

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:97-cv-01999-JGP**

KARLS v. HARRIS, et al
Assigned to: Judge John Garrett Penn
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 09/02/1997
Date Terminated: 10/21/1998
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government
Defendant

Plaintiff

JAMES FRANK KARLS

represented by **JAMES FRANK KARLS**
B-N-258, 7274969
NFCF
1605 East Main
Sayre, OK 73662
PRO SE

V.

Defendant

PAT HARRIS
DOJ, Management Division

represented by **David T. Smorodin**
AMERICAN CHEMICAL SOCIETY
Office of the Secretary & General
Counsel
1155 16th Street, NW
Washington, DC 20036
(202) 872-4510
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Email: d_smorodin@acs.org
TERMINATED: 08/17/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lisa Barsoomian
**See Ms. Barsoomian file
Email: Lisa.Barsoomian@nih.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

U.S. DEPARTMENT OF JUSTICE
Office of Legal Counsel
TERMINATED: 07/27/1998

represented by **David T. Smorodin**
(See above for address)
TERMINATED: 08/17/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lisa Barsoomian
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

EXECUTIVE OFFICE FOR UNITED STATES ATTORNEY
TERMINATED: 07/27/1998

represented by **David T. Smorodin**
(See above for address)
TERMINATED: 08/17/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lisa Barsoomian
(See above for address)
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Defendant

NATIONAL CENTRAL BUREAU
TERMINATED: 07/27/1998

represented by **David T. Smorodin**
(See above for address)
TERMINATED: 08/17/1998
LEAD ATTORNEY
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Lisa Barsoomian
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LEAD ATTORNEY
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Defendant

US MARSHAL SERVICE

represented by **David T. Smorodin**
(See above for address)
TERMINATED: 08/17/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lisa Barsoomian
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**IMMIGRATION &
NATURALIZATION SERVICE**
TERMINATED: 07/27/1998

represented by **David T. Smorodin**
(See above for address)
TERMINATED: 08/17/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lisa Barsoomian
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**FEDERAL BUREAU OF
INVESTIGATION**
TERMINATED: 07/27/1998

represented by **David T. Smorodin**
(See above for address)
TERMINATED: 08/17/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lisa Barsoomian
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/02/1997	1	COMPLAINT filed by plaintiff JAMES FRANK KARLS; attachments (cjp) (Entered: 09/04/1997)
09/02/1997		SUMMONS NOT ISSUED. (cjp) (Entered: 09/04/1997)
09/02/1997	2	APPLICATION by plaintiff JAMES FRANK KARLS to proceed in forma pauperis (cjp) (Entered: 09/04/1997)
09/02/1997	3	ORDER by Judge Aubrey E. Robinson : directing prisoner plaintiff to provide a trust fund statement to the court by 10/2/97 for JAMES FRANK KARLS . (N) (cjp) (Entered: 09/04/1997)
09/16/1997	4	TRUST FUND ACCOUNT filed by plaintiff JAMES FRANK KARLS pursuant to order [3-2] . (mjk) (Entered: 09/23/1997)
09/25/1997	5	ORDER by Judge Aubrey E. Robinson : granting motion to proceed in forma pauperis [2-1] by JAMES FRANK KARLS directing that monthly payments be made from the prisoner account of JAMES FRANK KARLS . (N) (mjk) (Entered: 09/25/1997)
09/25/1997		CASE REASSIGNED from Unassigned to Judge John G. Penn (tth) (Entered: 09/26/1997)
09/25/1997		SUMMONS (10) issued to federal party(s) federal defendant PAT HARRIS, federal defendant DOJ, federal defendant DOJ, federal defendant EXEC. OFFICE/US ATTY, federal defendant NATL CENTRAL BUREAU, federal defendant U.S. MARSHALS SERV, federal defendant INS, federal defendant FBI, and non-parties: U.S. Attorney and U.S. Attorney General. (tth) (Entered: 10/02/1997)

10/07/1997	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/29/97 upon federal defendant INS (tth) (Entered: 10/08/1997)
10/21/1997	7	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 10/2/97 (tth) (Entered: 10/22/1997)
10/21/1997	8	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/30/97 upon federal defendant U.S. MARSHALS SERV (tth) (Entered: 10/22/1997)
10/21/1997	9	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/6/97 upon federal defendant FBI (tth) (Entered: 10/22/1997)
10/21/1997	10	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 10/6/97 (tth) (Entered: 10/22/1997)
10/21/1997	11	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/6/97 upon federal defendant EXEC. OFFICE/US ATTY (tth) (Entered: 10/22/1997)
10/21/1997	12	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/6/97 upon federal defendant NATL CENTRAL BUREAU (tth) (Entered: 10/23/1997)
10/21/1997	13	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/6/97 upon federal defendant PAT HARRIS (tth) (Entered: 10/23/1997)
10/21/1997	14	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 10/2/97 (tth) (Entered: 10/27/1997)
10/21/1997	15	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/6/97 upon federal defendant DOJ (tth) (Entered: 10/29/1997)
10/21/1997	16	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/6/97 upon federal defendant DOJ (tth) (Entered: 10/29/1997)
11/03/1997	17	MOTION filed by federal defendants to extend time to 12/10/97 to answer complaint [1-1] (tth) Modified on 11/04/1997 (Entered: 11/04/1997)
11/03/1997	18	ATTORNEY APPEARANCE for federal defendant by David T. Smorodin (tth) (Entered: 11/04/1997)
11/10/1997	19	ORDER by Judge John G. Penn: granting motion to extend time to 12/10/97 to answer complaint [1-1] [17-1] by federal defendant ; Answer extended to 12/10/97 for DOJ, for FBI, for INS, for U.S. MARSHALS SERV, for NATL CENTRAL BUREAU, for EXEC. OFFICE/US ATTY, for DOJ, for PAT HARRIS (N) (kmk) (Entered: 11/10/1997)
11/10/1997	20	RESPONSE (MOTION) by plaintiff JAMES FRANK KARLS in opposition to motion to extend time to 12/10/97 to answer complaint [1-1] [17-1] by federal defendant (tth) (Entered: 11/13/1997)
11/17/1997	21	ORDER by Judge John G. Penn: plaintiff's motion to demy enlargement to time by JAMES FRANK KARLS [20-1] is denied as moot. (N) (kmk) (Entered: 11/17/1997)

12/10/1997	22	MOTION filed by federal defendants to extend time to 1/13/98 to answer complaint [1-1] (ks) (Entered: 12/11/1997)
12/18/1997	23	MOTION filed by plaintiff JAMES FRANK KARLS to extend time within which to deny the defendants 12/10/97, request of enlargement of time to furnish plaintiff with all & any un deleted FOTA/PA documents for all the same reasons as the plaintiff stated on 11/6/97 (bjsp) (Entered: 12/19/1997)
01/05/1998	25	ORDER by Judge John G. Penn: granting defendants' motion that the time within which the defendants may file their dispositive motions up to and including 1/13/98. (kmk) (Entered: 01/29/1998)
01/13/1998	35	RESPONSE (MOTION) by plaintiff JAMES FRANK KARLS in opposition to motion to dismiss complaint of the United States National Central Bureau, Immigration and naturalization Service and the Department of Justice, Office of Legal Counsel [1-1] [30-1] by federal defendant . (tth) (Entered: 02/17/1998)
01/20/1998	24	MOTION filed by federal defendant for leave to file out of time their dispositive motions , and an to extend time to 2/9/98 on behalf of the United States Marshals Service (USMS) and the Department of Justice, Criminal Division, within which to file their dispositive motions ; EXHIBITS (DEFENDANTS' MOTIONS TO DISMISS (4)) (tth) Modified on 01/22/1998 (Entered: 01/22/1998)
01/20/1998	26	ORDER by Judge John G. Penn: granting motion for leave to file out of time their dispositive motions [24-1] by defendant, granting motion to extend time to 2/9/98 on behalf of the United States Marshals Service (USMS) and the Department of Justice, Criminal Division, within which to file their dispositive motions [24-2] by federal defendant, denying motion to extend time within which to deny the defendants 12/10/97, request of enlargement of time to furnish plaintiff with all & any un deleted FOTA/PA documents for all the same reasons as the plaintiff stated on 11/6/97 [23-1] by JAMES FRANK KARLS (N) (kmk) (Entered: 01/30/1998)
01/20/1998	27	MOTION filed by federal defendants for summary judgment on behalf of the Federal Bureau of Investigation ; declaration (1); exhibits (8) (tth) Modified on 02/11/1998 (Entered: 02/11/1998)
01/20/1998	28	MOTION filed by federal defendants to dismiss complaint on behalf of the Department of Justice, Justice Management Division[1-1] ; declaration (1); attachments. (tth) (Entered: 02/11/1998)
01/20/1998	29	MOTION filed by federal defendants to dismiss complaint [1-1] , or, in the alternative, for summary judgment on behalf of the Executive Office for United States Attorneys ; declaration (1); exhibits (6) (tth) (Entered: 02/11/1998)
01/20/1998	30	MOTION filed by federal defendants to dismiss complaint of the United States National Central Bureau, Immigration and naturalization Service and the Department of Justice, Office of Legal Counsel [1-1] ; declarations (3) (tth) Modified on 02/11/1998 (Entered: 02/11/1998)
02/09/1998	31	MOTION filed by federal defendants to extend time to 2/11/98 on behalf of the United States Marshals Service ; EXHIBIT (MOTION FOR SUMMARY JUDGMENT) (tth) (Entered: 02/11/1998)

02/11/1998	33	MOTION filed by federal defendants for summary judgment on behalf of the United States Marshals Service ; exhibits (4) (tth) (Entered: 02/12/1998)
02/12/1998	32	ORDER by Judge John G. Penn: granting motion to extend time to 2/11/98 on behalf of the United States Marshals Service [31-1] by federal defendant; dispositive motions due by 2/11/98 ; (N) (kmk) (Entered: 02/12/1998)
02/12/1998	39	MOTION filed by federal defendant DOJ for summary judgment on behalf of the Department of Justice, Criminal Division ; Declaration (1); Exhibits (2) (tth) (Entered: 06/04/1998)
02/13/1998	34	ORDER by Judge John G. Penn: that the plaintiff may respond to motion for summary judgment due 3/6/98 Should the plaintiff fail to respond the Cour may treat the motions as conceded and grant them. (N) (kmk) (Entered: 02/13/1998)
02/13/1998	36	RESPONSE (MOTION) by plaintiff JAMES FRANK KARLS in opposition to motion to dismiss complaint [1-1] [29-1] by federal defendant, motion for summary judgment on behalf of the Executive Office for United States Attorneys [29-2] by federal defendant. (tth) Modified on 02/17/1998 (Entered: 02/17/1998)
02/13/1998	37	RESPONSE (MOTION) by plaintiff JAMES FRANK KARLS in opposition to motion for summary judgment on behalf of the Federal Bureau of Investigation [27-1] by federal defendant . (tth) (Entered: 02/17/1998)
02/26/1998	38	RESPONSE (MOTION) by plaintiff JAMES FRANK KARLS in opposition to motion for summary judgment on behalf of the United States Marshals Service [33-1] by federal defendant; exhibits (4) (tth) (Entered: 02/27/1998)
07/27/1998	40	MEMORANDUM OPINION by Judge John G. Penn (N) (kmk) (Entered: 07/27/1998)

07/27/1998	41	ORDER by Judge John G. Penn: granting motion for summary judgment on behalf of the Department of Justice, Criminal Division [39-1] by DOJ and the complaint against the CRIMINAL DIVISION is DISMISSED with prejudice; denying without prejudice motion for summary judgment on behalf of the United States Marshals Service [33-1] by federal defendant; granting motion to dismiss complaint without prejudice of the United States National Central Bureau, Immigration and Naturalization Service and the Department of Justice, of Legal Counsel [1-1] [30-1] by federal defendant; granting motion to dismiss complaint with prejudice [1-1] [29-1] by federal defendant, granting motion for summary judgment on behalf the Executive Office for United States Attorneys [29-2] by federal defendant; granting motion to dismiss complaint with prejudice on behalf of the Department of Justice, Justice Management Division[1-1] [28-1] by federal defendant; granting motion for summary judgment on behalf of the Federal Bureau of Investigation [27-1] by federal defendant and the complaint against the FBI is dismissed with prejudice; and it is FURTHER ORDERED that the UNITED STATES MARSHALS SERVICE file within twenty days of this order a supplemental pleading addressing the Court's concerns discussed in the accompanying Opinion with respect to defendant's invocation of FOIA Exemptions 2 and 7 ore within that time period release the withheld documents, ore portions thereof, for in camera examination; and it is FURTHER ORDERED that plaintiff shall have 20 days from the receipt of defendant UNITED STATES MARSHALS SERVICE's pleading in which to file a response. Plaintiff is reminded of his obligation to respond to a motion to dismiss or for summary judgment and the consequences of not responding, as set forth in the Court's order of 2/13/98 and it is FURTHER ORDERED that defendant Pat Harris is dismissed from this case. (N) (kmk) (Entered: 07/27/1998)
08/17/1998	42	SUBSTITUTION OF COUNSEL for federal defendant, substituting Lisa Barsoomian for attorney David T. Smorodin for DOJ, attorney David T. Smorodin for FBI, attorney David T. Smorodin for INS, attorney David T. Smorodin for U.S. MARSHALS SERV, attorney David T. Smorodin for NATL CENTRAL BUREAU, attorney David T. Smorodin for EXEC. OFFICE/US ATTY, attorney David T. Smorodin for DOJ, attorney David T. Smorodin for PAT HARRIS (tw) (Entered: 08/18/1998)
08/17/1998	43	MOTION filed by federal defendant to extend time to 9/17/98 on behalf of the UNITED STATES MARSHALS SERVICE (tw) (Entered: 08/18/1998)
08/17/1998	44	MOTION filed by plaintiff JAMES FRANK KARLS for reconsideration of order [41-3] ; EXHIBIT (NOTICE OF APPEAL)(su) Modified on 08/26/1998 (Entered: 08/26/1998)
08/20/1998	45	ORDER by Judge John G. Penn: granting motion to extend time to 9/17/98 to file its reply to the Court's order of 7/27/98 on behalf of the UNITED STATES MARSHALS SERVICE [43-1] by federal defendant (N) (kmk) (Entered: 08/21/1998)
09/16/1998	46	MOTION filed by federal defendant PAT HARRIS, federal defendant U.S. MARSHALS SERV to extend time to 9/24/98 to answer complaint [1-1] (tth) (Entered: 09/17/1998)

09/17/1998	47	ORDER by Judge John G. Penn: granting motion to extend time to 9/24/98 to answer complaint [1-1] [46-1] by U.S. MARSHALS SERV, PAT HARRIS; Answer extended to 9/24/98 for U.S. MARSHALS SERV (N) (kmk) (Entered: 09/21/1998)
09/24/1998	48	MOTION filed by federal defendant PAT HARRIS, federal defendant U.S. MARSHALS SERV to extend time to 9/25/98 to respond to the Court's Order of July 27, 1998 pursuant to Fed. R. Civ. P. 6 (b) (tth) (Entered: 09/25/1998)
09/25/1998	49	RESPONSE by federal defendant U.S. MARSHALS SERV to order that the UNITED STATES MARSHALS SERVICE file within twenty days of this order a supplemental pleading addressing the Court's concerns discussed in the accompanying Opinion with respect to defendant's invocation of FOIA Exemptions 2 and 7 ore within that time period release the withheld documents, ore portions thereof, for in camera examination; [4 1-1], order that plaintiff shall have 20 days from the receipt of defendant UNITED STATES MARSHALS SERVICE's pleading in which to file a response. Plaintiff is reminded of his obligation to respond to a motion to dismiss or for summary judgment and the consequences of not responding, as set forth in the Court's order of 2/13/98 [4 1-2]; declaration (1); exhibits (3) (tb) (Entered: 09/28/1998)
09/25/1998	51	MOTION (SECOND) filed by federal defendant U.S. MARSHALS SERV for summary judgment (tth) (Entered: 10/14/1998)
09/29/1998	50	ORDER by Judge John G. Penn: granting motion to extend time to 9/25/98 to respond to the Court's Order of July 27, 1998 pursuant to Fed. R. Civ. P. 6 (b) [48-1] by U.S. MARSHALS SERV, PAT HARRIS (N) (kmk) (Entered: 09/29/1998)
10/21/1998	52	MEMORANDUM OPINION by Judge John G. Penn (N) (kmk) (Entered: 10/22/1998)
10/21/1998	53	ORDER by Judge John G. Penn: granting United States Marshals Service's (second) motion for summary judgment [51-1] by U.S. MARSHALS SERV and the complaint against the United States Marshals Service dismissing the complaint with prejudice [1-1] , and it is FURTHER ORDERED that all other pending motions are DENIED as moot ; and it is FURTHER ORDERED that this case in DISMISSED and removed from the Court's Docket. (kmk) (Entered: 10/22/1998)
11/03/1998	54	JUDGMENT by Judge John G. Penn in favor of federal defendant U.S. MARSHALS SERV against plaintiff JAMES FRANK KARLS (kmk) (Entered: 11/06/1998)
11/06/1998	55	MEMORANDUM AND ORDER by Judge John G. Penn: denying motion for reconsideration of order [4 1-3] [44-1] by JAMES FRANK KARLS and it is FURTHER ORDERED that the copy of the document entitled "NOTICE OF APPEAL/Reconsideration", shall be filed in the court jacket. (N) (N) (kmk) (Entered: 11/06/1998)

11/06/1998	56	NOTICE OF APPEAL by plaintiff JAMES FRANK KARLS from order that the UNITED STATES MARSHALS SERVICE file within twenty days of this order a supplemental pleading addressing the Court's concerns discussed in the accompanying Opinion with respect to defendant's invocation of FOIA Exemptions 2 and 7 ore within that time period release the withheld documents, ore portions thereof, for in camera examination; [4 1-1], order that plaintiff shall have 20 days from the receipt of defendant UNITED STATES MARSHALS SERVICE's pleading in which to file a response. Plaintiff is reminded of his obligation to respond to a motion to dismiss or for summary judgment and the consequences of not responding, as set forth in the Court's order of 2/13/98 [4 1-2], order [4 1-3] , entered on: 7/27/98. NO FEES PAID; IFP. Copies mailed to: Lisa Barsoomian and James Karls; "Let this be filed", PENN, J. (tth) Modified on 11/09/1998 (Entered: 11/09/1998)
11/09/1998		TRANSMITTED PRELIMINARY RECORD on appeal [56-1] by JAMES FRANK KARLS to U.S. Court of Appeals (tth) (Entered: 11/09/1998)
11/23/1998		USCA # 98-5527 assigned for appeal [56-1] by JAMES FRANK KARLS (st) (Entered: 11/24/1998)
12/01/1998	57	NOTICE OF APPEAL by plaintiff JAMES FRANK KARLS from judgment order [54-1], entered on: 11/6/98. NO FEES PAID; IFP. Copies mailed to: Lisa Barsoomian and James Karls. (tth) (Entered: 12/08/1998)
12/01/1998	58	MOTION filed by plaintiff JAMES FRANK KARLS to proceed on appeal in forma pauperis (tth) (Entered: 12/08/1998)
12/08/1998		TRANSMITTED PRELIMINARY RECORD on appeal [57-1] by JAMES FRANK KARLS to U.S. Court of Appeals (tth) (Entered: 12/08/1998)
12/29/1998	59	NOTICE OF CHANGE OF ADDRESS by JAMES FRANK KARLS representing plaintiff JAMES FRANK KARLS. NFCF, 1605 E. Main, Sayre, OK 73662. (tth) (Entered: 01/06/1999)
05/07/1999	60	COPY of Order filed in USCA dated 4/30/99, referencing appeal [56-1] , directing initial partial filing fee. USCA # 98-5527 (cjp) (Entered: 05/07/1999)
06/21/1999	61	CERTIFIED COPY of order filed in USCA dated 4/30/99, on appeal [56-1] , affirming the judgment of USDC . USCA # 98-5527 (cjp) (Entered: 06/22/1999)
06/21/1999	62	ADMINISTRATIVELY CLOSED amended appeal [57-1] USCA # 98-5227 (cjp) (Entered: 06/22/1999)