

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

LUCAS CALIXTO, et al.

*Plaintiffs,*

v.

UNITED STATES DEPARTMENT OF  
THE ARMY, et al.,

*Defendants.*

Civil Action No.18-1551 (ESH)

**DEFENDANTS' STATUS REPORT**

In accordance with the Court's Orders entered on August 13, 2018 (ECF No. 23) Defendants respectfully submit this status report. The Court's August 13, 2018 order requires Defendants to provide bi-weekly status reports "with any updates regarding [1] the Army's policy with respect to administrative separation procedures applicable to DEP and DTP members, as well as [2] any intention to discharge any DEP or DTP members in accordance with this policy." Order (ECF No. 23) at 2.

1. The Army's October 26, 2018 policy memorandum (ECF No. 50-1), with regard to MAVNIs who receive unfavorable MSSRs and/or MSSDs, remains in effect and has not been changed or otherwise amended.

2. As of the date of this report, the Army has not initiated any administrative separations pursuant to the October 26, 2018 policy memorandum (ECF No. 50-1). The Army intends to begin initiating the involuntary administrative separation process under the October 26, 2018 policy memorandum for DEP members who received unfavorable MSSDs. *Id.* at ¶ 4.

3. Defendants will comply with the Court's October 22, 2019 Order (ECF No. 145) and

the Court's January 21, 2020 Order (ECF No. 155) prior to sending any "Phase 2" letters initiating involuntary separations.

Dated: February 4, 2020

Respectfully submitted,

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Attorney for the United States  
Acting under Authority Conferred by 28 U.S.C. § 515

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