

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:97-cv-02670-AER**

MENDOZA v. SECY OF THE ARMY, et al
Assigned to: Aubrey E. Robinson
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 11/10/1997
Date Terminated: 06/29/1998
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government
Defendant

Plaintiff

GILBERT M. MENDOZA

represented by **GILBERT M. MENDOZA**
No. 33-A Nawasa Road
Area I-A, Bgy. Pasong Tamo
Veterans Village
Quezon City 1107
Metro Manila, Philippine
PRO SE

V.

Defendant

**SECRETARY OF DEPARTMENT
OF ARMY**

represented by **Claire M. Whitaker**
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Defendant

U.S. DEPARTMENT OF THE ARMY

Defendant

COMPTROLLER GENERAL
of the United States

Defendant

UNITED STATES OF AMERICA

represented by **Claire M. Whitaker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/10/1997	1	COMPLAINT filed by plaintiff GILBERT M. MENDOZA; attachments (blj) (Entered: 11/13/1997)
11/10/1997		SUMMONS (5) issued to federal party(s) federal defendants SECY OF THE ARMY, ARMY, COMPTROLLER GENERAL, USA, and non-parties: U.S. Attorney and U.S. Attorney General. (blj) (Entered: 11/13/1997)
11/10/1997	2	MOTION filed by plaintiff GILBERT M. MENDOZA to proceed in forma pauperis; "Leave to file without prepayment of cost, Granted" (fiat) Judge Robinson (blj) Modified on 11/13/1997 (Entered: 11/13/1997)
11/10/1997	3	REQUEST by plaintiff GILBERT M. MENDOZA for appointment of counsel (blj) (Entered: 11/13/1997)
11/28/1997		SUMMONS (4) issued to federal party(s) federal defendants SECY OF THE ARMY, ARMY, USA , and non-parties: U.S. Attorney and U.S. Attorney General. (blj) (Entered: 12/02/1997)
12/01/1997	4	SUPPLEMENTAL MEMORANDUM by plaintiff GILBERT M. MENDOZA in support of complaint [1-1] by GILBERT M. MENDOZA; attachments (4) (blj) (Entered: 12/02/1997)
12/05/1997	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 12/3/97 upon federal defendant SECY OF THE ARMY (JMF) (Entered: 12/08/1997)
12/05/1997	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 12/3/97 upon federal defendant ARMY (JMF) (Entered: 12/08/1997)
12/05/1997	7	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 12/4/97 (JMF) (Entered: 12/08/1997)
12/10/1997	8	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 12/9/97 (blj) (Entered: 12/11/1997)
01/20/1998	9	MOTION filed by federal defendant USA to extend time to 2/2/98 to answer complaint [1-1] (ks) (Entered: 01/21/1998)
01/21/1998	10	ORDER by Judge Aubrey E. Robinson : granting motion to extend time to 2/2/98 to answer complaint [1-1] [9-1] by USA ; Answer extended to 2/2/98 for USA, for COMPTROLLER GENERAL, for ARMY, for SECY OF THE ARMY (N) (dot) (Entered: 01/21/1998)
01/21/1998	11	MOTION filed by plaintiff GILBERT M. MENDOZA for appointment of counsel , and for court mediation program (ks) (Entered: 01/22/1998)

01/21/1998	12	MOTION filed by plaintiff GILBERT M. MENDOZA for summary judgment , and to expedite (ks) (Entered: 01/22/1998)
02/02/1998	13	MOTION filed by federal defendant USA to extend time to 2/12/98 to answer complaint [1-1] (ks) (Entered: 02/03/1998)
02/12/1998	14	MOTION filed by federal defendant USA to extend time to 2/17/98 to answer complaint [1-1] (ks) (Entered: 02/13/1998)
02/12/1998	15	ORDER by Judge Aubrey E. Robinson : granting motion to extend time to 2/12/98 to answer complaint [1-1] [13-1] by USA ; Answer extended to 2/12/98 for USA (N) (ks) (Entered: 02/13/1998)
02/17/1998	16	ORDER by Judge Aubrey E. Robinson : granting motion to extend time to 2/17/98 to answer complaint [1-1] [14-1] by USA ; Answer extended to 2/17/98 for USA, for COMPTROLLER GENERAL, for ARMY, for SECY OF THE ARMY (N) (dot) (Entered: 02/17/1998)
02/17/1998	17	MOTION filed by federal defendant SECY OF THE ARMY to dismiss complaint [1-1] , or in the alternative for summary judgment ; Exhibits. (Bulky) (ks) (Entered: 02/18/1998)
03/02/1998	18	NOTICE OF CHANGE OF ADDRESS by GILBERT M. MENDOZA representing plaintiff GILBERT M. MENDOZA . New address: No. 33-A Nawasa road, Area I-A, Bgy. Pasong Tamo, Veterans Village, Quezon City 1107, Metro Manila, Philippines. (ks) (Entered: 03/05/1998)
03/02/1998	19	SURREPLY by plaintiff GILBERT M. MENDOZA to defendant's motion for extension of time; Exhibits. (ks) (Entered: 03/05/1998)
03/09/1998	20	ORDER by Judge Aubrey E. Robinson : that plaintiff shall respond to defendants' motion to dismiss or, in the alternative, for summary judgment by 4/6/98; if plaintiff does not respond by that date, the Court may treat the motion as conceded and enter judgment in defendants' favor; response to motion due 4/6/98. (N) (dot) Modified on 03/09/1998 (Entered: 03/09/1998)
03/17/1998	21	NOTICE OF CHANGE OF ADDRESS by GILBERT M. MENDOZA representing GILBERT M. MENDOZA . (ks) (Entered: 03/18/1998)
03/17/1998	22	MOTION filed by plaintiff GILBERT M. MENDOZA to supplment plaintiff's amended surreply to defendant's motion to dismiss ; EXHIBIT (AMENDED SURREPLY) (ks) (Entered: 03/18/1998)
03/19/1998	23	MOTION filed by federal defendants to extend time to 3/27/98 to reply to their motion to dismiss or for summary judgment. (ks) (Entered: 03/20/1998)
03/19/1998	25	NOTICE OF CHANGE OF ADDRESS by GILBERT M. MENDOZA representing plaintiff GILBERT M. MENDOZA . (ks) (Entered: 03/23/1998)
03/19/1998	26	FINAL BRIEF by plaintiff GILBERT M. MENDOZA and summary judgment; Exhibits. (ks) (Entered: 03/23/1998)
03/20/1998	24	ORDER by Judge Aubrey E. Robinson : granting motion to extend time to 3/27/98 to reply to their motion to dismiss or for summary judgment. [23-1] by USA, COMPTROLLER GENERAL, ARMY, SECY OF THE ARMY (N) (dot) (Entered: 03/20/1998)

03/27/1998	28	MOTION filed by federal defendants to extend time to 3/31/98 to file a reply to their dispositive motion. (ks) (Entered: 03/31/1998)
03/30/1998	27	REPLY by federal defendants to response to motion to dismiss complaint [1-1] [17-1]; or in the alternative, for summary judgment [17-2] by SECY OF THE ARMY; Exhibits (2). (Bulky) (ks) (Entered: 03/31/1998)
04/01/1998	29	ORDER by Judge Aubrey E. Robinson : granting motion to extend time to 3/31/98 to file a reply to their dispositive motion. [28-1] by USA, COMPTROLLER GENERAL, ARMY, SECY OF THE ARMY (N) (dot) (Entered: 04/01/1998)
04/28/1998	30	SURREPLY by plaintiff GILBERT M. MENDOZA to defendant's reply to plaintiff's opposition to defendant's motion to dismiss complaint [1-1] [17-1]; or in the alternative for for summary judgment [17-2] by SECY OF THE ARMY; Declaration (1). (ks) (Entered: 04/29/1998)
06/29/1998	31	MEMORANDUM OPINION by Judge Aubrey E. Robinson (N) (dot) (Entered: 06/29/1998)
06/29/1998	32	ORDER by Judge Aubrey E. Robinson : granting motion to dismiss complaint [1-1] [17-1] by SECY OF THE ARMY, granting motion for summary judgment [17-2] by SECY OF THE ARMY; dismissing complaint [1-1] with prejudice ; that all other pending motions are denied as moot. (N) (dot) (Entered: 06/29/1998)
08/28/1998	33	NOTICE OF APPEAL by plaintiff GILBERT M. MENDOZA from order [32-2] , entered on: 6/29/98; IFP - No fees paid; Copies mailed to Counsel of Record; Attachments. (ks) Modified on 09/16/1998 (Entered: 09/14/1998)
09/14/1998		TRANSMITTED PRELIMINARY RECORD on appeal [33-1] by GILBERT M. MENDOZA to U.S. Court of Appeals (ks) (Entered: 09/14/1998)
09/23/1998		USCA # 98-5454 assigned for appeal [33-1] by GILBERT M. MENDOZA (st) (Entered: 09/24/1998)
11/02/1999	34	CERTIFIED COPY of judgment filed in USCA dated 6/23/99, on appeal [33-1] , affirming the judgment of USDC . USCA # 98-5454 (cjp) (Entered: 11/02/1999)