

Sylvia Burwell

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Civil Action 1:14-cv-00264

1. Counsel shall appear for an initial pretrial conference:

Before the Honorable Andrew S. Hanen
United States District Judge
Third Floor-Courtroom No. 6
United States Courthouse
600 E. Harrison Street, #301
Brownsville, TX 78520

2. Within 15 days of receiving this order, counsel must file a list of all entities that are financially interested in this litigation, including parent, subsidiary, and affiliated corporations as well as all known attorneys of record. When a group description is effective disclosure, an individual listing is not necessary. Underline the names of corporations with publicly traded securities. Counsel must promptly amend the list when parties are added or additional interested parties are identified.
3. The plaintiff must serve the defendant within 120 days of filing the complaint. The plaintiff's failure to file proof of service within that time may result in dismissal by the court on its own initiative. *See* Fed. R. Civ. P. Rule 4(m).
4. At least 14 days before the conference, counsel must file a joint case management plan listing the identities and purposes of witnesses, sources and types of documents, and other requirements for a prompt and inexpensive preparation of this case for disposition by motion or trial. *See* Fed R. Civ. P. Rule 26(f).
5. The parties shall agree on additional deadlines for completion of pretrial matters including all expert designation dates and discovery cut-offs as well as dates for exchanging of initial disclosures if they have not already been completed.
6. By the conference, counsel will have interviewed their clients and read all relevant documents; readily available documents will have been exchanged at the plan meeting at the latest.
7. The court will set a schedule for initial preparation and may rule on motions pending or

made at the conference.

8. Counsel in charge of a case must appear at all hearings or conferences. A motion to appear on behalf of the attorney-in-charge will be granted only upon showing of good cause, and only if the attorney to be substituted is familiar with the case and has authority to bind the client. The motion to appear must be ruled on in advance of the hearing or conference date.
9. Counsel who appear at the conference must have authority to bind the client and must know the facts.
10. Counsel must have discussed alternative dispute resolution with their clients and each other; at the conference, the court will consider whether a method of ADR is suited to this case.
11. The court will enter a scheduling order and may rule on any pending motions at the conference.
12. The Plaintiff(s), or the party removing this suit from state court, **SHALL SERVE THE OPPOSING PARTY OR PARTIES** with copies of:
 - A. this ORDER FOR CONFERENCE,
 - B. the form for the JOINT REPORT ON MEETING REQUIRED BY RULE 26(f) AND JOINT DISCOVERY/CASE MANAGEMENT PLAN.
 - C. JUDGE HANEN'S RULES OF COURT WHICH CAN BE FOUND IN THE COURT'S WEBSITE AT [HTTP://WWW.TXS.USCOURTS.GOV](http://www.txs.uscourts.gov).
13. These papers **SHALL BE SERVED CONTEMPORANEOUSLY WITH THE SUMMONS AND COMPLAINT.**
14. The parties will be bound by the provisions contained in this ORDER, the papers mentioned in No. 4 above, and the dates set out in the scheduling order to be entered in this case.
15. Failure to comply with this order may result in sanctions, including dismissal of the action and assessment of expenses.

BY THE ORDER OF THE COURT

DR. ORLY TAITZ, ESQ
29839 SANTA MARGARITA, STE 100
RANCHO SANTA MARGARITA, CA 92688
PH 949-683-5411 FAX 949-766-7687

United States District Court
Southern District of Texas
FILED

DEC 18 2014

David J. Bradley, Clerk of Court

US DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

DR. ORLY TAITZ ESQ,)

Case #

B-14-264

PLAINTIFF

V)

SYLVIA BURWELL,

IN HER CAPACITY AS THE

SECRETARY OF HHS,

DEFENDANT)

COMPLAINT FOR VIOLATION OF FOIA 5 USC 552 (CASE RELATED TO 14 -CV 00119 ASH)

JURISDICTION

Jurisdiction is under 28 USC 1331, brought for enforcement of a federal statute 5 USC 552-Freedom of Information Act. The case at hand is related to an ongoing case *Taitz v Johnson et al* 14-cv-00119 USDC Southern District of Texas, Brownsville division, Hon Andrew S. Hanen. FOIA request in question was submitted in conjunction to 14-cv-00119.

PARTIES

Dr. Orly Taitz, ESQ, plaintiff

Sylvia Burwell, in her capacity as the Secretary of HHS, Defendant

STATEMENT OF FACTS

1. Plaintiff submitted to CDC a FOIA request on November 2, 2014. This FOIA request is related to an ongoing case *Taitz v Johnson et al* 14-cv-00119. FOIA request was sent to the Center of Disease control (Hereinafter CDC), which is a part of the Department of Health and Human Services, which is run by the Secretary of Health and Human Services, Sylvia Burwell.
2. On the next day, November 3, 2014 CDC acknowledged receipt of FOIA request for information.
3. Under FOIA, 5 USC 552, agency is obligated to respond within twenty days.
4. Forty five days passed and no response was received.

ARGUMENT

Due to the fact that the agency is required to respond within 20 days and the agency did not respond within 45 days, plaintiff is entitled to relief, an order directing the defendant to provide the response to FOIA request.

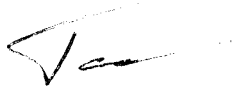
PRAYER FOR RELIEF

Plaintiff respectfully requests:

1. Order by the court directing the defendant to provide the plaintiff with the response to her FOIA request.

2. Order by the court directing the agency to provide the plaintiff the Vaughn index, enumerating all documents in agency's possession responsive to FOIA request at hand.

Respectfully, Dr. Orly Taitz, ESQ



12.17.2014

Exhibit 1

Declaration by Orly Taitz

I, Orly Taitz, declare that the attached FOIA request is a true and correct copy of the FOIA request, submitted by me to the CDC, and the attached e-mail, confirmation receipt of the FOIA request, is true and correct copy of the e-mail receipt from CDC, received by me.

Signed



Dr. Orly Taitz, ESQ

12.17.2014

RE: CDC-INFO: Inquiry [ref: _00DU0YCBU._500U0FPyko:ref]

From **CDC INFO** <cdcinfo@cdc.gov> [hide details](#)

To **orly.taitz** <orly.taitz@hushmail.com>

Sent Monday, November 3, 2014 at 6:33 AM

Encrypted No

Signed No

[Show all headers](#)

Thank you for your inquiry to CDC-INFO regarding Freedom of Information Act (FOIA) request.

Your request has been forwarded to the CDC's FOIA office on your behalf. They will contact you directly if they have questions.

In the future, you may send your FOIA request to:

Mail:

CDC/ATSDR

Attn: FOIA Office

Williams Building

Floor 2

2877 Brandywine Road

Atlanta, GA 30341

Email: FOIARequests@cdc.gov

For more information, please call 1-800-CDC-INFO (800-232-4636), visit www.cdc.gov and click on "Contact CDC-INFO," or go to www.cdc.gov/info. If you have questions or comments, please send them via our online form at www.cdc.gov/info.

CDC-INFO is a service of the Centers for Disease Control and Prevention (CDC) and the Agency for Toxic Substances and Disease Registry (ATSDR). This service is provided by Verizon and its subcontractors under the Networx Universal contract to CDC and ATSDR.

A.D.H.

----- Original Message -----

From: [cdcinfoforms@cdc.gov]

Sent: 11/2/2014 7:50 AM

To: cdcinfo@cdc.gov

Subject: CDC-INFO: Inquiry

Subject: Quarantine of people exposed to an infectious disease

From: Clinician

Email Address: orly.taitz@hushmail.com

Your Question: Dr. Orly Taitz, ESQ
29839 Santa Margarita ste 100
Rancho Santa Margarita, CA 92688
ph. 949-683-5411 fax 949-766-7603
orly.taitz@hushmail.com

Attention Dr. Martin Cetron,
Director for the Division of Global Migration and Quarantine (DGMQ)
U.S. Centers for Disease Control

- Centers for Disease Control and Prevention
1600 Clifton Rd
Atlanta, GA 30333
- 800-CDC-INFO
(800-232-4636)
TTY: (888) 232-6348
- Contact CDC-Info

REQUEST FOR INFORMATION UNDER 5 USC 552-FREEDOM OF
INFORMATION ACT.

Per 5 USC Freedom of Information act I am requesting any and all
documents relative to the request below and providing the following
information:

1. During October 29, 2014 hearing in Taitz v Johnson US District Court
Southern District of TX 14-cv-00119 Judge Andrew S. Hanen, a
government witness, Quarantine Officer, Miguel Escobedo testified that

you, Martin Cetron, sign quarantine orders on behalf of the federal government and the Secretary of Health and Human Services. Based on this testimony I am requesting a form quarantine order, which explains under which federal statutes/ authority individuals are being quarantined and/or isolated.

2. Any and all quarantine/isolation orders issued for Ebola patients or individuals exposed to Ebola.

3. Any and all Tuberculosis/ quarantine orders issued since 2012.

Any and all Enterovirus D-68 quarantine/ isolation orders issues since 2012.

4. Any other quarantine/isolation orders issued since 2012.

5. Certification of Ebola Risk level.

6. If any of the orders contain names of the individuals or any other identifying information, which is redactable under HIPAA, please, redact this information.

7. Prediction of total Ebola cases expected by January 2015.

8. Any and all documents showing quarantine/isolation of sick individuals in HHS camps created to accommodate the surge of minor illegal aliens from 2012-2014.

9. Any and all documents relating to rabies quarantine, particularly regarding rabies related death of

Optional Information

Contact: Dr. Orly Taitz, ESQ, Doctor of Dental surgery, Dr. Taitz

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