

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:00-cv-02025-ESH**

CARPA v. FBI, et al
Assigned to: Judge Ellen S. Huvelle
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 08/22/2000
Date Terminated: 10/15/2001
Jury Demand: None
Nature of Suit: 550 Prisoner Petition:
Civil Rights (Other)
Jurisdiction: U.S. Government
Defendant

Plaintiff

DOUGLAS J. CARPA

represented by **DOUGLAS J. CARPA**
P.O. Box 27413
Tempe, AZ 85285
PRO SE

V.

Defendant

**FEDERAL BUREAU OF
INVESTIGATION**

represented by **Kathleen M. Frye**
U.S. ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
10th Floor
Washington, DC 20530
(202) 353-9895
TERMINATED: 08/08/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vincent H. Cohen , Jr.
ACTING UNITED STATES
ATTORNEY
555 4th Street, N.W
5th Floor
Washington, DC 20530
(202)514-6600
Fax: (202) 628-4177
Email: vcohen@schertlerlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

JOHN KELSO
Section Chief, FOIA/PA Sections;
Officer of Public and Congressional
Affairs
TERMINATED: 03/08/2001

represented by **Kathleen M. Frye**
(See above for address)
TERMINATED: 03/08/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **David S. Frye**
SECURITIES & EXCHANGE
COMMISSION
Division of Enforcement
100 F Street, NE
Washington, DC 20549
(202) 291-3105
Fax: (703) 813-9740
TERMINATED: 11/01/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathleen M. Frye
(See above for address)
TERMINATED: 08/08/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vincent H. Cohen , Jr.
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/22/2000	1	COMPLAINT filed by plaintiff DOUGLAS J. CARPA; Exhibits (12). (jeb) (Entered: 08/31/2000)
08/22/2000	2	APPLICATION by plaintiff DOUGLAS J. CARPA to proceed in forma pauperis (jeb) (Entered: 08/31/2000)
08/22/2000	3	TRUST FUND ACCOUNT filed by plaintiff DOUGLAS J. CARPA pursuant to order 08/22/00. (jeb) (Entered: 08/31/2000)
08/22/2000	4	ORDER by Judge Paul L. Friedman : granting motion to proceed in forma pauperis [2-1] by DOUGLAS J. CARPA directing that monthly payments be made from the prisoner account of DOUGLAS J. CARPA . (N) (jeb) (Entered: 08/31/2000)
08/22/2000		SUMMONS (4) issued to federal party(s) federal defendant FBI, defendant JOHN KELSO , and non-parties: U.S. Attorney and U.S. Attorney General. (jeb) (Entered: 08/31/2000)
09/25/2000	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 9/21/00 (ab) (Entered: 09/26/2000)
09/25/2000	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 9/22/00 (ab) (Entered: 09/26/2000)

10/03/2000	7	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/2/00 upon defendant JOHN KELSO (jf) (Entered: 10/05/2000)
10/03/2000	8	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/2/00 upon federal defendant FBI (jf) (Entered: 10/05/2000)
10/24/2000	9	STATEMENT filed by plaintiff DOUGLAS J. CARPA , regarding: notice of filing fee authorized for payment (bjsp) (Entered: 10/26/2000)
10/25/2000	12	ANSWER TO COMPLAINT [1-1] by federal defendant FBI, defendant JOHN KELSO . (bjsp) (Entered: 11/01/2000)
10/30/2000	10	ORDER by Judge Ellen S. Huvelle: that defendants shall file a motion to dismiss or, in the alternative, a Motion for Summary Judgment on or before 12/15/00. Defendant shall attach to its motion a declaration from an appropriate employee of defendant describing the records withheld and the basis for withholding, as required by Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973), and including a statement concerning the segregibility of each record, see Kimberlin v. Department of Justice, 139 F.3d 944 (D.C. Cir 1998). No extensions of time will be granted except for good cause shown. (N) (gdf) (Entered: 10/30/2000)
10/30/2000	13	ORDER by Judge Ellen S. Huvelle : granting motion to extend time to 10/25/00 to answer complaint [1-1] [11-1] by DOJ ; Answer extended to 10/25/00 for DOJ, for JOHN KELSO, for FBI (N) (gdf) (Entered: 11/02/2000)
10/31/2000	11	MOTION filed by federal defendant DOJ to extend time to 10/25/00 to answer complaint [1-1] (FIAT) HUVELLE, J. (bjsp) (Entered: 11/01/2000)
11/06/2000	14	MOTION filed by plaintiff DOUGLAS J. CARPA for summary judgment (bjsp) (Entered: 11/07/2000)
11/21/2000	15	MOTION filed by federal defendant DOJ to extend time to 1/22/01 to file defendant's opposition to plaintiff's motion for summary judgment and defendant's motion for summary judgment (ag) (Entered: 11/22/2000)
11/28/2000	16	ORDER by Judge Ellen S. Huvelle: granting motion to extend time to 1/22/01 to file defendant's opposition to plaintiff's motion for summary judgment and defendant's motion for summary judgment [15-1] by DOJ; Defendant's motion for summary judgment and/or Defendant's motion for an Open America Stay on or before 1/22/01 (N) (gdf) (Entered: 11/28/2000)
12/01/2000	17	MEMORANDUM by plaintiff DOUGLAS J. CARPA in opposition to motion to extend time to 1/22/01 to file defendant's opposition to plaintiff's motion for summary judgment and defendant's motion for summary judgment [15-1] by DOJ (ag) (Entered: 12/05/2000)
01/18/2001	18	MOTION filed by federal defendant FBI to stay pursuant to Open America vs. Watergate Special Prosecution Force, 547 F.2d 605 (D.C. Cir. 1976); Declaration (1); Exhibits (17) (ag) (Entered: 01/19/2001)

01/19/2001	19	ORDER by Judge Ellen S. Huvelle: directing that plaintiff shall respond to the defendant Federal Bureau of Investigation's Motion for an Open America Stay no later than 2/16/01. If the plaintiff does not respond by that date, the Court may treat the motion as conceded and grant a stay to defendant Federal Bureau of Investigation until 4/30/01 (N) (gdf) (Entered: 01/22/2001)
02/01/2001	20	RESPONSE by plaintiff DOUGLAS J. CARPA in opposition to motion to stay pursuant to Open America vs. Watergate Special Prosecution Force, 547 F.2d 605 (D.C. Cir. 1976); Declaration (1); Exhibits (17) [18-1] by FBI . (cas) (Entered: 02/06/2001)
02/16/2001	21	REPLY by federal defendant FBI in support of motion to stay pursuant to Open America vs. Watergate Special Prosecution Force, 547 F.2d 605 (D.C. Cir. 1976); Declaration (1); Exhibits (17) [18-1] (ag) (Entered: 02/20/2001)
03/08/2001	22	ORDER by Judge Ellen S. Huvelle: granting motion to stay pursuant to Open America vs. Watergate Special Prosecution Force, 547 F.2d 605 (D.C. Cir. 1976); Declaration (1); Exhibits (17) [18-1] by FBI, denying motion for summary judgment [14-1] by DOUGLAS J. CARPA dismissing as to defendant JOHN KELSO (N) (gdf) (Entered: 03/12/2001)
04/17/2001		DEPOSIT by plaintiff of \$150.00 Filing Fee paid in full (cjp) (Entered: 04/18/2001)
04/30/2001	25	MOTION filed by federal defendant FBI to dismiss , or in the alternative for summary judgment ; exhibit's (cas) (Entered: 05/09/2001)
05/01/2001	23	ORDER by Judge Emmet G. Sullivan : directing that the plaintiff has now paid the filing fee in full and nothing further shall be deducted from the plaintiff's prison acctoun for payment of the filing fee for this case (N) (glb) (Entered: 05/01/2001)
05/02/2001	24	ORDER by Judge Ellen S. Huvelle: that plaintiff shall respond to the defendants' motion to dismiss or, in the alternative, for summary judgment no later than 5/31/01. If plaintiff neither responds nor moves for an extension of time by the due date, the Court may treat the motion as conceded and enter judgment in favor of the defendants (N) (gdf) (Entered: 05/07/2001)
05/11/2001	29	MOTION filed by plaintiff DOUGLAS J. CARPA for sanctions (cjp) (Entered: 07/11/2001)
06/05/2001	26	MOTION filed by plaintiff DOUGLAS J. CARPA to compel FBI to comply with Rule 5 filing requirement, and to deliver the 900 pages purported to have been released in their 5/15/01 letter , and to extend time for plaintiff to respond from the date he receives a copy of the FBI's motion to dismiss, or, in the alternative, for summary judgment , and for sanctions against FBI refunding plaintiff's duplication fee and any other such relief ; Exhibits (3) (ag) (Entered: 06/06/2001)
06/18/2001	28	RESPONSE by federal defendants FBI, DOJ in opposition to motion to compel FBI to comply with Rule 5 filing requirement, and to deliver the 900 pages purported to have been released in their 5/15/01 letter [26-1] by DOUGLAS J. CARPA (ag) (Entered: 06/22/2001)

06/20/2001	27	ORDER by Judge Ellen S. Huvelle : denying motion to compel FBI to comply with Rule 5 filing requirement, and to deliver the 900 pages purported to have been released in their 5/15/01 letter [26-1] by DOUGLAS J. CARPA, granting motion to extend time for plaintiff to respond from the date he receives a copy of the FBI's motion to dismiss, or, in the alternative, for summary judgment [26-2] by DOUGLAS J. CARPA, granting motion for sanctions against FBI refunding plaintiff's duplication fee and any other such relief [26-3] by DOUGLAS J. CARPA (N) (gdf) (Entered: 06/21/2001)
07/24/2001	30	MOTION filed by plaintiff DOUGLAS J. CARPA to extend time for FBI to provide the plaintiff with a copy of their motion for summary judgment ; attachment (aet) (Entered: 07/25/2001)
08/02/2001	31	ORDER by Judge Ellen S. Huvelle: granting motion to extend time for FBI to provide the plaintiff with a copy of their motion for summary judgment [30-1] by DOUGLAS J. CARPA ; denying motion for sanctions [29-1] by DOUGLAS J. CARPA; defendants shall file a renewed certificate of service showing service of only the motion to dismiss, or, in the alternative, for summary judgment and not the records attached to the motion within 10 days of the entry of this order; FURTHER ORDERED plaintiff shall repsond to the defendants' motion to dismiss or, in the alternative, for summary judgment to later than 09/14/01. (N) (see order for detail) (gdf) (Entered: 08/07/2001)
08/08/2001	32	SUBSTITUTION OF COUNSEL for federal defendants FBI, and DOJ , substituting Vincent Hamilton Cohen Jr. for attorney Kathleen M. Frye (ag) (Entered: 08/10/2001)
08/08/2001	33	NOTICE OF FILING by federal defendants FBI, and DOJ of a renewed certificate of service verifying service of defendants' motion to dismiss or, in the alternative, for summary judgment to plaintiff (ag) (Entered: 08/10/2001)
08/24/2001	34	RESPONSE by plaintiff DOUGLAS J. CARPA in opposition to motion to dismiss [25-1] by FBI, motion for summary judgment [25-2] by FBI; Affidavit (1). (ag) (Entered: 08/27/2001)
10/15/2001	35	MEMORANDUM OPINION by Judge Ellen S. Huvelle (N) (gdf) (Entered: 10/16/2001)
10/15/2001	36	ORDER by Judge Ellen S. Huvelle : granting motion to dismiss [25-1] by FBI, granting motion for summary judgment [25-2] by FBI; JUDGMENT is entered in favor of defendants; FURTHER ORDERED that defendant shall pay plaintiff his litigation costs of \$150 because plaintiff has substantially prevailed. Any other pending motions are denied as moot (gdf) (Entered: 10/16/2001)
11/14/2001	37	STATEMENT filed by federal defendants FBI, DOJ, regarding: mail service at U.S. Attorney's office. (nmr) (Entered: 11/15/2001)