2013		Set/Reset Deadlines: Answer due by 6/23/2013 (CL, ). (Entered: 05/21/2013)
06/24/2013	<u>8</u>	ANSWER to Complaint by DEPARTMENT OF EDUCATION.(Schmitt, Addy) (Entered: 06/24/2013)
06/24/2013	<u>9</u>	ORDER setting an Initial Scheduling Conference for July 8, 2013, at 10:30 a.m. Signed by Judge Gladys Kessler on 6/24/13. (CL, ) (Entered: 06/24/2013)
06/24/2013		Set/Reset Hearings: Initial Scheduling Conference set for 7/8/2013 10:30 AM in Courtroom 26A before Judge Gladys Kessler. (CL, ) (Entered: 06/24/2013)
07/01/2013	<u>10</u>	NOTICE of Appearance by Khaliah N'Cole Barnes on behalf of All Plaintiffs (Barnes, Khaliah) (Entered: 07/01/2013)
07/03/2013	<u>11</u>	NOTICE of Appearance by Marc Rotenberg on behalf of All Plaintiffs (Rotenberg, Marc) (Entered: 07/03/2013)
07/03/2013	<u>12</u>	MEET AND CONFER STATEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Barnes, Khaliah) (Entered: 07/03/2013)
07/08/2013		Minute Entry for proceedings held before Judge Gladys Kessler: Initial Scheduling Conference held on 7/8/2013. Case to be referred to Magistrate Judge Facciola for early case management (Order to be Issued). The Parties are directed to file a Status Report by 8/30/2013. (Court Reporter Patty A. Gels) (jth) (Entered: 07/08/2013)

07/08/2013	<u>13</u>	ORDER REFERRING CASE to Magistrate Judge Facciola for early case management purposes; the Parties shall file a Joint Status Report no later than August 29, 2013, after which the Court shall issue an Order setting further dates, as appropriate. Signed by Judge Gladys Kessler on 7/8/13. (CL, ) (Entered: 07/08/2013)
07/08/2013		Set/Reset Deadlines: Status Report due by 8/29/2013 (CL, ) (Entered: 07/08/2013)
07/08/2013	<u>14</u>	CASE DIRECTLY REFERRED to Magistrate Judge John M. Facciola for Full Case Management. (ls, ) (Entered: 07/12/2013)
07/15/2013	<u>15</u>	ORDER re referral to Judge Facciola for full case management. Signed by Magistrate Judge John M. Facciola on 7/15/13. (SP, ) (Entered: 07/15/2013)
07/24/2013		Set/Reset Hearings: Settlement Conference set for 8/1/2013 at 10:00 AM in Chambers before Magistrate Judge John M. Facciola. (SP, ) (Entered: 07/24/2013)
08/01/2013		Minute Entry for proceedings held before Magistrate Judge John M. Facciola: Settlement Conference held on 8/1/2013. (SP, ) (Entered: 08/01/2013)
08/02/2013	<u>16</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to ELECTRONIC PRIVACY INFORMATION CENTER. Attorney Ginger P. McCall terminated. (McCall, Ginger) (Entered: 08/02/2013)
08/20/2013	<u>17</u>	STATUS REPORT by the Parties by DEPARTMENT OF EDUCATION. (Schmitt, Addy) (Entered: 08/20/2013)
08/20/2013	<u>18</u>	ORDER setting forth a briefing schedule for those issues for resolution by dispositive motions (see Order for details). Signed by Judge Gladys Kessler on 8/20/13. (CL, ) (Entered: 08/20/2013)
08/20/2013		Set/Reset Deadlines: Cross Motions due by 10/28/2013. Response to Cross Motions due by 11/12/2013. Reply to Cross Motions due by 11/19/2013. Summary Judgment motions due by 9/27/2013. Response to Motion for Summary Judgment due by 10/28/2013. Reply to Motion for Summary Judgment due by 11/12/2013. Vaughn Index due by 9/27/2013, (CL, ) (Entered: 08/20/2013)
09/27/2013	<u>19</u>	MOTION for Summary Judgment by DEPARTMENT OF EDUCATION (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Text of Proposed Order, # <u>4</u> Declaration of Ann Marie Pedersen, Esq., # <u>5</u> Exhibit A – G to Pedersen Declaration)(Schmitt, Addy) (Entered: 09/27/2013)
10/28/2013	<u>20</u>	Consent MOTION to Stay <i>Proceedings Pending Completion of Settlement Negotiations</i> by ELECTRONIC PRIVACY INFORMATION CENTER (Attachments: # <u>1</u> Text of Proposed Order)(Barnes, Khaliah) (Entered: 10/28/2013)
10/28/2013		MINUTE ORDER granting <u>20</u> the Consent Motion to Stay Proceedings pending completion of settlement negotiations; the proceedings are hereby stayed for seven days. Signed by Judge Gladys Kessler on 10/28/13. (CL, ) (Entered: 10/28/2013)
10/29/2013		Case Stayed (tth) (Entered: 10/29/2013)
11/01/2013	<u>21</u>	STIPULATION of Dismissal <i>and Settlement</i> by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Text of Proposed Order)(Barnes, Khaliah) (Entered: 11/01/2013)
11/04/2013	<u>22</u>	ORDER that this case is hereby dismissed with prejudice. Signed by Judge Gladys Kessler on 11/4/13. (CL, ) (Entered: 11/04/2013)