

U.S. District Court
United States District Court for the District of Connecticut (New Haven)
CIVIL DOCKET FOR CASE #: 3:15-cv-00137-SRU

Service Women's Action Network et al v. Defense
Assigned to: Judge Stefan R. Underhill
Cause: 05:552 Freedom of Information Act

Date Filed: 02/03/2015
Date Terminated: 06/17/2016
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Service Women's Action Network

represented by **Ariela M. Migdal**
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TERMINATED: 07/28/2015
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Plaintiff

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David J. McGuire
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Jason Parkin
(See above for address)
ATTORNEY TO BE NOTICED

Sandra J. Staub
(See above for address)
TERMINATED: 02/27/2015
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Plaintiff

**American Civil Liberties Union of
Connecticut**

represented by **Ariela M. Migdal**
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TERMINATED: 07/28/2015
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Sandra J. Staub
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V.

Defendant

**Department of Defense
U.S.**

represented by **Emily B. Nestler**
US Department of Justice, Civ Div, Fed
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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02/03/2015	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$400 receipt number 0205-3497028.), filed by Service Women's Action Network. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Wishnie, Michael) (Entered: 02/03/2015)
02/03/2015		Judge Stefan R. Underhill added. (Lynch, K.) (Entered: 02/03/2015)
02/03/2015	<u>2</u>	ELECTRONIC FILING ORDER – PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER Signed by Judge Stefan R. Underhill on 2/3/2015.(Fazekas, J.) (Entered: 02/03/2015)
02/03/2015	<u>3</u>	STANDING PROTECTIVE ORDER Signed by Judge Stefan R. Underhill on 2/3/2015.(Fazekas, J.) (Entered: 02/03/2015)
02/03/2015	<u>4</u>	NOTICE TO COUNSEL: Counsel initiating or removing this action is responsible for serving all parties with attached documents and copies of <u>3</u> Standing Protective Order, <u>1</u> Complaint filed by Service Women's Action Network, <u>2</u> Electronic Filing Order Signed by Clerk on 2/3/2015.(Fazekas, J.) (Entered: 02/03/2015)
02/03/2015	<u>5</u>	NOTICE of Appearance by Sandra J. Staub on behalf of American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network (Staub, Sandra) (Entered: 02/03/2015)
02/03/2015	<u>6</u>	MOTION for Attorney(s) Lenora M. Lapidus to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number 0205-3497636) by American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network. (Attachments: # <u>1</u> Affidavit)(Staub, Sandra) (Entered: 02/03/2015)
02/03/2015	<u>7</u>	MOTION for Attorney(s) Ariela M. Migdal to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number 0205-3497649) by American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network. (Attachments: # <u>1</u> Affidavit)(Staub, Sandra) (Entered: 02/03/2015)
02/03/2015	<u>8</u>	NOTICE of Appearance by David J. McGuire on behalf of American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network (McGuire, David) (Entered: 02/03/2015)
02/04/2015		Request for Clerk to issue summons as to Department of Defense. (Wishnie, Michael) (Entered: 02/04/2015)
02/04/2015	<u>9</u>	ORDER granting <u>6</u> Motion for Attorney Lenora M. Lapidus to Appear Pro Hac Vice. Attorney Lenora M. Lapidus for American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network added.; granting <u>7</u> Motion for Attorney Ariela M. Migdal to Appear Pro Hac Vice. Attorney Ariela M. Migdal for American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network added. Certificate of Good Standing due by 4/5/2015. Signed by Clerk on 2/4/2015. (Oliver, T.) (Entered: 02/04/2015)
02/04/2015	<u>10</u>	ENTERED IN ERROR – ELECTRONIC SUMMONS ISSUED in accordance with Fed. R. Civ. P. 4 and LR 4 as to *Department of Defense* with answer to complaint due within *60* days. Attorney *Michael J. Wishnie* *Jerome N. Frank Legal Services – Wall St* *Yale Law School 127 Wall Street* *New Haven, CT 06511*. (Oliver, T.) Modified on 2/4/2015 (Oliver, T.). (Entered: 02/04/2015)
02/04/2015	<u>11</u>	ELECTRONIC SUMMONS ISSUED in accordance with FOIA statute, 5 U.S.C. 552 as to *Department of Defense* with answer to complaint due within *30* days. Attorney *Michael J. Wishnie* *Jerome N. Frank Legal Services – Wall St* *Yale Law School 127 Wall Street* *New Haven, CT 06511*. (Oliver, T.) Modified on 2/5/2015 TO CORRECT THE RULE (Oliver, T.). (Entered: 02/04/2015)
02/04/2015		Docket Entry Correction re <u>10</u> Electronic Summons Issued MODIFIED TO NOTE THE ENTRY AS ENTERED IN ERROR AND REDOCKETED AS DOC <u>11</u> (Oliver, T.) (Entered: 02/04/2015)
02/18/2015	<u>12</u>	NOTICE of Appearance by Lenora M. Lapidus on behalf of American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network (Lapidus, Lenora) (Entered: 02/18/2015)
02/18/2015	<u>13</u>	NOTICE of Appearance by Ariela M. Migdal on behalf of American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action

		Network (Migdal, Ariela) (Entered: 02/18/2015)
02/24/2015	<u>14</u>	MOTION for Sandra J. Staub to Withdraw as Attorney by American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network. (Staub, Sandra) (Entered: 02/24/2015)
02/27/2015	15	ORDER granting <u>14</u> Motion to Withdraw as Attorney. Attorney Sandra J. Staub terminated. Signed by Judge Stefan R. Underhill on 2/27/2015. (Freuden, S.) (Entered: 02/27/2015)
03/20/2015	<u>16</u>	NOTICE of Appearance by Emily B. Nestler on behalf of Department of Defense (Nestler, Emily) (Entered: 03/20/2015)
03/20/2015	<u>17</u>	NOTICE of Appearance by Emily B. Nestler on behalf of Department of Defense (Nestler, Emily) (Entered: 03/20/2015)
03/20/2015	<u>18</u>	<i>Defendant's</i> ANSWER to <u>1</u> Complaint with Affirmative Defenses by Department of Defense. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Nestler, Emily) (Entered: 03/20/2015)
03/27/2015	<u>19</u>	NOTICE of Appearance by Vanessa Roberts Avery on behalf of Department of Defense (Avery, Vanessa) (Entered: 03/27/2015)
04/01/2015	<u>20</u>	CERTIFICATE OF GOOD STANDING re <u>7</u> MOTION for Attorney(s) Ariela M. Migdal to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number 0205-3497649) by American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network. (Migdal, Ariela) (Entered: 04/01/2015)
04/01/2015	<u>21</u>	CERTIFICATE OF GOOD STANDING re <u>6</u> MOTION for Attorney(s) Lenora M. Lapidus to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number 0205-3497636) by American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network. (Lapidus, Lenora) (Entered: 04/01/2015)
04/07/2015	<u>22</u>	NOTICE of Appearance by Bethany Yue-Ping Li on behalf of American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network (Li, Bethany) (Entered: 04/07/2015)
04/08/2015	<u>23</u>	MOTION for Leave to Appear Law Student Intern by American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network. (Wishnie, Michael) (Entered: 04/08/2015)
04/08/2015	24	NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE.ALL PERSONS ENTERING THE COURTHOUSE MUST PRESENT PHOTO IDENTIFICATION., Set Deadlines/Hearings: In Person Status Conference set for 4/24/2015 03:00 PM in Chambers Room 411, 915 Lafayette Blvd., Bridgeport, CT before Judge Stefan R. Underhill (Freuden, S.) (Entered: 04/08/2015)
04/10/2015	25	ORDER granting <u>23</u> Motion for Leave for Law Student Interns to Appear. Signed by Judge Stefan R. Underhill on 4/10/2015. (Freuden, S.) (Entered: 04/10/2015)
04/24/2015	26	Minute Entry for Proceedings Held Before Judge Stefan R. Underhill: Status Conference held on 4/24/2015. Total Time: 1 hour (Court Reporter Susan Catucci). (Pannu, C.) (Entered: 04/24/2015)
05/01/2015	<u>27</u>	MEMORANDUM of Scheduling Conference, ORDER. (Dispositive Motions due by 9/21/2015). Signed by Judge Stefan R. Underhill on 5/1/2015.(Freuden, S.) (Entered: 05/01/2015)
05/18/2015	<u>28</u>	MOTION to Withdraw as Attorney <i>law student Ashley Anderson</i> by Service Women's Action Network. (Wishnie, Michael) (Entered: 05/18/2015)
05/19/2015	29	ORDER granting <u>28</u> Motion to Withdraw as Attorney.. Signed by Judge Stefan R. Underhill on 5/19/2015. (Freuden, S.) (Entered: 05/19/2015)
06/23/2015	<u>30</u>	First STATUS REPORT by Department of Defense. (Nestler, Emily) (Entered: 06/23/2015)

07/21/2015	<u>31</u>	MOTION for Ariela Migdal to Withdraw as Attorney by American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network. (Migdal, Ariela) (Entered: 07/21/2015)
07/23/2015	<u>32</u>	Second STATUS REPORT by Department of Defense. (Nestler, Emily) (Entered: 07/23/2015)
07/28/2015	33	ORDER granting <u>31</u> Motion to Withdraw as Attorney. Attorney Ariela M. Migdal terminated. Signed by Judge Stefan R. Underhill on 7/28/2015. (Freuden, S.) (Entered: 07/28/2015)
08/24/2015	<u>34</u>	Consent MOTION for Extension of Time until August 28, 2015 for Defendant to submit to Plaintiff its Search Declarations and Vaughn Index <u>27</u> Memorandum of Conference, Order, Set Deadlines/Hearings by Department of Defense. (Nestler, Emily) (Entered: 08/24/2015)
08/25/2015	35	ORDER granting <u>34</u> Motion for Extension of Time to 8/28/2015 for Defendant to submit Search Declarations and Vaughn Index. Signed by Judge Stefan R. Underhill on 8/25/2015. (Landman, M) (Entered: 08/25/2015)
09/18/2015	<u>36</u>	Joint MOTION for Extension of Time until October 21, 2015 and November 11, 2015 for the Parties' Dispositive Motion <u>27</u> Memorandum of Conference, Order, Set Deadlines/Hearings by Department of Defense. (Nestler, Emily) (Entered: 09/18/2015)
09/21/2015	37	ORDER granting <u>36</u> Motion for Extension of Time regarding Dispositive Motion Deadlines set in <u>27</u> Memorandum of Conference, Order. Signed by Judge Stefan R. Underhill on 9/21/2015. (Landman, M) (Entered: 09/21/2015)
09/21/2015		Set Deadlines/Hearings: Defendant shall file any dispositive motion by no later than October 21, 2015; Plaintiffs shall respond to Defendants motion and file any cross motion by no later than November 11, 2015; Defendant shall file a reply in support of any dispositive motion, and a response to any cross motion filed by Plaintiffs, by no later than December 3, 2015; Plaintiffs shall file a reply in support of any cross motion by no later than December 21, 2015. (Landman, M) (Entered: 09/21/2015)
10/16/2015	<u>38</u>	Consent MOTION for Extension of Time until December 18, 2015 regarding Dispositive Motions 37 Order on Motion for Extension of Time by Department of Defense. (Nestler, Emily) (Entered: 10/16/2015)
10/21/2015	39	ORDER granting <u>38</u> Motion for Extension of Time re <u>27</u> Memorandum of Conference, Order. Defendant shall file all dispositive motions by 12/18/2015 and Plaintiffs shall file responses and/or cross motions by 1/29/16. Signed by Judge Stefan R. Underhill on 10/21/2015. (Landman, M) (Entered: 10/21/2015)
10/22/2015		Set Deadlines/Hearings: Defendant's Dispositive Motions due by 12/18/2015; Plaintiffs' response and/or cross motions due 1/29/2016. (Landman, M) (Entered: 10/22/2015)
12/17/2015	<u>40</u>	Joint MOTION for Extension of Time until January 29, 2016 Dispositive Motions by Department of Defense. (Nestler, Emily) (Entered: 12/17/2015)
12/18/2015	41	ORDER granting <u>40</u> Motion for Extension of Time. Signed by Judge Stefan R. Underhill on 12/18/2015. (Landman, M) (Entered: 12/18/2015)
12/18/2015		Set Deadlines/Hearings: Dispositive Motions due by 1/29/2016. (Landman, M) (Entered: 12/18/2015)
01/28/2016	<u>42</u>	Joint MOTION for Extension of Time until 2/5/2016 for Defendant's Motion for Summary Judgment and related briefing schedule Set Deadlines/Hearings by Department of Defense. (Nestler, Emily) (Entered: 01/28/2016)
01/30/2016	43	ORDER granting <u>42</u> Motion for Extension of Time. Signed by Judge Stefan R. Underhill on 1/30/2016. (Landman, M) (Entered: 01/30/2016)
01/30/2016		Set Deadlines/Hearings: Defendant's Dispositive Motions due by 2/5/2016, Plaintiffs' Response/Cross Motions due by 3/4/2016, Defendant's Response/Reply due by 4/7/2016, Plaintiffs' Reply due by 4/21/2016. (Landman, M) (Entered: 01/30/2016)

02/05/2016	<u>44</u>	Joint MOTION for Extension of Time until 03/04/2016 for <i>Defendant's Motion for Summary Judgment and Related Briefing</i> 43 Order on Motion for Extension of Time by Department of Defense. (Nestler, Emily) (Entered: 02/05/2016)
02/08/2016	<u>45</u>	NOTICE of Appearance by Jason Parkin on behalf of American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network (Parkin, Jason) (Entered: 02/08/2016)
02/09/2016	46	ORDER granting <u>44</u> Motion for Extension of Time. Signed by Judge Stefan R. Underhill on 2/9/2016. (Landman, M) (Entered: 02/09/2016)
02/09/2016		Set Deadlines/Hearings: Defendant's Dispositive Motions due by 3/4/2016, Plaintiffs' Response/Cross Motions due by 4/1/2016, Defendant's Response/Reply due by 4/29/2016, Plaintiffs' Reply due by 5/20/2016. (Landman, M) (Entered: 02/09/2016)
02/29/2016	<u>47</u>	Joint MOTION for Extension of Time until April 18, 2016 for Dispositive Motions 46 Order on Motion for Extension of Time by Department of Defense. (Nestler, Emily) (Entered: 02/29/2016)
03/04/2016	48	ORDER granting <u>47</u> Motion for Extension of Time. Signed by Judge Stefan R. Underhill on 3/4/2016. (Landman, M) (Entered: 03/04/2016)
03/04/2016		Set Deadlines/Hearings: Defendant's Dispositive Motions due by 4/18/2016, Plaintiffs' Response/Cross Motions due by 5/20/2016, Defendant's Response/Reply due by 6/10/2016, Plaintiffs' Reply due by 7/1/2016. (Landman, M) (Entered: 03/04/2016)
04/14/2016	<u>49</u>	Joint MOTION to Vacate <i>Briefing Schedule</i> by Department of Defense. (Nestler, Emily) (Entered: 04/14/2016)
04/15/2016	50	ORDER granting <u>49</u> Motion to Vacate. Signed by Judge Stefan R. Underhill on 4/15/2016. (Landman, M) (Entered: 04/15/2016)
04/15/2016		Set Deadlines/Hearings: Dispositive Motions due by 6/20/2016; Status Report due by 6/20/2016. (Landman, M) (Entered: 04/15/2016)
06/17/2016	<u>51</u>	STIPULATION of Dismissal by American Civil Liberties Union, American Civil Liberties Union of Connecticut, Service Women's Action Network. (Li, Bethany) (Entered: 06/17/2016)
06/17/2016		JUDICIAL PROCEEDINGS SURVEY: The following link to the confidential survey requires you to log into CM/ECF for SECURITY purposes. Once in CM/ECF you will be prompted for the case number. Although you are receiving this survey through CM/ECF, it is hosted on an independent website called SurveyMonkey. Once in SurveyMonkey, the survey is located in a secure account. The survey is not docketed and it is not sent directly to the judge. To ensure anonymity, completed surveys are held up to 90 days before they are sent to the judge for review. We hope you will take this opportunity to participate, please click on this link: https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey (Oliver, T.) (Entered: 06/20/2016)