

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:97-cv-00043-RMU**

BENITEZ v. DEPT. OF TREASURY, et al
Assigned to: Judge Ricardo M. Urbina
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 01/08/1997
Date Terminated: 01/29/1999
Jury Demand: N
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government
Defendant

Plaintiff

CARLOS A. BENITEZ

represented by **CARLOS A. BENITEZ**
Unit 2C R37001-053
BEAUMONT FEDERAL
CORRECTIONAL COMPLEX
Low Security
P.O. Box 26020
Beaumont, TX 77720-6020
PRO SE

V.

Defendant

DEPARTMENT OF TREASURY

represented by **Benjamin R. Barnett**
U.S. ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
Room 9816
Washington, DC 20530
(202) 307-0372
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cynthia Ann Schnedar
U.S. ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
Room 10-108
Washington, DC 20530
(202) 514-7143
TERMINATED: 09/25/1997
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Deacon Bates
U.S. DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA
E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, NW
Room 4329
Washington, DC 20001
(202) 354-3430
TERMINATED: 06/04/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

Meredith Manning
HOGAN LOVELLS US LLP
555 13th Street, NW
Washington, DC 20004-1109
(202) 637-6585
Fax: (202) 637-5910
Email:
meredith.manning@hoganlovells.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT
ADMINISTRATION FOIA AND
RECORDS MANAGEMENT
SECTION**

represented by **Benjamin R. Barnett**
(See above for address)
TERMINATED: 08/05/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cynthia Ann Schnedar
(See above for address)
TERMINATED: 09/25/1997
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Deacon Bates
(See above for address)
TERMINATED: 06/04/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

Meredith Manning
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

US CUSTOMS SERVICE

represented by **Benjamin R. Barnett**
(See above for address)
TERMINATED: 08/05/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

Kenneth Leonard Wainstein
CADWALADER, WICKERSHAM &
TAFT, LLP
700 Sixth Street, NW
Washington, DC 20001
(202) 862-2474
Fax: (202) 862-2400
Email: ken.wainstein@cwt.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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01/08/1997	1	COMPLAINT filed by plaintiff CARLOS A. BENITEZ; exhibits (13) (mjk) (Entered: 01/08/1997)
01/08/1997		SUMMONS NOT ISSUED. (mjk) (Entered: 01/08/1997)
01/08/1997	2	APPLICATION by plaintiff CARLOS A. BENITEZ to proceed in forma pauperis (mjk) (Entered: 01/08/1997)
01/08/1997	3	ORDER by Judge Aubrey E. Robinson : directing prisoner plaintiff to provide a trust fund statement to the court by 2/7/97 for CARLOS A. BENITEZ . (N) (mjk) (Entered: 01/08/1997)
01/21/1997	4	NOTICE OF CHANGE OF ADDRESS by CARLOS A. BENITEZ representing plaintiff CARLOS A. BENITEZ . New address: Reg. No. 37001-053, BML, P.O. Box 26020, Beaumont, TX 77720-6020.. (mjk) (Entered: 01/22/1997)
03/03/1997	5	TRUST FUND ACCOUNT filed by plaintiff CARLOS A. BENITEZ pursuant to order [3-2] . (mjk) (Entered: 03/04/1997)
03/07/1997	6	ORDER by Judge James Robertson : granting motion to proceed in forma pauperis [2-1] by CARLOS A. BENITEZ directing that monthly payments be made from the prisoner account of CARLOS A. BENITEZ . (N) (mjk) (Entered: 03/07/1997)
03/07/1997		CASE REASSIGNED to Judge Ricardo M. Urbina (tw) (Entered: 03/10/1997)
03/07/1997		SUMMONS (4) issued for federal defendant DEPT. OF TREASURY, federal defendant DOJ/DEA FOIA (tw) (Entered: 03/10/1997)
03/21/1997	7	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 3/17/97 (bjsp) (Entered: 03/24/1997)
03/21/1997	8	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 3/18/97 (bjsp) (Entered: 03/24/1997)
03/21/1997	9	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/18/97 upon federal defendant DOJ/DEA FOIA (bjsp) (Entered: 03/24/1997)
04/01/1997	10	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/21/97 upon federal defendant DEPT. OF TREASURY; copies received by Jamel C. Williams, Office Automation Clerk. (tw) (Entered: 04/03/1997)
04/16/1997	11	ATTORNEY APPEARANCE for federal defendant DEPT. OF TREASURY, federal defendant DOJ/DEA FOIA by Cynthia Ann Schnedar (tw) (Entered: 04/17/1997)
04/16/1997	12	MOTION filed by federal defendant DEPT. OF TREASURY, federal defendant DOJ/DEA FOIA to extend time to 05/16/97 to answer complaint [1-1] (tw) (Entered: 04/17/1997)
04/22/1997	13	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 05/16/97 to answer complaint [1-1] [12-1] by DOJ/DEA FOIA, DEPT. OF TREASURY ; Answer extended to 5/16/97 for DOJ/DEA FOIA, for DEPT. OF TREASURY (N) (jwd) (Entered: 04/23/1997)

05/16/1997	14	MOTION filed by federal defendant DEPT. OF TREASURY, federal defendant DOJ/DEA FOIA to extend time to 5/21/97 within which to resport to plaintiff's complaint. (tw) (Entered: 05/19/1997)
05/21/1997	15	MOTION filed by federal defendant DEPT. OF TREASURY, federal defendant DOJ/DEA FOIA to dismiss , or, in the alternative for summary judgment on behalf of the Drug Enforcement Administration ; attachments (clv) (Entered: 05/22/1997)
05/21/1997	16	MOTION filed by federal defendant DEPT. OF TREASURY, federal defendant DOJ/DEA FOIA to extend time to 5/27/97 to file dispositive motions (clv) (Entered: 05/22/1997)
05/27/1997	17	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 5/21/97 within which to resport to plaintiff's complaint. [14-1] by DOJ/DEA FOIA, DEPT. OF TREASURY (N) (jwd) (Entered: 05/27/1997)
05/27/1997	19	MOTION filed by federal defendant DEPT. OF TREASURY, federal defendant DOJ/DEA FOIA for summary judgment on behalf of the United States Customs Service. ; exhibits (10) (tw) (Entered: 05/28/1997)
05/28/1997	18	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to nunc pro tunc 5/27/97 to file dispositive motions [16-1] by DOJ/DEA FOIA, DEPT. OF TREASURY dispositive motions due by 5/27/97 ; (N) (jwd) (Entered: 05/28/1997)
06/02/1997	20	ORDER by Judge Ricardo M. Urbina: direcing that plaintiff respond to both defendants' motion for summary judgment, either in a single response or separately, by 7/2/97; if plaintiff neither responds nor moves for an extension of time by the due date, the Court may treat the motions as conceded and enter judgment in favor of the defendants (N) (jwd) (Entered: 06/03/1997)
06/16/1997	21	MOTION filed by plaintiff CARLOS A. BENITEZ for clarification of the proceedings in this matter , and for an instruction in writing. ; exhibits (2) (tw) (Entered: 06/16/1997)
07/03/1997	22	ORDER by Judge Ricardo M. Urbina : granting motion for clarification of the proceedings in this matter [21-1] by CARLOS A. BENITEZ; defendants shall serve a copy of their motiions on plaintiff no later than 7/14/97; plaintiff respond to bothe defendants' motins for summary judgment, either in a single response or separately, by 8/25/97; plaintiff is to advise to review the Court's instructions, stated in its order dated 6/2/97, in responding to the motions; if plaintiff neither responds nor moves for an extension of time by the due date, the Court may treat the motions as conceded and enter judgment in favor of the defendants (N) (jwd) (Entered: 07/03/1997)
08/11/1997	23	RESPONSE by plaintiff CARLOS A. BENITEZ to order [22-1] entered July 3, 1997; exhibit (1) (tw) (Entered: 08/12/1997)
09/15/1997	24	MOTION filed by plaintiff CARLOS A. BENITEZ for a vaughn index of the withheld documents at issue in this case (bjsp) (Entered: 09/16/1997)

09/22/1997	25	ORDER by Judge Ricardo M. Urbina : directing that plaintiff has until 10/17/97, in which to respond to both defendants' motions for summary judgment, either in a single response or separately; plaintiff is advised to review the Court's instructions, stated in its order dated 6/2/97, in responding to the motions; plaintiff's response to dispositive motions due 10/17/97 ; (N) (jwd) (Entered: 09/22/1997)
09/25/1997	26	RESPONSE by federal defendant DEPT. OF TREASURY, federal defendant DOJ/DEA FOIA in opposition to plaintiff's motion for a vaughn index [24-1]. (tw) (Entered: 09/26/1997)
09/25/1997	27	SUBSTITUTION OF COUNSEL for federal defendant DEPT. OF TREASURY, federal defendant DOJ/DEA FOIA , Meredith Manning substituting for attorney Cynthia Ann Schnedar for DOJ/DEA FOIA, and for DEPT. OF TREASURY (tw) (Entered: 09/26/1997)
10/16/1997	28	MOTION filed by plaintiff CARLOS A. BENITEZ to extend time to respond to the defendants' opposition to his civil complaint (tw) (Entered: 10/17/1997)
10/30/1997	29	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to respond to the defendants' motions for summary judgment [28-1] by CARLOS A. BENITEZ; response to motions for summary judgment due 11/16/97; and advising the pltf. to review the Court's instructions, stated in its order of 6/2/97, in respond to the motions (N) (jaw) (Entered: 10/30/1997)
11/10/1997	30	MOTION filed by plaintiff CARLOS A. BENITEZ to extend time 45 days to file a traverse the defendants response. ; exhibit (1) (tw) Modified on 11/12/1997 (Entered: 11/12/1997)
11/10/1997	31	ERRATA by federal defendant DEPT. OF TREASURY, federal defendant DOJ/DEA FOIA of exhibit A to Defendants' Response to Defendants' Reply to Plaintiff's Supplemental Response filed on 11/7/97; exhibit (1). (tth) (Entered: 11/12/1997)
12/01/1997	32	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to file a response to defendants' motion for summary judgment [30-1] by CARLOS A. BENITEZ response to dispositive motions due by 1/27/98; plaintiff is advised to review the Court's instructins, stated in its order dated 6/2/97, in responding to the motion; no further extension will be granted (N) (jwd) (Entered: 12/02/1997)
12/29/1997	33	RESPONSE AND OBJECTION by plaintiff CARLOS A. BENITEZ to motion for summary judgment on behalf of the United States Customs Service. [19-1] by DOJ/DEA FOIA, DEPT. OF TREASURY, motion for summary judgment on behalf of the Drug Enforcement Administration [15-2] by DOJ/DEA FOIA, DEPT. OF TREASURY ; exhibits 2 (bjsp) (Entered: 12/29/1997)
01/09/1998	34	REPLY by federal defendant DEPT. OF TREASURY, federal defendant DOJ/DEA FOIA to plaintiff's opposition to defendants' motions for summary judgment [19-1], [15-1] [15-2]. (tw) (Entered: 01/12/1998)
01/28/1998	35	OBJECTIONS by plaintiff CARLOS A. BENITEZ to the Government's response filed on or about January 9, 1998 [34-1]; (FIAT. Judge Urbina) (tw) Modified on 01/28/1998 (Entered: 01/28/1998)

03/20/1998	36	MOTION filed by plaintiff CARLOS A. BENITEZ to expedite the proceedings. (tw) (Entered: 03/25/1998)
04/03/1998	37	ORDER by Judge Ricardo M. Urbina : motion to expedite the proceedings. by CARLOS A. BENITEZ [36-1] denied as moot; granting motion for a vaughn index of responsive records withheld by defendants [24-1] by CARLOS A. BENITEZ; denying motion for summary judgment on behalf of the United States Customs Service. [19-1] by DOJ/DEA FOIA, DEPT. OF TREASURY; motion to dismiss by DOJ/DEA FOIA, DEPT. OF [15-1] denied as moot; motion for summary judgment on behalf of the Drug Enforcement Administration by DOJ/DEA FOIA, DEPT. OF TREASURY [15-2] denied as moot; and that within 30 days of this Order, defendants shall submit a renewed motion for summary judgment and a Vaughn index describing each responsive document withheld from plaintiff and providing the rationale for its continued withholding. In their motions and Vaughn indices, defendants may assert bases for withholding documents from plaintiff that they have not previously asserted. (N) (blj) (Entered: 04/03/1998)
05/04/1998	38	MOTION filed by federal defendant DEPT. OF TREASURY, federal defendant DOJ/DEA FOIA to extend time to 7/19/98 within which to file their dispositive motions. (tw) (Entered: 05/05/1998)
05/07/1998	39	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 6/19/98 within which to file their dispositive motions. [38-1] by DOJ/DEA FOIA, DEPT. OF TREASURY dispositive motions due by 6/19/98. Both sides are advised hereby that there will be no further extensions. (N) (blj) (Entered: 05/07/1998)
06/19/1998	40	MOTION (RENEWED) filed by federal defendant DOJ/DEA FOIA for summary judgment ; exhibits (5) (JMF) Modified on 06/23/1998 (Entered: 06/22/1998)
06/19/1998	41	MOTION (RENEWED) filed by federal defendant DEPT. OF TREASURY, federal defendant DOJ/DEA FOIA, federal defendant U.S. CUSTOMS SERVICE for summary judgment on behalf of U.S. Customs ; declarations (1) (bjsp) Modified on 06/23/1998 (Entered: 06/23/1998)
06/26/1998	42	ORDER by Judge Ricardo M. Urbina: directing that plaintiff file his opposition to defendants' renewed motions for summary judgment, either in a single response or in separatge responses, on or before 7/24/98; if plaintiff fails to file a response or opposition to either of defendants' renewed motions by this deadline, the court may treat the motion or motions as conceded and enter judgment against plaintiff (N) (jwd) Modified on 06/29/1998 (Entered: 06/29/1998)
07/02/1998	43	MOTION filed by plaintiff CARLOS A. BENITEZ for default judgment against DOJ/DEA FOIA, U.S. CUSTOMS SERVICE (JMF) (Entered: 07/06/1998)
07/27/1998	44	MOTION filed by plaintiff CARLOS A. BENITEZ for discovery and production of records pursuant to Rules 26 et seq., and 37 et seq., of the Federal Rules of Civil Procedure ; declaration (1) (tw) Modified on 07/28/1998 (Entered: 07/28/1998)

08/05/1998	45	SUBSTITUTION OF COUNSEL for federal defendant DEPT . OF TREASURY, federal defendant DOJ/DEA FOIA, federal defendant U.S. CUSTOMS SERVICE , substituting Lisa Barsoomian for attorney Benjamin R. Barnett for U.S. CUSTOMS SERVICE, attorney Benjamin R. Barnett for DOJ/DEA FOIA (tw) (Entered: 08/06/1998)
08/05/1998	46	MOTION filed by federal defendant DEPT . OF TREASURY, federal defendant DOJ/DEA FOIA, federal defendant U.S. CUSTOMS SERVICE for protective order pursuant to Federal Rule of Civil Procedure 26(C), staying all discovery in the case until further order of this court. (tw) (Entered: 08/06/1998)
01/29/1999	47	MEMORANDUM OPINION by Judge Ricardo M. Urbina granting defendants' renewed motion for summary judgment (N) (jwd) (Entered: 01/29/1999)
01/29/1999	48	ORDER by Judge Ricardo M. Urbina : denying as moot motion for protective order pursuant to Federal Rule of Civil 26(C), staying all discovery in the case until further order of this court. [46-1] by U.S. CUSTOMS SERVICE, DOJ/DEA FOIA, DEPT OF THE TREASURY, denying as moot motion for discovery and production of records pursuant to Rules 26 et seq., and 37 et seq., of the Federal Rules of Civil Procedure [44-1] by CARLOS A. BENITEZ, denying as moot motion for default judgment against DOJ/DEA FOIA, U.S. CUSTOMS SERVICE [43-1] by CARLOS A. BENITEZ, granting motion for summary judgment on behalf of U.S. Customs [41-1] by U.S. CUSTOMS SERVICE, DOJ/DEA FOIA, DEPT OF THE TREASURY, granting motion for summary judgment [40-1] by DOJ/DEA FOIA (N) (jwd) (Entered: 01/29/1999)