

STAYED

**U.S. District Court
Western District of Pennsylvania (Pittsburgh)
CIVIL DOCKET FOR CASE #: 2:20-cv-00064-LPL**

BROWN et al v. TRANSPORTATION SECURITY
ADMINISTRATION et al
Assigned to: Magistrate Judge Lisa Pupo Lenihan
Cause: 05:0701 Maritime Subsidy Board

Date Filed: 01/15/2020
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

REBECCA BROWN
and

represented by **Daniel Alban**
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LEAD ATTORNEY
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Plaintiff

AUGUST TERRENCE ROLIN
*on behalf of themselves and all others
similarly situated*

represented by **Daniel Alban**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jaba Tsitsuashvili
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Richard Hoover
(See above for address)
LEAD ATTORNEY

*PRO HAC VICE
ATTORNEY TO BE NOTICED*

V.

Defendant

**TRANSPORTATION SECURITY
ADMINISTRATION**

represented by **Elizabeth Tulis**
U.S. Department of Justice, Civil
Division, Federal Programs
1100 L Street NW
Washington, DC 20005
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DAVID P. PEKOSKE
*Administrator, Transportation Security
Administration, in his official capacity*

represented by **Elizabeth Tulis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**DRUG ENFORCEMENT
ADMINISTRATION**

represented by **Elizabeth Tulis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

UTTAM DHILLON
*Acting Administrator, Drug Enforcement
Administration, in his official capacity*

represented by **Elizabeth Tulis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

"STEVE" LAST NAME UNKOWN
*Agent, Drug Enforcement Administration,
in his official capacity, and*

represented by **David W. Inkeles**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

UNITED STATES OF AMERICA

represented by **Elizabeth Tulis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/15/2020	<u>1</u>	COMPLAINT against UTTAM DHILLON, DRUG ENFORCEMENT ADMINISTRATION, "STEVE" LAST NAME UNKOWN, DAVID P. PEKOSKE, TRANSPORTATION SECURITY ADMINISTRATION, UNITED STATES OF AMERICA (Filing fee, including Administrative fee, \$400, receipt number 0315-5428120), filed by AUGUST TERRENCE ROLIN, REBECCA BROWN.

		(Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons as to Transportation Security Administration Office of Chief Counsel, TSA-2, # <u>3</u> Summons as to Transportation Security Administration, c/o Scott W. Brady, U.S. Attorney for the Western District of Pennsylvania, # <u>4</u> Summons as to Transportation Security Administration, c/o Attorney General William Barr, # <u>5</u> Summons as to David Pekoske, Administrator, Transportation Security Administration c/o Scott W. Brady, U.S. Attorney for the Western District of Pennsylvania, # <u>6</u> Summons as to David Pekoske, Administrator Transportation Security Administration Office of Chief Counsel, # <u>7</u> Summons as to David Pekoske, Administrator, Transportation Security Administration c/o Attorney General William Barr, # <u>8</u> Summons as to Drug Enforcement Administration, Pittsburgh District Office, # <u>9</u> Summons as to Drug Enforcement Administration, Office of Chief Counsel, # <u>10</u> Summons as to Drug Enforcement Administration, c/o Scott W. Brady, U.S. Attorney for the Western District of Pennsylvania, # <u>11</u> Summons as to Drug Enforcement Administration, c/o Attorney General William Barr, # <u>12</u> Summons as to Uttam Dhillon, Acting Administrator Drug Enforcement Administration, Office of Chief Counsel, # <u>13</u> Summons as to Uttam Dhillon, Acting Administrator, Drug Enforcement Administration, c/o Scott W. Brady, U.S. Attorney for the Western District of Pennsylvania, # <u>14</u> Summons as to Uttam Dhillon, Acting Administrator, Drug Enforcement Administration, c/o Attorney General William Barr, # <u>15</u> Summons as to Steve Last Name Unknown, Agent, Drug Enforcement Administration, Pittsburgh District Office, # <u>16</u> Summons as to Steve Last Name Unknown, Agent, Drug Enforcement Administration, Office of Chief Counsel, # <u>17</u> Summons as to Steve Last Name Unknown, Agent, Drug Enforcement Administration, c/o Scott W. Brady, U.S. Attorney for the Western District of Pennsylvania, # <u>18</u> Summons as to Steve Last Name Unknown, Agent, Drug Enforcement Administration, c/o Attorney General William Barr, # <u>19</u> Summons as to United States of America, c/o Scott W. Brady, U.S. Attorney for the Western District of Pennsylvania, # <u>20</u> Summons as to United States of America, c/o Attorney General William Barr) (jv) (Entered: 01/16/2020)
01/16/2020	<u>2</u>	MOTION for attorney Daniel L. Alban to Appear Pro Hac Vice, (Filing fee \$70, Receipt # 0315-5430562) by REBECCA BROWN, AUGUST TERRENCE ROLIN. (Attachments: # <u>1</u> Affidavit of Dan Alban, # <u>2</u> Proposed Order) (Alban, Daniel) (Entered: 01/16/2020)
01/16/2020	<u>3</u>	MOTION for attorney Jaba Tsitsuashvili to Appear Pro Hac Vice, (Filing fee \$70, Receipt # 0315-5430596) by REBECCA BROWN, AUGUST TERRENCE ROLIN. (Attachments: # <u>1</u> Affidavit of Jaba Tsitsuashvili, # <u>2</u> Proposed Order) (Tsitsuashvili, Jaba) (Entered: 01/16/2020)
01/16/2020	<u>4</u>	MOTION for attorney Richard Hoover to Appear Pro Hac Vice, (Filing fee \$70, Receipt # 0315-5430606) by REBECCA BROWN, AUGUST TERRENCE ROLIN. (Attachments: # <u>1</u> Affidavit of Richard Hoover, # <u>2</u> Proposed Order) (Hoover, Richard) (Entered: 01/16/2020)
01/16/2020	<u>5</u>	ORDER re Federal Rule of Civil Procedure 12(b) Motions to Dismiss, as more fully stated in said order. Signed by Magistrate Judge Lisa Pupo Lenihan on 01/16/2020. (jmb) (Entered: 01/16/2020)
01/16/2020	<u>6</u>	ORDER GRANTING the <u>2</u> Motion for Daniel L. Alban to Appear Pro Hac Vice. Signed by Magistrate Judge Lisa Pupo Lenihan on 01/16/2020. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jmb) (Entered: 01/16/2020)
01/16/2020	<u>7</u>	ORDER GRANTING the <u>3</u> Motion for Jaba Tsitsuashvili to Appear Pro Hac Vice. Signed by Magistrate Judge Lisa Pupo Lenihan on 01/16/2020. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jmb) (Entered: 01/16/2020)
01/16/2020	<u>8</u>	ORDER GRANTING the <u>4</u> Motion for Ricahrd Hoover to Appear Pro Hac Vice. Signed by Magistrate Judge Lisa Pupo Lenihan on 01/16/2020. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jmb) (Entered: 01/16/2020)
01/17/2020	<u>9</u>	Summons Issued as to TRANSPORTATION SECURITY ADMINISTRATION (Main Documents is to Chief Counsel) (Attachments: # <u>1</u> Summons as Scott Brady issued, # <u>2</u> Summons as to William Barr issued) (jv) (Entered: 01/17/2020)

01/17/2020	<u>10</u>	Summons Issued as to DAVID P. PEKOSKE (Main Documents is Summon as to Chief Counsel issued) (Attachments: # <u>1</u> Summons as to Scott Brady issued, # <u>2</u> Proposed Order as to William Barr issued) (jv) (Entered: 01/17/2020)
01/17/2020	<u>11</u>	Summons Issued as to DRUG ENFORCEMENT ADMINISTRATION (Main Document is Summons as to Pittsburgh District Office issued) (Attachments: # <u>1</u> Summons as to Chief Council issued, # <u>2</u> Summons as to Scott Brady issued, # <u>3</u> Summons as to William Barr issued) (jv) (Entered: 01/17/2020)
01/21/2020	<u>12</u>	Summons Issued as to UTTAM DHILLON (Main Document is Summons as to Chief Counsel) (Attachments: # <u>1</u> Summons as to Scott Brady issued, # <u>2</u> Summons as to William Barr issued) (jv) (Entered: 01/21/2020)
01/21/2020	<u>13</u>	Summons Issued as to "STEVE" LAST NAME UNKOWN (Main Document is Summons issued as to Pittsburgh District Office) (Attachments: # <u>1</u> Summons as to Chief Counsel issued, # <u>2</u> Summons as to Scott Brady issued, # <u>3</u> Summons as to William Barr issued) (jv) (Entered: 01/21/2020)
01/21/2020	<u>14</u>	Summons Issued as to UNITED STATES OF AMERICA (Main Document is as to Scott Brady issued) (Attachments: # <u>1</u> Summons as to William Barr issued) (jv) (Entered: 01/21/2020)
01/27/2020	<u>15</u>	SUMMONS/Return of Service Returned Executed by AUGUST TERRENCE ROLIN, REBECCA BROWN. TRANSPORTATION SECURITY ADMINISTRATION served on 1/24/2020, answer due 2/14/2020. (Attachments: # <u>1</u> Transportation Security Administration Proof of Service (c/o Office of Chief Counsel), # <u>2</u> Transportation Security Administration Proof of Service (c/o William Barr)) (Alban, Daniel) (Entered: 01/27/2020)
01/27/2020	<u>16</u>	SUMMONS/Return of Service Returned Executed by AUGUST TERRENCE ROLIN, REBECCA BROWN. DAVID P. PEKOSKE served on 1/24/2020, answer due 2/14/2020. (Attachments: # <u>1</u> David Pekoske (Office of Chief Counsel), # <u>2</u> David Pekoske (William Barr)) (Alban, Daniel) (Entered: 01/27/2020)
01/27/2020	<u>17</u>	SUMMONS/Return of Service Returned Executed by AUGUST TERRENCE ROLIN, REBECCA BROWN. DRUG ENFORCEMENT ADMINISTRATION served on 1/24/2020, answer due 2/14/2020. (Attachments: # <u>1</u> Drug Enforcement Administration (c/o Office of Chief Counsel), # <u>2</u> Drug Enforcement Administration (District Office), # <u>3</u> Drug Enforcement Administration (c/o William Barr)) (Alban, Daniel) (Entered: 01/27/2020)
01/27/2020	<u>18</u>	SUMMONS/Return of Service Returned Executed by AUGUST TERRENCE ROLIN, REBECCA BROWN. UTTAM DHILLON served on 1/24/2020, answer due 2/14/2020. (Attachments: # <u>1</u> Uttam Dhillon (c/o Office of Chief Counsel), # <u>2</u> Uttam Dhillon (c/o William Barr)) (Alban, Daniel) (Entered: 01/27/2020)
01/27/2020	<u>19</u>	SUMMONS/Return of Service Returned Executed by AUGUST TERRENCE ROLIN, REBECCA BROWN. "STEVE" LAST NAME UNKOWN served on 1/24/2020, answer due 2/14/2020. (Attachments: # <u>1</u> "Steve" Last Name Unknown (c/o Office of Chief Counsel), # <u>2</u> "Steve" Last Name Unknown (District Office), # <u>3</u> "Steve" Last Name Unknown (c/o William Barr)) (Alban, Daniel) (Entered: 01/27/2020)
01/27/2020	<u>20</u>	SUMMONS/Return of Service Returned Executed by AUGUST TERRENCE ROLIN, REBECCA BROWN. UNITED STATES OF AMERICA served on 1/24/2020, answer due 3/24/2020. (Attachments: # <u>1</u> United States of America (c/o William Barr)) (Alban, Daniel) (Entered: 01/27/2020)
03/06/2020	<u>21</u>	NOTICE of Appearance by Elizabeth Tulis on behalf of UTTAM DHILLON, DRUG ENFORCEMENT ADMINISTRATION, DAVID P. PEKOSKE, TRANSPORTATION SECURITY ADMINISTRATION, UNITED STATES OF AMERICA. (Tulis, Elizabeth) (Entered: 03/06/2020)
03/13/2020	<u>22</u>	Stipulation for Extension of Time to Answer by DAVID P. PEKOSKE, UTTAM DHILLON, DRUG ENFORCEMENT ADMINISTRATION, UNITED STATES OF AMERICA, TRANSPORTATION SECURITY ADMINISTRATION Answer due from DAVID P. PEKOSKE on 5/8/2020; UTTAM DHILLON on 5/8/2020; DRUG ENFORCEMENT ADMINISTRATION on 5/8/2020; UNITED STATES OF AMERICA on 5/8/2020; TRANSPORTATION SECURITY ADMINISTRATION on

		5/8/2020. (Tulis, Elizabeth) (Entered: 03/13/2020)
03/17/2020	<u>23</u>	ORDER. It is hereby ORDERED that the Motion to Stay filed at 2:20-mc-394 (ECF No. 2) is hereby GRANTED IN PART. It is further ORDERED, for the reasons as set forth herein, that as to the civil actions set forth in Exhibit "A", all filing/scheduling/ADR/discovery response deadlines, and all other case management/administration obligations and deadlines of the parties, in such listed actions are held in abeyance from the date of this Order until and including 4/16/20, unless that period of abeyance is modified by subsequent Order of the undersigned or of the judicial officer assigned to any such civil action. It is further ORDERED as set forth herein. Signed by Chief Judge Mark R. Hornak on 3/17/20. (Attachments: # <u>1</u> Exhibit A) (bdb) (Entered: 03/17/2020)
03/19/2020	<u>24</u>	CERTIFICATE of Service re <u>23</u> Order by Virginia Spencer Scott on behalf of TRANSPORTATION SECURITY ADMINISTRATION (Scott, Virginia) (Entered: 03/19/2020)
03/28/2020		IMPORTANT NOTICE: The United States District Court for the Western District of Pennsylvania (WDPA) will be upgrading its current CM/ECF system to the Next Generation of CM/ECF (NextGen CM/ECF) on Monday, May 26, 2020. Complete information, including a checklist of actions regarding the WDPA NexGen CM/ECF implementation, can be found at here . Currently, multiple attorneys within a firm may share a single PACER account. Shared PACER accounts cannot be used by WDPA e-filing attorneys once the WDPA NextGen CM/ECF system is implemented. Each attorney must have an individual upgraded PACER account that will be linked to the e-filing account. If you have an upgraded PACER account, no action is required until after the WDPA NextGen CM/ECF upgrade on May 26, 2020. You have an upgraded PACER account if you (1) e-file in another NextGen court, or (2) created your PACER account after August 10, 2014. If neither of these are true, you must upgrade your legacy PACER account before you will be able to link your PACER account to your current WDPA CM/ECF account for your new NextGen CM/ECF account. Further informational notices will be sent later, but if you have questions about upgrading your PACER account, please contact the PACER Service Center at 800-676-6856. (Administrator,) (ADI) (Entered: 03/28/2020)
04/06/2020	<u>25</u>	SUMMONS/Return of Service Returned Executed by AUGUST TERRENCE ROLIN, REBECCA BROWN. "STEVE" LAST NAME UNKOWN served on 3/26/2020, answer due 5/26/2020. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Alban, Daniel) (Entered: 04/06/2020)
04/26/2020		IMPORTANT NOTICE: The United States District Court for the Western District of Pennsylvania will be upgrading its current CM/ECF system to the Next Generation of CM/ECF on May 26, 2020. Complete information, including a checklist of actions regarding the WDPA NexGen CM/ECF implementation, can be found here . Preparing for NextGen is a two-step process. The first step is to upgrade any legacy PACER accounts. Each attorney must have an individual upgraded PACER account in order to electronically file after our conversion to NextGen. The second step will be to link that upgraded PACER account with your WDPA CM/ECF account after the Court goes live with NextGen. To link your account, you will need your current e-filing credentials from our Court. If your CM/ECF login contains a special character (such as &, @, \$, *), you will need to change it as logins with those characters will be unable to link to PACER accounts. No later than Thursday, May 21, 2020, you should log into both PACER and the current version of CM/ECF to (1) review and record your current e-filing credentials for both, as you will need to know them in order to e-file after May 23, 2020 and (2) ensure that your primary email address to receive Notices of Electronic Filings (NEF) is accurate. Failure to provide an accurate email address may result in a delay in receiving NEFs after the Court converts to NextGen. (Administrator,) (ADI) (Entered: 04/26/2020)
04/28/2020	<u>26</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, filed by REBECCA BROWN, AUGUST TERRENCE ROLIN by UTTAM DHILLON, DRUG ENFORCEMENT ADMINISTRATION, DAVID P. PEKOSKE, TRANSPORTATION SECURITY ADMINISTRATION, UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Proposed Order) (Tulis, Elizabeth) (Entered: 04/28/2020)

04/29/2020	27	ORDER GRANTING the <u>26</u> Motion for Extension of Time to Respond to Complaint. IT IS FURTHER ORDERED that the Government Defendants shall file their answer or motion under Fed.R.Civ.P.12 by May 29, 2020. Signed by Magistrate Judge Lisa Pupo Lenihan on 04/29/2020. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jmb) (Entered: 04/29/2020)
05/08/2020	<u>28</u>	NOTICE of Appearance by David W. Inkeles on behalf of "STEVE" LAST NAME UNKOWN. (Inkeles, David) (Entered: 05/08/2020)
05/08/2020	<u>29</u>	Stipulation for Extension of Time to Answer by "STEVE" LAST NAME UNKOWN Answer due from "STEVE" LAST NAME UNKOWN on 5/29/2020. (Attachments: # <u>1</u> Proposed Order) (Inkeles, David) (Entered: 05/08/2020)
05/17/2020		FINAL NOTICE: <u>In preparation of the Court's conversion to NextGen, our Court's CM/ECF system will be unavailable from 12:00 p.m. (Noon) on Friday, May 22, 2020, until 11:59 pm. Monday, May 25, 2020. Please plan accordingly.</u> Complete information, including a checklist of actions regarding the WDPA NexGen CM/ECF implementation, can be found here . Preparing for NextGen is a two-step process. The first step is to upgrade any legacy PACER accounts. The second step is to link that upgraded PACER account with your WDPA CM/ECF account after the Court goes live with NextGen. To link your account, you will need your current e-filing credentials from our Court. If your CM/ECF login contains any special characters (anything other than a letter or number), you will need to change it as logins with those characters will be unable to link to PACER accounts. No later than <u>Thursday, May 21, 2020</u>, you should log into both PACER and the current version of CM/ECF to review and record your current e-filing credentials for both, as you will need to know them in order to e-file after May 23, 2020. Please consult the Court's administrative order for additional information on deadlines and alternative filing options during this period. (Administrator,) (ADI) (Entered: 05/17/2020)