

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:

U.S. DEPARTMENT OF STATE FOIA) Misc. No. 15-1188
LITIGATION REGARDING EMAILS)
OF CERTAIN FORMER OFFICIALS)

ORDER

The Court has before it some three dozen cases brought under the Freedom of Information Act ("FOIA") against the United States Department of State ("State Department"), seeking records that include emails that were in the possession of former Secretary of State Hillary Clinton or members of her staff. The State Department has filed this miscellaneous case, moving under Local Civil Rules 40.5(e) and 40.6(a) for designation of a coordinating judge to address "common questions of law, fact, and procedure" (U.S. Dep't of State's Mot. for Designation of Coordinating Judge, Sept. 2, 2015 [ECF No. 1]).

The case was initially assigned to the Calendar and Case Management Committee,¹ which sought responses from the plaintiffs

¹ The proposed order attached to the motion had a signature line already bearing as the name of the assigned judge "Chief Judge Richard W. Roberts." Miscellaneous cases, however, "shall be assigned to judges of this court selected at random[,]" Local Civil Rule 40.3(a), "under the direction of the Calendar and Case Management Committee." Local Civil Rule 40.1(b).

in the underlying FOIA cases. (See Order, Sept. 4, 2015 [ECF No. 3].) The majority of plaintiffs filed oppositions to the State Department's motion. (See Memoranda in Opposition, Sept. 11 and 14, 2015 [ECF Nos. 16, 17, 19, 21, 23, 25, & 26].)

As the State Department recognizes, these cases do not meet the definition of a "related case" under Local Civil Rule 40.5(a)(3). Many of the underlying cases have been pending for several years and a significant number of scheduling orders have already been entered. The judges who have been randomly assigned to these cases have been and continue to be committed to informal coordination so as to avoid unnecessary inefficiencies and confusion, and the parties are also urged to meet and confer to assist in coordination.

On October 6, 2015, the Executive Session of the United States District Court for the District of Columbia considered the State Department's motion for designation of a coordinating judge and unanimously decided to deny the motion and to close out this miscellaneous case. Accordingly, on behalf of the Judges of this Court sitting in Executive Session, it is hereby

ORDERED that the State Department's motion for designation of a coordinating judge [ECF No. 1] be, and hereby is, DENIED. It is further

ORDERED that all other pending motions [ECF Nos. 24 & 40] be, and hereby are, DENIED. It is further

ORDERED that the Clerk of Court close the above-captioned miscellaneous case.

Dated this 8th day of October, 2015.

_____/s/_____
RICHARD W. ROBERTS
Chief Judge