

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:98-cv-01670-GK**

OIL, CHEM. & ATOMIC, et al v. US ENRICHMENT CORP, Date Filed: 06/30/1998
et al Date Terminated: 12/10/1999
Assigned to: Judge Gladys Kessler Jury Demand: None
Demand: \$0 Nature of Suit: 895 Freedom of
Cause: 05:552 Freedom of Information Act Information Act
Jurisdiction: U.S. Government
Defendant

Plaintiff

**OIL, CHEMICAL & ATOMIC
WORKERS INTERNATIONAL
UNION ("OCAW"), AFL-CIO**

represented by **Reuben A. Guttman**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

JAMES K. PHILLIPS, JR.
*Vice President of Oil, Chemical and
Atomic Workers International Union,
AFL-CIO*

represented by **Reuben A. Guttman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES ENRICHMENT
CORPORATION**
TERMINATED: 03/19/1999

represented by **Anne L. Weismann**
CITIZENS FOR RESPONSIBILITY
AND ETHICS IN WASHINGTON
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LEAD ATTORNEY
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Defendant

DEPARTMENT OF ENERGY

represented by **Anne L. Weismann**
(See above for address)
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ATTORNEY TO BE NOTICED

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Date Filed	#	Docket Text
06/30/1998	1	COMPLAINT filed by plaintiff OIL, CHEM. & ATOMIC, plaintiff JAMES K. PHILLIPS JR.; exhibits (16) (tb) (Entered: 07/02/1998)
06/30/1998		SUMMONS (2) issued to non-parties: U.S. Attorney and U.S. Attorney General. (tb) (Entered: 07/02/1998)
08/06/1998	2	TRANSCRIPT filed for date(s) of 07/22/98. Reporter: Susan P. Tyner (tb) (Entered: 08/07/1998)
08/14/1998	3	STATEMENT filed by federal defendant US ENRICHMENT CORP , regarding: suggestion concerning termination of subject matter jurisdiction. (JMF) (Entered: 08/17/1998)
08/18/1998	4	MOTION filed by plaintiff OIL, CHEM. & ATOMIC, plaintiff JAMES K. PHILLIPS JR. to extend time to 9/21/98 to respond to the 08/14/98 suggestion by the United States concerning termination of subject matter jurisdiction (tb) (Entered: 08/19/1998)
08/19/1998	5	ORDER by Judge Gladys Kessler : denying motion to extend time to 9/21/98 to respond to the 08/14/98 suggestion by the United States concerning termination of subject matter jurisdiction [4-1] by JAMES K. PHILLIPS JR., OIL, CHEM. & ATOMIC (N) (tb) (Entered: 08/21/1998)
08/21/1998	6	ORDER by Judge Gladys Kessler : denying the Suggestion of the United States Concerning Termination of Subject Matter Jurisdiction for failure to comply with the Fed. R. Civ. (N) (gew) (Entered: 08/21/1998)
09/09/1998	7	STATEMENT filed by federal defendant US ENRICHMENT CORP , regarding: further suggestion of the United States concerning termination of subject-matter jurisdiction; exhibits (2). (JMF) (Entered: 09/10/1998)
09/11/1998	8	ORDER by Judge Gladys Kessler : that plaintiffs file a response to the United States filing by 9/23/98. (N) (pob) (Entered: 09/11/1998)
09/23/1998	9	RESPONSE (OPPOSITIONS) by plaintiff OIL, CHEM. & ATOMIC, plaintiff JAMES K. PHILLIPS JR. to statement [7-1] by US ENRICHMENT CORP suggestion to dismiss (st) (Entered: 09/24/1998)

10/05/1998	10	REPLY by federal defendant US ENRICHMENT CORP to statement concerning termination of subject matter jurisdiction[7-1] by US ENRICHMENT CORP; exhibit (1) (st) Modified on 10/06/1998 (Entered: 10/06/1998)
10/14/1998	11	MOTION filed by plaintiff OIL, CHEM. & ATOMIC, plaintiff JAMES K. PHILLIPS JR. for leave to file response ; exhibit (1) (tb) (Entered: 10/15/1998)
10/15/1998	12	ORDER by Judge Gladys Kessler : denying motion for leave to file response [11-1] by JAMES K. PHILLIPS JR., OIL, CHEM. & ATOMIC (N) (pob) (Entered: 10/15/1998)
10/20/1998	13	MOTION filed by plaintiff OIL, CHEM. & ATOMIC, plaintiff JAMES K. PHILLIPS JR. for leave to file response to the United States' reference to certain legislative history in its Reply (tth) Modified on 10/22/1998 (Entered: 10/21/1998)
10/22/1998	14	ORDER by Judge Gladys Kessler : granting motion for leave to file response to the United States' reference to certain legislative history in its Reply [13-1] by JAMES K. PHILLIPS JR., OIL, CHEM. & ATOMIC (N) (pob) (Entered: 10/23/1998)
10/22/1998	15	ERRATA by plaintiff OIL, CHEM. & ATOMIC, plaintiff JAMES K. PHILLIPS JR. submitting Exhibit A to plaintiff's Memorandum in Support of Motion for Leave to File Response filed on 10/20/98; Exhibit (1) (tth) (Entered: 10/23/1998)
10/28/1998	16	REPLY (SUPPLEMENTAL) by federal defendant US ENRICHMENT CORP to response concerning termination of subject matter jurisdiction (st) Modified on 10/29/1998 (Entered: 10/29/1998)
03/18/1999	17	MEMORANDUM AND ORDER by Judge Gladys Kessler: that defendant USEC is dismissed as a party in this case; that the DEPT. OF ENERGY is substituted as defendant in this case; that plaintiff serve notice upon defendant DEPT. OF ENERGY by 3/26/99; parties to appear for status call on 3/31/99 at 9:45 a.m. (N) (N) (pob) (Entered: 03/19/1999)
03/26/1999	18	NOTICE by federal defendant DOE of substitution as a party (st) (Entered: 03/29/1999)
03/30/1999		SUMMONS (1) REISSUED to non-party: U.S. Attorney (tth) (Entered: 03/30/1999)
03/30/1999		SUMMONS (1) issued to Mary Anne Sullivan. (tth) (Entered: 03/30/1999)
03/31/1999		STATUS HEARING before Judge Gladys Kessler : for defendant to complete its review of documents by 7/1/99; parties to be submitted by 7/10/99 joint report with proposed schedule; answer to the amended complaint due 7/10/99. Reporter: Ben Leesman (pob) Modified on 03/31/1999 (Entered: 03/31/1999)
03/31/1999	19	ORDER by Judge Gladys Kessler : confirming status hearing of 03/31/99 (N) (pob) Modified on 03/31/1999 (Entered: 03/31/1999)
07/12/1999	20	STATUS REPORT by plaintiff OIL, CHEM. & ATOMIC, plaintiff JAMES K. PHILLIPS JR., federal defendant US ENRICHMENT CORP, federal defendant DOE (tw) (Entered: 07/13/1999)

07/12/1999	21	ANSWER TO COMPLAINT [1-1] by federal defendant DOE . (tw) (Entered: 07/13/1999)
07/14/1999	22	ORDER by Judge Gladys Kessler: for parties to submit a further joint status report by 8/20/99 (N) (pob) (Entered: 07/14/1999)
08/23/1999	23	STIPULATED ORDER by Judge Gladys Kessler: dismissing with prejudice all claims as to all records within the purview of this action; setting forth the exception. (N) (See Stipulation and Order for detail) (gdf) (Entered: 08/24/1999)
11/08/1999	24	STATUS REPORT by plaintiff OIL, CHEM. & ATOMIC, plaintiff JAMES K. PHILLIPS JR., federal defendant US ENRICHMENT CORP, federal defendant DOE (tw) (Entered: 11/09/1999)
11/09/1999		Case Reopened (pob) (Entered: 11/09/1999)
11/12/1999		STATUS HEARING before Judge Gladys Kessler : Reporter: Susan Tyner (pob) (Entered: 11/12/1999)
12/10/1999	25	STIPULATED ORDER by Judge Gladys Kessler : dismissing complaint [1-1] with prejudice (N) (pob) (Entered: 12/10/1999)
02/23/2000	26	STATUS REPORT (third) by plaintiff OIL, CHEM. & ATOMIC, plaintiff JAMES K. PHILLIPS JR., federal defendant US ENRICHMENT CORP, federal defendant DOE (tw) (Entered: 02/24/2000)
02/25/2000	27	ORDER by Judge Gladys Kessler: that responses to outstanding interrogatories be filed by 3/15/00; plaintiff to serve their motion for an award of attorneys' fees and costs by 4/15/00 defendnat shall response by 5/15/00; plaintiff reply due 6/1/00. (N) (pob) (Entered: 02/25/2000)
04/17/2000	28	MOTION filed by plaintiff OIL, CHEM. & ATOMIC, plaintiff JAMES K. PHILLIPS JR. for attorney fee against DOE ; declaration (1); attachments (3) (tb) (Entered: 04/18/2000)
05/10/2000	29	MOTION (UNOPPOSED) filed by federal defendant DOE to extend time to 6/15/00 within which to serve its opposition to plaintiffs' application for fees and expenses and through 7/15/00 for plaintiff to file their reply in support of the application. (pob) (Entered: 05/12/2000)
05/12/2000	30	ORDER by Judge Gladys Kessler: granting motion to extend time to 6/15/00 within which to serve its opposition to plaintiffs' application for fees and expenses and through 7/15/00 for plaintiff to file their reply in support of the application. [29-1] by DOE (N) (pob) (Entered: 05/12/2000)
06/15/2000	31	RESPONSE by federal defendant US ENRICHMENT CORP in opposition to motion for attorney fee against DOE [28-1] by JAMES K. PHILLIPS JR., OIL, CHEM. & ATOMIC; declaration (1); exhibits (26- vol I,II,III) (tb) Modified on 06/16/2000 (Entered: 06/16/2000)
07/17/2000	32	REPLY by plaintiff OIL, CHEM. & ATOMIC, plaintiff JAMES K. PHILLIPS JR.to motion for attorney fee against DOE [28-1] by JAMES K. PHILLIPS JR., OIL, CHEM. & ATOMIC; exhibits (4) (tb) (Entered: 07/18/2000)
03/16/2001	33	MEMORANDUM OPINION by Judge Gladys Kessler (N) (pob) (Entered: 03/16/2001)

03/16/2001	34	ORDER by Judge Gladys Kessler: granting in part, denying in part motion for attorney fee against DOE [28-1]; parties shall within 15 days of the entry of this order submit proposed order which calculates the exact amount of fees and costs to be awarded. (N) (pob) (Entered: 03/16/2001)
03/30/2001	35	STIPULATED ORDER by Judge Gladys Kessler: that defendant shall pay plaintiffs \$108,173.25 in fees and costs. (N) (pob) (Entered: 03/30/2001)
05/07/2001	36	NOTICE OF APPEAL by federal defendant DOE from order [35-1], order [34-1] , entered on: 3/16/01 and 3/30/01. Government no fees; copy mailed to parties. (td) (Entered: 05/11/2001)
05/11/2001		TRANSMITTED PRELIMINARY RECORD on appeal [36-1] by DOE to U.S. Court of Appeals (td) (Entered: 05/11/2001)
05/23/2001		USCA # 01-5163 assigned for appeal [36-1] by DOE (td) (Entered: 05/30/2001)
12/04/2001	37	TRANSCRIPT filed for status call for date(s) of 3/31/01. Reporter: Ben Leesman (Miller) (cjp) (Entered: 12/07/2001)
01/25/2002	38	TRANSCRIPT filed for date of 11/12/99. Reporter: Susan Tyner (bm) (Entered: 01/30/2002)
09/03/2002	39	CERTIFIED COPY of judgment filed in USCA dated 5/10/02, on appeal [36-1] , reversing the judgment of USDC USCA # 01-5163 (cp) (Entered: 09/10/2002)