

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:99-cv-00929-PLF**

BEVERLY ENTERPRISES v. BARNES  
Assigned to: Judge Paul L. Friedman  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/13/1999  
Date Terminated: 08/08/2000  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**BEVERLY ENTERPRISES**  
*BEVERLY ENTERPRISES INC*

represented by **William Henry DuRoss , III**  
SHAINIS & PELTZMAN,  
CHARTERED  
1850 M Street, NW  
Suite 240  
Washington, DC 20036  
(202) 293-0011  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**C. RICHARD BARNES**  
*Director, Federal Mediation and Conciliation Service*

represented by **Eric Mark Jaffe**  
U.S. ATTORNEY'S OFFICE  
Judiciary Center Building  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 514-7153  
Fax: 202-305-0955  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
04/13/1999	1	COMPLAINT filed by plaintiff BEVERLY ENTERPRISES ; exhibits (9) (bjsp) (Entered: 04/14/1999)
04/13/1999	2	RULE 109 Certificate of disclosure of corporate affiliations and financial interests by plaintiff BEVERLY ENTERPRISES (bjsp) (Entered: 04/14/1999)
04/13/1999		SUMMONS (3) issued to federal party(s) federal defendant C. RICHARD BARNES , and non-parties: U.S. Attorney and U.S. Attorney General. (bjsp) (Entered: 04/14/1999)

05/17/1999	3	ANSWER TO COMPLAINT [1-1] by federal defendant C. RICHARD BARNES . (tw) (Entered: 05/20/1999)
05/17/1999	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 4/15/99 (tw) (Entered: 05/20/1999)
05/17/1999	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 4/15/99 upon federal defendant C. RICHARD BARNES (tw) (Entered: 05/20/1999)
05/17/1999	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 4/16/99 (tw) (Entered: 05/20/1999)
06/15/1999	7	MEET AND CONFER STATEMENT/REPORT (JOINT) PURSUANT TO L.R. 206(d) filed by plaintiff BEVERLY ENTERPRISES, federal defendant C. RICHARD BARNES . (tth) (Entered: 06/17/1999)
06/25/1999		MEET AND CONFER STATUS CONFERENCE before Judge Paul L. Friedman: defendant's motion for summary judgment due by 7/13/99; plaintiff's response to motion for summary judgment and 56(f) motion due by 8/3/99; defendant's reply to motion for summary judgment and response to 56(f) motion due by 8/17/99; plaintiff's reply to motion due by 8/27/99 Reporter: Santa Zizzo (bm) (Entered: 06/25/1999)
06/28/1999	8	SCHEDULING ORDER by Judge Paul L. Friedman confirming dates set at the meet and confer status conference held 6/25/99; setting forth instructions to counsel (N) (bm) (Entered: 06/28/1999)
07/13/1999	9	MOTION filed by federal defendant C. RICHARD BARNES to dismiss complaint [1-1] , or, in the alternative, for summary judgment ; exhibits (2) (bjsp) (Entered: 07/14/1999)
07/13/1999	10	NOTICE OF FILING by federal defendant C. RICHARD BARNES to the Court letting the Court know that in camera documents were filed. (bjsp) (Entered: 07/19/1999)
08/03/1999	11	MOTION filed by plaintiff BEVERLY ENTERPRISES to extend time for filing discovery so that plaintiff can respond to defendants motion to dismiss or in the alternative for summary judgment ; exhibits (4) (bjsp) (Entered: 08/04/1999)
08/17/1999	12	RESPONSE by federal defendant C. RICHARD BARNES in opposition to motion to extend time for filing discovery so that plaintiff can respond to defendants motion to dismiss or in the alternative for summary judgment [11-1] by BEVERLY ENTERPRISES ; exhibit (1) (bjsp) (Entered: 08/18/1999)
08/24/1999	13	ORDER by Judge Paul L. Friedman : granting motion to extend time for filing discovery so that plaintiff can respond to defendants motion to dismiss or in the alternative for summary judgment [11-1] by BEVERLY ENTERPRISES; response to dispositive motions due 9/24/99; reply to dispositive motions due 10/4/99 (N) (bm) (Entered: 08/24/1999)
09/13/1999	14	MOTION filed by plaintiff BEVERLY ENTERPRISES to extend time to 10/15/99 for filing response to defendant's motion to dismiss, or in the alternative for summary judgment. (tw) (Entered: 09/15/1999)

09/17/1999	15	ORDER by Judge Paul L. Friedman : granting motion to extend time to 10/15/99 for filing response to defendant's motion to dismiss, or in the alternative for summary judgment. [14-1] by BEVERLY ENTERPRISES; response to dispositive motions due by 10/15/99; reply to dispositive motions due by 10/28/99 (N) (bm) (Entered: 09/17/1999)
10/15/1999	16	RESPONSE by plaintiff BEVERLY ENTERPRISES in opposition to motion to dismiss complaint [1-1] [9-1] and motion for summary judgment [9-2] by C. RICHARD BARNES . (st) Modified on 10/29/1999 (Entered: 10/18/1999)
10/15/1999	<a href="#">20</a>	CROSS MOTIONS by plaintiff BEVERLY ENTERPRISES for summary judgment , or in the alternative renewed motion to conduct discovery ; Exhibits (2). (ks) Modified on 08/08/2000 (Entered: 08/08/2000)
10/28/1999	17	REPLY by federal defendant C. RICHARD BARNES to plaintiff's opposition to motion to dismiss complaint [1-1] [9-1] or, in the alternative, motion for summary judgment [9-2] by C. RICHARD BARNES ; exhibits (14) (bjsp) Modified on 10/29/1999 (Entered: 10/29/1999)
10/28/1999	18	RESPONSE (OPPOSITIONS) by federal defendant C. RICHARD BARNES to plaintiff's cross motion for summary judgment or motion to conduct discover (bjsp) (Entered: 10/29/1999)
04/25/2000	19	NOTICE OF CHANGE OF ADDRESS by William Henry DuRoss III representing plaintiff BEVERLY ENTERPRISES . New address: SHAINIS & PELTZMAN, CHARTERED 1850 M Street, N.W. Washington DC 20036 (202) 293-0011 ext. 116. (tw) (Entered: 04/26/2000)
08/08/2000	21	OPINION by Judge Paul L. Friedman (N) (ks) (Entered: 08/08/2000)
08/08/2000	<a href="#">22</a>	ORDER by Judge Paul L. Friedman : denying renewed motion to conduct discovery [21-2] by BEVERLY ENTERPRISES, denying cross motion for summary judgment [20-1] by BEVERLY ENTERPRISES, granting motion to dismiss complaint [1-1] [9-1] by C. RICHARD BARNES, granting motion for summary judgment [9-2] by C. RICHARD BARNES ; that judgment is entered for defendants; and that this Order shall constitute a Final Judgment in this case; , case is dismissed [1-1] with prejudice from the docket of this Court (N) (ks) (Entered: 08/08/2000)
10/10/2000	23	NOTICE OF APPEAL by plaintiff BEVERLY ENTERPRISES from order ; that judgment is entered for defendants; and that this Order shall constitute a Final Judgment in this case; [22-1], order case is dismissed [1-1] with prejudice from the docket of this Court [22-2], order [22-3] , entered on: 8/8/00. \$105.00 fee paid; copy mailed to parties. (td) Modified on 10/14/2000 (Entered: 10/14/2000)
10/14/2000		TRANSMITTED PRELIMINARY RECORD on appeal [23-1] by BEVERLY ENTERPRISES to U.S. Court of Appeals (td) (Entered: 10/14/2000)
10/24/2000		USCA # 00-5367 assigned for appeal [23-1] by BEVERLY ENTERPRISES (td) (Entered: 10/26/2000)
05/09/2001	24	CERTIFIED COPY of order filed in USCA dated 3/16/01, on appeal [23-1] , affirming the judgment of USDC . USCA # 00-5367 (bcs) (Entered: 05/11/2001)