

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-00399-BAH**

SINGH v. CARTER et al
Assigned to: Chief Judge Beryl A. Howell
Case: 1:16-cv-00581-BAH
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 02/29/2016
Date Terminated: 07/05/2016
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

SIMRATPAL SINGH

represented by **Amandeep S. Sidhu**
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V.

Defendant

ASHTON B. CARTER
*in his official capacity as Secretary of
Defense*

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Defendant

**UNITED STATES DEPARTMENT
OF DEFENSE**

represented by **Derrick Wayne Grace**
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LEAD ATTORNEY
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Peter C. Pfaffenroth
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Daniel James Everett
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

PATRICK J. MURPHY
*in his official capacity as Acting
Secretary of the U.S. Army
TERMINATED: 05/23/2016*

represented by **Derrick Wayne Grace**
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Peter C. Pfaffenroth
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Daniel James Everett
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

JAMES C. MCCONVILLE
*LIEUTENANT GENERAL, in his official
capacity as Deputy Chief of Staff*

represented by **Derrick Wayne Grace**
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Peter C. Pfaffenroth
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Daniel James Everett
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Defendant

**UNITED STATES DEPARTMENT
OF THE ARMY**

represented by **Derrick Wayne Grace**
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Peter C. Pfaffenroth
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ATTORNEY TO BE NOTICED*

Daniel James Everett
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

ERIC K. FANNING
*in his official capacity as Secretary of the
U.S. Army*

represented by **Derrick Wayne Grace**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
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02/29/2016	<u>1</u>	COMPLAINT against ASHTON B. CARTER, JAMES C. MCCONVILLE, PATRICK J. MURPHY, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE ARMY (Filing fee \$ 400, receipt number 4616076213) with Jury Demand filed by SIMRATPAL SINGH. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet)(zrdj) (Entered: 02/29/2016)
02/29/2016		Summons (5) Issued as to ASHTON B. CARTER, JAMES C. MCCONVILLE, PATRICK J. MURPHY, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE ARMY. (zrdj) (Entered: 02/29/2016)
02/29/2016	<u>2</u>	MOTION for Temporary Restraining Order by SIMRATPAL SINGH (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A -- Kalsi Declaration, # <u>3</u> Exhibit B -- Lamba Declaration, # <u>4</u> Exhibit C -- Khalsa Declaration, # <u>5</u> Text of Proposed Order)(zrdj) (Entered: 02/29/2016)
02/29/2016	<u>3</u>	MOTION for Preliminary Injunction by SIMRATPAL SINGH (Attachments: # <u>1</u> Text of Proposed Order)(See docket entry <u>2</u> for combined Memorandum and exhibits)(zrdj) (Entered: 02/29/2016)
02/29/2016		NOTICE of Hearing: The parties shall take notice that a Hearing on a Motion for Temporary Restraining Order is scheduled for 2/29/2016 at 3:00 PM in Courtroom 15 before Judge Beryl A. Howell. (tg) (Entered: 02/29/2016)
02/29/2016	<u>4</u>	NOTICE of Appearance by Derrick Wayne Grace on behalf of All Defendants (Grace, Derrick) (Entered: 02/29/2016)
02/29/2016	<u>5</u>	NOTICE of Appearance by Emre Nizam Ilter on behalf of SIMRATPAL SINGH (Ilter, Emre) (Entered: 02/29/2016)
02/29/2016	<u>6</u>	NOTICE of Appearance by Amandeep S. Sidhu on behalf of SIMRATPAL SINGH (Sidhu, Amandeep) (Entered: 02/29/2016)
02/29/2016	<u>7</u>	NOTICE of Appearance by Eric S. Baxter on behalf of SIMRATPAL SINGH (Baxter, Eric) Modified on 3/1/2016 (zrdj). (Entered: 02/29/2016)
02/29/2016	<u>8</u>	NOTICE of Appearance by Amandeep S. Sidhu on behalf of SIMRATPAL SINGH (Sidhu, Amandeep) (Entered: 02/29/2016)
02/29/2016	<u>9</u>	Memorandum in opposition to re <u>2</u> MOTION for Temporary Restraining Order, <u>3</u> MOTION for Preliminary Injunction filed by ASHTON B. CARTER, JAMES C. MCCONVILLE, PATRICK J. MURPHY, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Appendix)(Grace, Derrick) (Entered: 02/29/2016)
02/29/2016		Minute Entry for proceedings held before Judge Beryl A. Howell: Motion Hearing held on 2/29/2016 re: <u>2</u> Motion for Temporary Restraining Order filed by Plaintiff SIMRATPAL SINGH. (Court Reporter: Elizabeth Saint-Loth). (jth) (Entered: 02/29/2016)
02/29/2016		MINUTE ORDER (paperless) DIRECTING, as ordered by the Court at the hearing held on February 29, 2016, (1) the defendant, by noon on March 1, 2016, to submit a response to the plaintiff's assertion that he was told, on February 26, 2016, that he would be "escorted" to required testing on March 1, 2016, including any verification of this communication to the plaintiff and, if this assertion is verified, an explanation for it; (2) the parties, by noon on March 1, 2016, to provide a proposed briefing schedule for the plaintiff's <u>3</u> Application for Preliminary Injunction, including any reasons why the plaintiff's motion for preliminary injunctive relief should not be resolved in conjunction with the plaintiff's <u>2</u> Application for Temporary Restraining Order, which due to the defendant's postponement of the testing order to the plaintiff must be resolved by March 3, 2016; and (3) the plaintiff, by 5:00 p.m. on March 1, 2016, to submit any reply to the defendant's 120-page <u>2</u> Opposition to Plaintiffs Motion for a Temporary Restraining Order. Signed by Judge Beryl A. Howell on February 29, 2016. (lcbah3) (Entered: 02/29/2016)
02/29/2016	<u>10</u>	STANDING ORDER. Signed by Judge Beryl A. Howell on February 29, 2016. (lcbah3) (Entered: 02/29/2016)

02/29/2016	<u>11</u>	NOTICE of Appearance by Peter C. Pfaffenroth on behalf of All Defendants (Pfaffenroth, Peter) (Entered: 02/29/2016)
03/01/2016	<u>12</u>	AFFIDAVIT re <u>2</u> MOTION for Temporary Restraining Order <i>Declaration of Harsimran Kaur Dang</i> by SIMRATPAL SINGH. (Sidhu, Amandeep) (Entered: 03/01/2016)
03/01/2016		Set/Reset Deadlines: Defendant's Response to Order of the Court regarding testing on 3/1/2016 due by noon on 3/1/2016; Joint proposed briefing schedule due by noon on 3/1/2016; Plaintiff's Reply to Defendant's <u>2</u> Opposition to Plaintiff's Motion for Temporary Restraining Order due by 5:00 p.m. on 3/1/2016. (tg) (Entered: 03/01/2016)
03/01/2016	<u>13</u>	NOTICE regarding allegation the Captain Singh was to be escorted to appointments by ASHTON B. CARTER, JAMES C. MCCONVILLE, PATRICK J. MURPHY, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE ARMY (Attachments: # <u>1</u> Exhibit)(Grace, Derrick) (Entered: 03/01/2016)
03/01/2016	<u>14</u>	PROPOSED BRIEFING SCHEDULE re <u>3</u> MOTION for Preliminary Injunction by SIMRATPAL SINGH. (Sidhu, Amandeep) (Entered: 03/01/2016)
03/01/2016	<u>15</u>	Consent MOTION for Extension of Time to <i>file proposed briefing schedule until 5:00 PM</i> by ASHTON B. CARTER, JAMES C. MCCONVILLE, PATRICK J. MURPHY, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE ARMY (Grace, Derrick) (Entered: 03/01/2016)
03/01/2016		ORDER granting the defendants' <u>15</u> Motion for Enlargement of Time Until 5:00 P.M. Today. The defendants shall, by 5:00 p.m. on March 1, 2016, file a proposed briefing schedule, as directed in the Court's February 29, 2016 Minute Order. Signed by Judge Beryl A. Howell on March 1, 2016. (lcbah3) (Entered: 03/01/2016)
03/01/2016		NOTICE OF ERROR re <u>8</u> Notice of Appearance; emailed to asidhu@mwe.com, cc'd 5 associated attorneys -- The PDF file you docketed contained errors: 1. Please refile document, 2. Counsel is instructed to refile said pleading using their assigned password/login. (LCvR R 5.4(b)) (zrdj,) (Entered: 03/01/2016)
03/01/2016		Set/Reset Deadlines: Defendants' proposed briefing schedule due by 5:00 p.m. on 3/1/2016. (tg) (Entered: 03/01/2016)
03/01/2016	<u>16</u>	REPLY to opposition to motion re <u>2</u> MOTION for Temporary Restraining Order filed by SIMRATPAL SINGH. (Attachments: # <u>1</u> Declaration Baxter Declaration, # <u>2</u> Declaration Singh Declaration)(Baxter, Eric) (Entered: 03/01/2016)
03/01/2016	<u>17</u>	MOTION for Briefing Schedule for <i>Preliminary Injunction</i> by ASHTON B. CARTER, JAMES C. MCCONVILLE, PATRICK J. MURPHY, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE ARMY (Grace, Derrick) (Entered: 03/01/2016)
03/02/2016	<u>18</u>	NOTICE of Appearance by Eric Christopher Rassbach on behalf of SIMRATPAL SINGH (Rassbach, Eric) Modified on 3/3/2016 (zrdj). (Entered: 03/02/2016)
03/02/2016	<u>19</u>	RESPONSE re <u>17</u> MOTION for Briefing Schedule for <i>Preliminary Injunction</i> filed by SIMRATPAL SINGH. (Baxter, Eric) (Entered: 03/02/2016)
03/03/2016	<u>20</u>	TRANSCRIPT OF HEARING for Temporary Restraining Order before Judge Beryl A. Howell held on 02-29-2016; Page Numbers: 1 - 78. Date of Issuance:03-03-2016. Court Reporter/Transcriber Elizabeth SaintLoth, Telephone number 202-354-3242, Transcripts may be ordered by submitting the Transcript Order Form.<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90

		days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P> Redaction Request due 3/24/2016. Redacted Transcript Deadline set for 4/3/2016. Release of Transcript Restriction set for 6/1/2016.(Saint-Loth, Elizabeth) (Entered: 03/03/2016)
03/03/2016	<u>21</u>	NOTICE of Rescheduled Testing by SIMRATPAL SINGH (Attachments: # <u>1</u> Exhibit A)(Baxter, Eric) (Entered: 03/03/2016)
03/03/2016	<u>22</u>	ORDER granting the plaintiff's <u>2</u> Application for Temporary Restraining Order. Accordingly, the parties shall, by 5:00 p.m. on March 4, 2016, jointly submit a proposed briefing schedule to govern further proceedings in this matter. See Order for further details. Signed by Judge Beryl A. Howell on March 3, 2016. (lcbah3) (Entered: 03/03/2016)
03/03/2016	<u>23</u>	MEMORANDUM OPINION regarding the plaintiff's <u>2</u> Application for Temporary Restraining Order. Signed by Judge Beryl A. Howell on March 3, 2016. (lcbah3) (Entered: 03/03/2016)
03/04/2016		Set/Reset Deadlines: Joint proposed briefing schedule due by 5:00 p.m. on 3/4/2016. (tg) (Entered: 03/04/2016)
03/04/2016	<u>24</u>	Joint MOTION for Briefing Schedule for Plaintiff's Request for Preliminary Injunction by ASHTON B. CARTER, JAMES C. MCCONVILLE, PATRICK J. MURPHY, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE ARMY (Grace, Derrick) (Entered: 03/04/2016)
03/04/2016		MINUTE ORDER (paperless) ISSUING the following SCHEDULING ORDER to control the timing of proceedings in this matter, upon consideration of the parties' <u>24</u> Joint Proposed Briefing Schedule: (1) the defendants shall, by April 1, 2016, notify the Court regarding any action taken on the plaintiff's request for religious accommodation; (2) the plaintiff shall, by April 2, 2016, notify the Court whether he intends to withdraw his pending <u>3</u> Application for Preliminary Injunction, or amend the pleadings, which amendment shall be filed by April 5, 2016; (3) the defendants shall, by April 5, 2016, file any opposition to the plaintiff's <u>3</u> Application for Preliminary Injunction; (4) the plaintiff shall, by April 12, 2016, file any reply in support of his <u>3</u> Application for Preliminary Injunction; (5) the defendants shall, by April 29, 2016, respond to the plaintiff's operative complaint. Signed by Judge Beryl A. Howell on March 4, 2016. (lcbah3) (Entered: 03/04/2016)
03/04/2016		Set/Reset Deadlines: Defendants' Notification to the Court regarding any action taken on the plaintiff's request for religious accommodation due by 4/1/2016; Plaintiff to notify the Court whether he intends to withdraw his pending <u>3</u> Application for Preliminary Injunction by 4/2/2016; Plaintiff's Amended Pleadings due by 4/5/2016; Defendants' Opposition to plaintiff's <u>3</u> Application for Preliminary Injunction due by 4/5/2016; Plaintiff's Reply due by 4/12/2016; Defendants' response to Plaintiff's operative complaint due by 4/29/2016. (tg) (Entered: 03/04/2016)
03/31/2016	<u>25</u>	NOTICE of Appearance by Daniel James Everett on behalf of All Defendants (Everett, Daniel) (Entered: 03/31/2016)
03/31/2016	<u>26</u>	NOTICE of Army's Action on Plaintiff's Request for Religious Accommodation by ASHTON B. CARTER, JAMES C. MCCONVILLE, PATRICK J. MURPHY, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE ARMY (Attachments: # <u>1</u> Exhibit Exhibit 1 (Decision by Asst. Sec. of the Army Wada re: Plaintiff's Religious Accommodation))(Everett, Daniel) (Entered: 03/31/2016)
04/01/2016	<u>27</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 03/07/2016. (Baxter, Eric) (Entered: 04/01/2016)
04/01/2016	<u>28</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/7/2016. Answer due for ALL FEDERAL DEFENDANTS by 5/6/2016. (Baxter, Eric) (Entered: 04/01/2016)
04/01/2016	<u>29</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. ASHTON B. CARTER served on 3/7/2016 (Baxter, Eric) (Entered: 04/01/2016)

04/01/2016	<u>30</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF THE ARMY served on 3/11/2016 (Baxter, Eric) (Entered: 04/01/2016)
04/01/2016	<u>31</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF DEFENSE served on 3/9/2016 (Baxter, Eric) (Entered: 04/01/2016)
04/01/2016	<u>32</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. JAMES C. MCCONVILLE served on 3/7/2016 (Baxter, Eric) (Entered: 04/01/2016)
04/01/2016	<u>33</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. PATRICK J. MURPHY served on 3/7/2016 (Baxter, Eric) (Entered: 04/01/2016)
04/02/2016	<u>34</u>	NOTICE OF INTENT by SIMRATPAL SINGH re <u>26</u> Notice (Other), (Attachments: # <u>1</u> Exhibit 1)(Baxter, Eric) (Entered: 04/02/2016)
04/05/2016	<u>35</u>	Memorandum in opposition to re <u>3</u> MOTION for Preliminary Injunction filed by ASHTON B. CARTER, JAMES C. MCCONVILLE, PATRICK J. MURPHY, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE ARMY. (Attachments: # <u>1</u> Appendix)(Grace, Derrick) (Entered: 04/05/2016)
04/12/2016	<u>36</u>	NOTICE of Appearance by Diana Marie Verm on behalf of SIMRATPAL SINGH (Verm, Diana) Modified on 4/13/2016 (zrdj). (Entered: 04/12/2016)
04/12/2016	<u>37</u>	REPLY to opposition to motion re <u>3</u> MOTION for Preliminary Injunction filed by SIMRATPAL SINGH. (Attachments: # <u>1</u> Affidavit of Tejdeep S. Rattan, # <u>2</u> Affidavit of Taranbir Singh, # <u>3</u> Affidavit of Kanwar B. Singh, # <u>4</u> Affidavit of A.S.G. (a minor), # <u>5</u> Affidavit of Harpal Singh, # <u>6</u> Affidavit of Jacob Goldstein)(Baxter, Eric) (Entered: 04/12/2016)
04/13/2016	<u>38</u>	NOTICE of Appearance by Daniel H. Blomberg on behalf of SIMRATPAL SINGH (Blomberg, Daniel) Modified on 4/13/2016 (zrdj). (Entered: 04/13/2016)
04/13/2016	<u>39</u>	MOTION to Consolidate Cases by SIMRATPAL SINGH (Sidhu, Amandeep) (Entered: 04/13/2016)
04/22/2016	<u>40</u>	Memorandum in opposition to re <u>39</u> MOTION to Consolidate Cases filed by ASHTON B. CARTER, JAMES C. MCCONVILLE, PATRICK J. MURPHY, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE ARMY. (Grace, Derrick) (Entered: 04/22/2016)
04/29/2016	<u>41</u>	MOTION to Dismiss by ASHTON B. CARTER, JAMES C. MCCONVILLE, PATRICK J. MURPHY, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE ARMY (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Appendix C)(Grace, Derrick) (Entered: 04/29/2016)
04/29/2016	<u>42</u>	REPLY to opposition to motion re <u>39</u> MOTION to Consolidate Cases filed by SIMRATPAL SINGH. (Baxter, Eric) (Entered: 04/29/2016)
05/02/2016	<u>43</u>	MOTION for Order <i>Setting Status Conference</i> by SIMRATPAL SINGH (Baxter, Eric) (Entered: 05/02/2016)
05/05/2016	<u>44</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>41</u> MOTION to Dismiss by SIMRATPAL SINGH (Baxter, Eric) (Entered: 05/05/2016)
05/05/2016	<u>45</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by SIMRATPAL SINGH (Baxter, Eric) (Entered: 05/05/2016)
05/06/2016	<u>46</u>	ORDER denying the plaintiff's <u>3</u> Application for Preliminary Injunction, <u>39</u> Motion to Consolidate, and <u>43</u> Expedited Motion for Status Conference. See Order for further details. Signed by Chief Judge Beryl A. Howell on May 6, 2016. (lcbah3) (Entered: 05/06/2016)
05/06/2016	<u>47</u>	MEMORANDUM OPINION regarding the plaintiff's <u>3</u> Motion for Preliminary Injunction, <u>39</u> Motion to Consolidate, and <u>43</u> Expedited Motion for Status Conference. Signed by Chief Judge Beryl A. Howell on May 6, 2016. (lcbah3) (Entered: 05/06/2016)

05/06/2016		MINUTE ORDER (paperless) GRANTING the plaintiff's <u>44</u> Consent Motion for Extension of Time. The plaintiff shall, by May 27, 2016, file any opposition to the defendants' <u>41</u> Motion to Dismiss. Signed by Chief Judge Beryl A. Howell on May 6, 2016. (lcbah3) (Entered: 05/06/2016)
05/06/2016		Set/Reset Deadlines: Plaintiff's Response to Defendants' <u>41</u> Dispositive Motion due by 5/27/2016. (tg) (Entered: 05/09/2016)
05/11/2016	<u>48</u>	NOTICE of Appearance by Gurjot Kaur on behalf of All Plaintiffs (Kaur, Gurjot) (Entered: 05/11/2016)
05/23/2016	<u>49</u>	AMENDED COMPLAINT against All Defendants with Jury Demand filed by SIMRATPAL SINGH. (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, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17)(Baxter, Eric) (Entered: 05/23/2016)
06/01/2016	<u>50</u>	Consent MOTION for Extension of Time to File Answer <i>or otherwise respond to Plaintiff's Amended Complaint</i> by ASHTON B. CARTER, ERIC K. FANNING, JAMES C. MCCONVILLE, PATRICK J. MURPHY, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE ARMY (Grace, Derrick) (Entered: 06/01/2016)
06/02/2016		MINUTE ORDER (paperless) DENYING as moot the defendants' <u>41</u> Motion to Dismiss, in light of the plaintiff's filing of the <u>49</u> First Amended Complaint, and GRANTING the defendants' <u>50</u> Consent Motion to Enlarge Time to File Defendants' Answer or Otherwise Respond to Plaintiff's Amended Complaint. The defendants shall, by June 20, 2016, answer or otherwise respond to the plaintiff's <u>49</u> First Amended Complaint. Signed by Chief Judge Beryl A. Howell on June 2, 2016. (lcbah3) (Entered: 06/02/2016)
06/02/2016		Set/Reset Deadlines: Defendants' Answer to the Amended Complaint due by 6/20/2016. (tg) (Entered: 06/02/2016)
06/20/2016	<u>51</u>	MOTION to Dismiss by ASHTON B. CARTER, ERIC K. FANNING, JAMES C. MCCONVILLE, PATRICK J. MURPHY, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF THE ARMY (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Appendix D)(Grace, Derrick). Added MOTION to Strike on 6/21/2016 (zrdj). (Entered: 06/20/2016)
07/04/2016	<u>52</u>	NOTICE of Voluntary Dismissal by All Plaintiffs (Baxter, Eric) (Entered: 07/04/2016)
07/05/2016		MINUTE ORDER (paperless) DENYING as moot the defendants' <u>51</u> Motion to Dismiss and Motion to Strike Plaintiff's Jury Demand and DIRECTING the Clerk to close this case in light of the plaintiff's <u>52</u> Rule 41(a)(1)(A) Notice of Voluntary Dismissal Without Prejudice. Federal Rule of Civil Procedure 41(a)(1)(A)(i) permits a plaintiff to dismiss voluntarily a civil suit without a court order by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." <i>Id.</i> The defendants have not yet filed an answer or a motion for summary judgment in the instant suit. Accordingly, the case is dismissed without prejudice. Signed by Chief Judge Beryl A. Howell on July 5, 2016. (lcbah3) (Entered: 07/05/2016)