

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

LUCAS CALIXTO, et al.,

*Plaintiffs,*

v.

UNITED STATES DEPARTMENT OF THE  
ARMY and MARK ESPER, in his official  
Capacity as Secretary, U.S. Department of the  
Army,

*Defendants.*

Civil Action No. 18-1551 (ESH)

**DEFENDANTS' STATUS REPORT**

In accordance with the Court's August 13, 2018 Order, Defendants respectfully submit the following bi-weekly status report.

1. The Court ordered Defendants to file bi-weekly status reports with any updates regarding the Army's policy with respect to administrative separation procedures applicable to DEP and DTP members, as well as any intention to discharge any DEP or DTP member in accordance with this policy. ECF No. 23.

2. On August 20, 2018, Defendants reported the Deputy Chief of Staff G-1 had forwarded recommendations for consideration and approval relative to the administrative separation procedures applicable to members of the DEP and DTP who receive unfavorable MSSDs. ECF Nos. 24 and 24-1.

3. On October 1, 2018, Defendants reported that they are still engaged in internal policy analysis and development of courses of action relative to the policy. ECF No. 32.

4. Defendants continue to engage in internal discussions, analysis, and policy

development. Defendants do not intend to discharge any DEP or DTP members in accordance with the policy while it is still in development. In accordance with the Court's August 13, 2018 Order, Defendants will file with the Court a description of the final policy at least 14 days prior to any discharge order or separation proceeding initiated in accordance with the policy.

Dated: October 15, 2018

Respectfully submitted,

JESSIE K. LIU, D.C. Bar #472845  
United States Attorney

DANIEL F. VAN HORN, D.C. Bar #924092  
Chief, Civil Division

By: /s/ Jeremy A. Haugh  
JEREMY A. HAUGH  
Special Assistant United States Attorney  
U.S. Attorney's Office, Civil Division  
555 4th Street, N.W.  
Washington, D.C. 20530  
(202) 252-2574 (phone)  
(202) 252-2599 (fax)  
[Jeremy.haugh@usdoj.gov](mailto:Jeremy.haugh@usdoj.gov)

*Attorneys for Defendants*