

CLOSED,STAYED,TYPE-L

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:12-cv-00832-RMC**

BALDWIN et al v. PANETTA et al
Assigned to: Judge Rosemary M. Collyer
Cause: 05:0706 Judicial Review of Agency Actions

Date Filed: 05/23/2012
Date Terminated: 11/06/2013
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

JANE P. BALDWIN
Command Sergeant Major

represented by **Christopher N. Sipes**
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Plaintiff

ELLEN L. HARING
Colonel

represented by **Christopher N. Sipes**
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Megan Keane
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V.

Defendant

LEON PANETTA
Honorable, Secretary of Defense
TERMINATED: 10/31/2013

represented by **Caroline Lewis Wolverton**
U.S. DEPARTMENT OF JUSTICE
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LEAD ATTORNEY

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Defendant**JOHN M. MCHUGH***Honorable, Secretary of the Army*represented by **Caroline Lewis Wolverton**

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Defendant**THOMAS P. BOSTICK***Lieutenant General, Deputy Chief of Staff
G-1, U.S. Army*represented by **Caroline Lewis Wolverton**

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LEAD ATTORNEY

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Defendant**THOMAS R. LAMONT***Honorable, Assistant Secretary of the
Army*represented by **Caroline Lewis Wolverton**

(See above for address)

LEAD ATTORNEY

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Defendant**CHARLES T. HAGEL***Honorable, Secretary of Defense*represented by **Caroline Lewis Wolverton**

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/23/2012	<u>1</u>	COMPLAINT against THOMAS P. BOSTICK, THOMAS R. LAMONT, JOHN MCHUGH, LEON EDWARD PANETTA (Filing fee \$ 350, receipt number 4616048463) filed by JANE P. BALDWIN, ELLEN L. HARING. (Attachments: # <u>1</u> Civil Cover Sheet)(rdj) (Entered: 05/23/2012)
05/23/2012		Summons (4) Issued as to THOMAS P. BOSTICK, THOMAS R. LAMONT, JOHN MCHUGH, LEON EDWARD PANETTA. (rdj) (Entered: 05/23/2012)
05/23/2012		Summons (2) Issued as to U.S. Attorney and U.S. Attorney General (ls,) (Entered: 05/23/2012)
07/23/2012	<u>2</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. JOHN M. MCHUGH served on 6/4/2012 (Sipes, Christopher) Modified on 7/24/2012 to correct date of service(rdj). (Entered: 07/23/2012)
07/23/2012	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. LEON EDWARD PANETTA served on 5/24/2012 (Sipes, Christopher) Modified on 7/24/2012 to correct date of service(rdj). (Entered: 07/23/2012)
07/23/2012	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. THOMAS R. LAMONT served on 6/4/2012 (Sipes, Christopher) Modified on 7/24/2012 to correct date of service(rdj). (Entered: 07/23/2012)
07/23/2012	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. THOMAS P. BOSTICK served on 6/5/2012 (Sipes, Christopher) Modified on 7/24/2012 to correct date of service(rdj). (Entered: 07/23/2012)
07/25/2012	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 05/29/2012. (Sipes, Christopher) (Entered: 07/25/2012)
07/25/2012	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/29/2012. Answer due for ALL FEDERAL DEFENDANTS by 7/28/2012. (Sipes, Christopher)

		(Entered: 07/25/2012)
07/27/2012	<u>8</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint by THOMAS P. BOSTICK, THOMAS R. LAMONT, JOHN M. MCHUGH, LEON EDWARD PANETTA (Attachments: # <u>1</u> Text of Proposed Order)(Wolverton, Caroline) (Entered: 07/27/2012)
07/30/2012		MINUTE ORDER granting <u>8</u> Motion for Extension of Time to Answer. Defendants shall respond to the Complaint no later than September 13, 2012. Signed by Judge Rosemary M. Collyer on 7/30/2012. (lcrmc2) (Entered: 07/30/2012)
07/30/2012		Set/Reset Deadlines/Hearings: Answer to complaint due by 9/13/2012. (cdw) (Entered: 07/31/2012)
09/13/2012	<u>9</u>	MOTION to Dismiss for Lack of Jurisdiction , MOTION to Dismiss by THOMAS P. BOSTICK, THOMAS R. LAMONT, JOHN M. MCHUGH, LEON EDWARD PANETTA (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit, # <u>3</u> Text of Proposed Order)(Wolverton, Caroline) (Entered: 09/13/2012)
09/19/2012	<u>10</u>	NOTICE of Appearance by Kindra M. Baer on behalf of JANE P. BALDWIN, ELLEN L. HARING (Baer, Kindra) (Entered: 09/19/2012)
09/19/2012	<u>11</u>	NOTICE of Appearance by Megan Keane on behalf of All Plaintiffs (Keane, Megan) (Entered: 09/19/2012)
09/24/2012	<u>12</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>9</u> MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss by JANE P. BALDWIN, ELLEN L. HARING (Attachments: # <u>1</u> Text of Proposed Order)(Keane, Megan) (Entered: 09/24/2012)
09/24/2012		MINUTE ORDER granting <u>12</u> Motion for Extension of Time to File Response/Reply. Plaintiff shall oppose the motion to dismiss by October 31, 2012. Defendants shall reply by November 12, 2012. Signed by Judge Rosemary M. Collyer on 9/24/2012. (lcrmc2) (Entered: 09/24/2012)
09/24/2012		Set/Reset Deadlines/Hearings: Response to <u>9</u> due by 10/31/2012. Reply to <u>9</u> due by 11/12/2012. (cdw) (Entered: 09/25/2012)
10/31/2012	<u>13</u>	Memorandum in opposition to re <u>9</u> MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss filed by JANE P. BALDWIN, ELLEN L. HARING. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order, # <u>2</u> Declaration Declaration of Megan P. Keane In Support of Plaintiffs' Opposition, # <u>3</u> Exhibit Exhibit A to Keane Decl., # <u>4</u> Exhibit Exhibit B to Keane Decl., # <u>5</u> Exhibit Exhibit C to Keane Decl., # <u>6</u> Exhibit Exhibit D to Keane Decl., # <u>7</u> Exhibit Exhibit E to Keane Decl., # <u>8</u> Exhibit Exhibit F to Keane Decl., # <u>9</u> Exhibit Exhibit G to Keane Decl.)(Keane, Megan) (Entered: 10/31/2012)
11/06/2012	<u>14</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>9</u> MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss by THOMAS P. BOSTICK, THOMAS R. LAMONT, JOHN M. MCHUGH, LEON EDWARD PANETTA (Attachments: # <u>1</u> Text of Proposed Order)(Wolverton, Caroline) (Entered: 11/06/2012)
11/07/2012		MINUTE ORDER granting <u>14</u> Motion for Extension of Time to File Response/Reply. By agreement of the parties, defendants shall file their reply brief in support of their motion to dismiss no later than November 20, 2012. Signed by Judge Rosemary M. Collyer on 11/7/2012. (lcrmc2) (Entered: 11/07/2012)
11/07/2012		Set/Reset Deadlines/Hearings: Reply to <u>9</u> due by 11/20/2012. (cdw) (Entered: 11/08/2012)
11/20/2012	<u>15</u>	REPLY to opposition to motion re <u>9</u> MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss <i>for Failure to State a Claim upon which Relief Can Be Granted</i> filed by THOMAS P. BOSTICK, THOMAS R. LAMONT, JOHN M. MCHUGH, LEON EDWARD PANETTA. (Wolverton, Caroline) (Entered: 11/20/2012)
02/11/2013	<u>16</u>	ORDER TO SHOW CAUSE. No later than February 25, 2013, Plaintiffs shall show cause why this case should not be dismissed as moot. If plaintiffs intend to pursue this case, they shall show cause why the case should not be stayed pending final

		implementation of the amended Department of Defense policy. Signed by Judge Rosemary M. Collyer on 2/11/2013. (lcrmc2) (Entered: 02/11/2013)
02/11/2013		Set/Reset Deadlines/Hearings: Response to Show Cause Order due by 2/25/2013. (cdw) (Entered: 02/13/2013)
02/25/2013	<u>17</u>	Joint MOTION to Stay by JANE P. BALDWIN, ELLEN L. HARING (Attachments: # <u>1</u> Text of Proposed Order)(Keane, Megan) (Entered: 02/25/2013)
02/25/2013	<u>18</u>	RESPONSE TO ORDER TO SHOW CAUSE by JANE P. BALDWIN, ELLEN L. HARING re <u>16</u> Order to Show Cause, . (Keane, Megan) (Entered: 02/25/2013)
02/25/2013		MINUTE ORDER granting as unopposed <u>17</u> Motion to Stay and discharging <u>16</u> Order to Show Cause. The parties have reported in their Motion to Stay and in the Response to the Order to Show Cause that they jointly request that the case be stayed until June 1, 2013, pending implementation of new regulations on the assignment of women to combat positions and possible filing of a motion to dismiss the case as moot. Accordingly, it is ordered that the case is STAYED until June 1, 2013. On or before that date, either the parties shall file a joint status report OR defendants shall file a motion to dismiss. Signed by Judge Rosemary M. Collyer on 2/25/2013. (lcrmc2) (Entered: 02/25/2013)
02/25/2013		Case Stayed. (cdw) (Entered: 02/26/2013)
05/31/2013	<u>19</u>	Joint MOTION to Stay <i>Proceedings</i> by JANE P. BALDWIN, ELLEN L. HARING (Attachments: # <u>1</u> Text of Proposed Order to Continue the Stay of Proceedings)(Keane, Megan) (Entered: 05/31/2013)
05/31/2013		MINUTE ORDER granting <u>19</u> Joint Motion to Stay. At the joint request of the parties, this case is stayed until August 30, 2013. The parties shall file a joint status report no later than August 30, 2013. Signed by Judge Rosemary M. Collyer on 5/31/2013. (lcrmc2) (Entered: 05/31/2013)
05/31/2013		Case Stayed. Set/Reset Deadlines/Hearings: Status Report due by 8/30/2013. (cdw) (Entered: 06/01/2013)
08/30/2013	<u>20</u>	STATUS REPORT <i>Joint submission</i> by JANE P. BALDWIN, ELLEN L. HARING. (Keane, Megan) (Entered: 08/30/2013)
09/04/2013		MINUTE ORDER. This case remains stayed until October 31, 2013. The parties shall file a joint status report no later than that date. Signed by Judge Rosemary M. Collyer on 9/4/2013. (lcrmc2) (Entered: 09/04/2013)
09/04/2013		Set/Reset Deadlines/Hearings: Joint Status Report due by 10/31/2013. (cdw) (Entered: 09/04/2013)
10/31/2013	<u>21</u>	Joint MOTION to Stay <i>Proceedings</i> , Joint MOTION for Extension of Time to <i>File Joint Status Report</i> by JANE P. BALDWIN, ELLEN L. HARING (Attachments: # <u>1</u> Text of Proposed Order)(Keane, Megan) (Entered: 10/31/2013)
11/01/2013		MINUTE ORDER granting <u>21</u> Joint Motion to Stay <i>Proceedings</i> and for Extension of Time. The case is stayed until 11/7/13, at which time the stay shall be automatically lifted; the parties' joint status report shall be due no later than 11/7/13. Signed by Judge Rosemary M. Collyer on 11/1/2013. (lcrmc1) (Entered: 11/01/2013)
11/04/2013	<u>22</u>	NOTICE of Voluntary Dismissal by All Plaintiffs (Keane, Megan) (Entered: 11/04/2013)
11/05/2013		MINUTE ORDER approving Plaintiffs' <u>22</u> Notice of Voluntary Dismissal without prejudice. The case is dismissed and closed. Signed by Judge Rosemary M. Collyer on 11/5/2013. (lcrmc1) (Entered: 11/05/2013)