

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:00-cv-02348-TFH**

CHAN v. FBI
Assigned to: Judge Thomas F. Hogan
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 09/29/2000
Date Terminated: 12/30/2003
Jury Demand: None
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: U.S. Government
Defendant

Plaintiff

BRIAN CHAN

represented by **BRIAN CHAN**
R30029-053
MARION UNITED STATES
PENITENTIARY
P.O. Box 1000
Marion, IL 62959
PRO SE

V.

Defendant

**FEDERAL BUREAU OF
INVESTIGATION**

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Date Filed	#	Docket Text
09/29/2000	1	COMPLAINT filed by plaintiff BRIAN CHAN ; exhibits (12) (bjsp) Modified on 10/04/2000 (Entered: 10/04/2000)
09/29/2000	2	APPLICATION by plaintiff BRIAN CHAN to proceed in forma pauperis (bjsp) (Entered: 10/04/2000)
09/29/2000	3	TRUST FUND ACCOUNT filed by plaintiff BRIAN CHAN pursuant to order . (bjsp) (Entered: 10/04/2000)
09/29/2000	4	ORDER by Judge James Robertson : granting motion to proceed in forma pauperis [2-1] by BRIAN CHAN directing that monthly payments be made from the prisoner account of BRIAN CHAN . (N) (bjsp) (Entered: 10/04/2000)
09/29/2000		SUMMONS (3) issued to federal party(s) federal defendant FBI , and non-parties: U.S. Attorney and U.S. Attorney General. (bjsp) (Entered: 10/04/2000)

01/26/2001	5	ORDER by Judge Royce C. Lamberth : directing that the plaintiff has paid the filing fee in full and nothing further shall be deducted from the plaintiff's prison account for this case (N) (glb) (Entered: 01/26/2001)
02/01/2001		SUMMONS (3) REISSUED to federal party(s) federal defendant FBI and non-parties: U.S. Attorney and U.S. Attorney General. (tth) (Entered: 02/02/2001)
02/07/2001	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 2/5/01 (tth) (Entered: 02/08/2001)
02/13/2001	7	ATTORNEY APPEARANCE for federal defendant FBI by Jennifer U. Toth (jdm) (Entered: 02/14/2001)
02/22/2001	8	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 2/14/01 (tth) (Entered: 02/23/2001)
03/05/2001	10	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 2/22/01 upon federal defendant FBI (tth) (Entered: 03/07/2001)
03/06/2001	9	MOTION filed by federal defendant FBI to extend time to April 6, 2001, to answer complaint [1-1] (jdm) (Entered: 03/07/2001)
04/06/2001	13	ANSWER TO COMPLAINT [1-1] by federal defendant FBI . (bjsp) (Entered: 05/15/2001)
05/01/2001	12	LETTER dated 4/20/01 by plaintiff to Judge Hogan re: response to government's opposition. "Let this be filed" (fiat) Judge Hogan (ks) Modified on 05/07/2001 (Entered: 05/07/2001)
05/03/2001	11	ORDER by Judge Thomas F. Hogan : defendants dispositive motions due 6/15/01 ; (N) (jf) (Entered: 05/04/2001)
05/03/2001	14	RESPONSE by plaintiff BRIAN CHAN in opposition to motion to extend time to April 6, 2001, to answer complaint [1-1] [9-1] by FBI . (FIAT) HOGAN, J. (bjsp) (Entered: 05/15/2001)
06/15/2001	16	MOTION filed by federal defendant FBI to extend time to 8/10/01 to file dispositive motion ; exhibits (25) (bjsp) (Entered: 06/20/2001)
06/18/2001	15	ORDER by Judge Thomas F. Hogan : granting motion to extend time file dispositive motion [1-1] [9-1] by FBI; dispositive motions due 8/10/01 ; (N) (jf) (Entered: 06/20/2001)
06/29/2001	17	ATTORNEY APPEARANCE for federal defendant FBI by Andrew David Auerbach (ag) (Entered: 07/05/2001)
07/30/2001	21	MOTION filed by plaintiff BRIAN CHAN for Vaughn Index ; attachment's (cas) (Entered: 08/30/2001)
08/07/2001	18	MOTION filed by federal defendant FBI to extend time up to 90 ninety days from the receipt of any contention from the plaintiff, BRAIN CHAN, asserting that the release of documwnts made pursuant to his afareedom of Information Act request was not in accordance with the requirement of the Act. ; Declaration of Scott A. HODESI; EXHIBT'S (1) (cas) (Entered: 08/08/2001)
08/07/2001	19	RESPONSE by federal defendant FBI in opposition to motion for "VAUGHN INDEX". (cas) (Entered: 08/08/2001)

08/14/2001	20	ORDER by Chief Judge Thomas F. Hogan : denying motion for Vaughn Index [21-1] by BRIAN CHAN (N) (jf) (Entered: 09/13/2001)
09/10/2001	22	ORDER by Chief Judge Thomas F. Hogan : granting motion to extend time up to 90 ninety days from the receipt of any contention from the plaintiff, BRAIN CHAN, asserting that the release of documwnts made pursuant to his afareedom of Information Act request was not in accordance with the requirement of the Act. [18-1] by FBI; dispositive motions due by 12/10/01 ; (N) (jf) (Entered: 09/13/2001)
11/09/2001	23	STATEMENT filed by federal defendant FBI, regarding: mail service at U.S. Attorney's office. (nmr) (Entered: 11/13/2001)
11/28/2001	24	MOTION filed by federal defendant FBI to extend time to 12/24/01 to file a dispositive motion (cas) (Entered: 11/29/2001)
11/30/2001	25	ORDER by Chief Judge Thomas F. Hogan : granting motion to extend time to 12/24/01 to file a dispositive motion [24-1] by FBI; dispositive motions due by 12/24/01 ; (N) (jf) (Entered: 12/01/2001)
12/20/2001	26	NOTICE OF FILING by federal defendant FBI the third Declaration of SCOTT A. HODES; exhibits (2) (cas) (Entered: 12/21/2001)
12/20/2001	27	MOTION filed by federal defendant FBI for summary judgment in pursuant to FRCP 56 ; exhibits (3); attachments (cas) (Entered: 12/21/2001)
01/04/2002	28	ORDER by Chief Judge Thomas F. Hogan : directing plaintiff to response to motion for summary judgment due 2/7/02 ; or, the Court will treat the motion as conceded and dismiss the complaint (N) (jf) (Entered: 01/07/2002)
01/08/2002	29	MEMORANDUM by plaintiff BRIAN CHAN in opposition to motion for summary judgment in pursuant to FRCP 56 [27-1] by FBI; exhibits (7) (cas) (Entered: 01/09/2002)
02/12/2002	30	REPLY by federal defendant FBI in to plaintiff's opposition to motion for summary judgment in pursuant to FRCP 56 [27-1] FBI (td) (Entered: 02/13/2002)
02/12/2002	31	MOTION filed by federal defendant FBI to extend time in which to file a supplemental motion for summary judgment. (td) (Entered: 02/13/2002)
02/14/2002	32	ORDER by Chief Judge Thomas F. Hogan : granting motion to extend time to 90 days in which to file a supplemental motion for summary judgment. [31-1] by FBI (N) (jf) (Entered: 02/17/2002)
02/27/2002	33	SUBSTITUTION OF COUNSEL for federal defendant FBI , substituting Peter S. Smith for attorney Andrew David Auerbach for FBI (td) (Entered: 02/28/2002)
05/06/2002	34	MOTION filed by federal defendant FBI to extend time to 6/28/02 in which to file a supplemental motion for summary judgment. (td) (Entered: 05/07/2002)
05/07/2002	35	ORDER by Chief Judge Thomas F. Hogan : granting motion to extend time to 6/28/02 in which to file a supplemental motion for summary judgment. [34-1] by FBI dispositive ; motions due by 6/28/02 ; (N) (jf) (Entered: 05/08/2002)

05/21/2002	36	MOTION (EX PARTE) filed by plaintiff BRIAN CHAN requesting to compel defendant to produce remaining materials ; exhibit (1) (bcs) (Entered: 05/22/2002)
06/12/2002	37	MOTION filed by federal defendant FBI to extend time to 6/28/02 to file an opposition to plaintiffs motion for ex parte request (bcs) (Entered: 06/13/2002)
06/17/2002	38	ORDER by Chief Judge Thomas F. Hogan : granting motion to extend time to 6/28/02 to file an opposition to plaintiffs motion for ex parte request [37-1] by FBI; response to motion(s) due by 6/28/02 ; (N) (jf) (Entered: 06/18/2002)
06/18/2002	39	ORDER by Chief Judge Thomas F. Hogan : granting motion to extend time to 6/28/02 to file an opposition to plaintiffs motion for ex parte request [37-1] by FBI (N) (su) (Entered: 06/18/2002)
06/28/2002	40	MOTION (SECOND) filed by federal defendant FBI to extend time in which t oppose plaintiffs motion for ex parte request and in which to file its supplemental motion for summary judgment and supporting paper until 45 days from the entering of the courts order on this motion ; exhibits (1) (bcs) (Entered: 07/01/2002)
07/19/2002	41	ORDER by Chief Judge Thomas F. Hogan : denying motion requesting to compel defendant to produce remaining materials [36-1] by BRIAN CHAN granting motion to extend time in which t oppose plaintiffs motion for ex parte request and in which to file its supplemental motion for summary judgment and supporting paper until 45 days from the entering of the courts order on this motion [40-1] by FBI (N) (jf) (Entered: 07/22/2002)
09/03/2002	43	SUBSTITUTION OF COUNSEL for federal defendant FBI , substituting Vincent Hamilton Cohen Jr. for attorney Peter S. Smith for FBI (bcs) (Entered: 09/05/2002)
09/03/2002	44	MOTION filed by federal defendant FBI to extend time for an additional fifteen days to file a supplemental motion for summary judgment pursuant to the courts order of 7/19/02 (bcs) (Entered: 09/05/2002)
09/04/2002	42	ORDER by Chief Judge Thomas F. Hogan: granting motion for extension of time to 09/18/02 to file a supplemental motion for summary judgment; motion due 9/18/02 ; (N) (jf) (Entered: 09/05/2002)
09/18/2002	45	SUPPLEMENTAL MEMORANDUM by federal defendant FBI in support of motion for summary judgment in pursuant to FRCP 56 [27-1] by FBI; declaration (1); exhibit (1) (bcs) (Entered: 09/19/2002)
09/26/2002	46	ORDER by Chief Judge Thomas F. Hogan : plaintiff's response to defendant's supplemental motion for summary judgment due by 10/31/02 (N) (tb) (Entered: 09/26/2002)
10/24/2002	49	SUPPLEMENTAL MEMORANDUM by plaintiff BRIAN CHAN in opposition to motion for summary judgment in pursuant to FRCP 56 [27-1] by FBI; exhibits (5) (bcs) (Entered: 10/30/2002)
10/25/2002	48	MOTION filed by plaintiff BRIAN CHAN to extend time to 12/31/02 to file exhibit F of his supplemental motion in opposition to defendants supplemental motion for summary judgment (bcs) (Entered: 10/30/2002)

10/29/2002	47	ORDER by Chief Judge Thomas F. Hogan: granting extension of time to file "exhibit F" of supplemental motion in opposition to defendant's supplemental motion for summary judgment by plaintiff; brief due 12/31/02 ; (N) (jf) (Entered: 10/29/2002)
11/20/2002	50	MOTION filed by plaintiff BRIAN CHAN for leave to file exhibit F ; EXHIBIT (bcs) (Entered: 11/25/2002)
02/13/2003	51	ATTORNEY APPEARANCE for federal defendant FBI by Gail A. Perry (nmr) (Entered: 02/14/2003)
03/19/2003	52	MEMORANDUM OPINION AND ORDER by Chief Judge Thomas F. Hogan : granting in part, denying in part motion for summary judgment in pursuant to FRCP 56 [27-1] granting motion nun pro tunc for leave to file exhibit F [50-1] by BRIAN CHAN; directing defendant within ten (10) days from the filing of this order to file a fourth declaration of Scott A. Hodes supporting the supplemental motion for summary judgment; directing defendant within thirty (30) days from the filing of this order to supplement the record addressing the more than two thousand pages of responsive records. (N) (N) (jf) Modified on 03/20/2003 (Entered: 03/20/2003)
04/04/2003	53	NOTICE OF FILING by federal defendant FBI pursuant to this Court's 3/18/03 order, defendant files the fourth declaration of Scott A. Hodes in support of defendant's supplemental motion for summary judgment; declaration (1); exhibits (4) (bcs) (Entered: 04/08/2003)
04/14/2003	54	SUPPLEMENTAL by plaintiff BRIAN CHAN motion to his October 15, 2002 supplemental motion in opposition to the defendant's supplemental motion for summary judgment. (bcs) (Entered: 04/16/2003)
04/17/2003	55	SUPPLEMENTAL MEMORANDUM by federal defendant FBI responding to the court's order dated 3/18/03 [52-1]; declaration (1) (bcs) (Entered: 04/18/2003)
07/07/2003	56	MEMORANDUM OPINION AND ORDER by Chief Judge Thomas F. Hogan : directing within thirty (30) days of this order, defendant's to supplement the record by describing through appropriate affidavits its search for records responsive to plaintiff's FOIA request, after which the Court will resolve the supplemental motion for summary judgment.(N) (jf) (Entered: 07/09/2003)
08/01/2003	57	MOTION filed by federal defendant FBI to extend time to 9/4/03 to supplement the record (bcs) (Entered: 08/05/2003)
08/04/2003	58	ORDER by Chief Judge Thomas F. Hogan: granting motion to extend time to 9/4/03 to supplement the record [57-1] by FBI (N) (nmr) (Entered: 08/05/2003)
09/04/2003	59	MOTION (SECOND) filed by federal defendant FBI to extend time to 9/19/03 to supplement the record (bcs) (Entered: 09/05/2003)
09/05/2003	60	ORDER by Chief Judge Thomas F. Hogan : granting motion to extend time to 9/19/03 to supplement the record [59-1] by FBI (N) (nmr) (Entered: 09/08/2003)

09/24/2003	61	MOTION filed by federal defendant FBI for leave to file late pursuant to fed. r. civ. p. 6(b)(2) declaration pursuant to the court's order of 7/2/03 ; EXHIBIT (RESPONSE) (bcs) (Entered: 09/25/2003)
10/09/2003	62	ORDER by Chief Judge Thomas F. Hogan: granting motion for leave to file late pursuant to fed. r. civ. p. 6(b)(2) declaration pursuant to the court's order of 7/2/03 [61-1] by FBI (N) (nmr) (Entered: 10/09/2003)
10/09/2003	63	RESPONSE by federal defendant FBI to court's order of July 7, 2003 [56-1]; declaration (1) (bcs) (Entered: 10/15/2003)
10/15/2003	64	MEMORANDUM OPINION by Chief Judge Thomas F. Hogan (N) (nmr) (Entered: 10/15/2003)
10/15/2003	65	ORDER by Chief Judge Thomas F. Hogan: granting defendant's supplemental motion for summary judgment; entering judgment for the defendant on all claims; dismissing complaint [1-1] (N) (nmr) (Entered: 10/15/2003)
11/10/2003	66	MOTION for Award of Attorney Fees and Costs by BRIAN CHAN. (Attachments: # 1 Exhibit A)(rje,) (Entered: 11/13/2003)
01/08/2004	67	ORDER denying 66 Plaintiff's Motion for Attorney Fees and Costs. Signed by Judge Thomas F. Hogan on 1/8/04.(ah) (Entered: 01/08/2004)