

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:00-cv-00369-HHK**

SCHWARZ v. U.S. GENERAL ACCT., et al
Assigned to: Judge Henry H. Kennedy
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 02/24/2000
Date Terminated: 11/13/2001
Jury Demand: None
Nature of Suit: 550 Prisoner Petition:
Civil Rights (Other)
Jurisdiction: U.S. Government
Defendant

Plaintiff

BARBARA SCHWARZ

represented by **BARBARA SCHWARZ**
Apartment 401
335 East Broadway
Salt Lake City, UT 84111
PRO SE

V.

Defendant

**UNITED STATES GENERAL
ACCOUNTING OFFICE**
*Comptroller, Assistant Comptroller
General- Richard L. Hembra, Director
of Office of Policy, FOIA Officer-
Sarah R. Armstrong*

represented by **Cynthia Harrison Anderson**
DEPARTMENT OF JUSTICE
Office of Information & Privacy
1310 G Street, NW
Suite 570
Washington, DC 20530
(202) 305-2137
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen M. Finnegan
U. S. DEPARTMENT OF JUSTICE
Executive Office for U.S. Attorneys
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

LIBRARY OF CONGRESS
Copyright Office Director, FOIA
Attorney-Patricia L. Sinn

represented by **Cynthia Harrison Anderson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen M. Finnegan
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**TENNESSEE VALLEY
AUTHORITY**

Executive Director, FOIA Officer-
Wilma H. McCauley, Attorney Susan
S. Fendley, Director Employee
Service Center, Dianne Vann-
Supervisor Employee Service
Center, Ray M. Hickman, Robin D.
Baxter
TERMINATED: 03/13/2001

represented by **Edward S. Christenbury**
TENNESSEE VALLEY AUTHORITY
400 West Summit Hill Drive
Knoxville, TN 37902-1499
(615) 865-2241
TERMINATED: 03/13/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**NATIONAL ENDOWMENT FOR
THE ARTS**

Director, FOIA Officer-Mary A.
Sipper, General Counsel-Karen
Christensen

represented by **Cynthia Harrison Anderson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen M. Finnegan
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

PANAMA CANAL COMMISSION

Chairman, Executive Director,
Secretary for Commissions Affairs,
Assistant Secretary for Commissions

represented by **Cynthia Harrison Anderson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen M. Finnegan
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

OFFICE OF ADMINISTRATION
Executive Office of the President,
FOIA Officer-Carol Ehrlich

represented by **Cynthia Harrison Anderson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen M. Finnegan
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**DWIGHT D. EISENHOWER
LIBRARY**
*Director, Assistant Director-Martin M.
Teasley, Daniel D. Holt*

represented by **Cynthia Harrison Anderson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Karen M. Finnegan
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/24/2000	3	APPLICATION by plaintiff BARBARA SCHWARZ to proceed in forma pauperis (bjsp) Modified on 04/10/2000 (Entered: 02/25/2000)
02/24/2000		ORDER by Judge Aubrey E. Robinson granting motion to proceed in forma pauperis [1-1] by BARBARA SCHWARZ (fiat) (N) (bjsp) (Entered: 02/25/2000)
02/24/2000	1	COMPLAINT filed by plaintiff BARBARA SCHWARZ (bjsp) Modified on 04/10/2000 (Entered: 03/02/2000)
03/02/2000	2	MOTION (REQUEST) filed by plaintiff BARBARA SCHWARZ for status of this case (bjsp) (Entered: 03/02/2000)
03/02/2000	4	SUPPLEMENTAL PAGE filed by plaintiff BARBARA SCHWARZ in support of complaint [3-1] by BARBARA SCHWARZ (bjsp) (Entered: 03/02/2000)
03/17/2000	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 3/17/00 (bjsp) (Entered: 03/20/2000)
03/17/2000	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/17/00 upon federal defendant NATL ENDOWMENT/ARTS (bjsp) (Entered: 03/20/2000)
03/17/2000	7	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/17/00 upon federal defendant NATL ENDOWMENT/ARTS served on Karen Christensen - General Counsel (bjsp) (Entered: 03/20/2000)
03/17/2000	8	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/17/00 upon federal defendant NATL ENDOWMENT/ARTS served upon Director (bjsp) (Entered: 03/20/2000)

03/17/2000	9	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/16/00 upon federal defendant U.S. GENERAL ACCT . (bjsp) (Entered: 03/20/2000)
03/17/2000	10	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/16/00 upon federal defendant U.S. GENERAL ACCT . served upon Richard L. Hembra (bjsp) (Entered: 03/20/2000)
03/17/2000	11	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/16/00 upon federal defendant U.S. GENERAL ACCT . served upon Sarah R. Armstrong - FOIA Officer (bjsp) (Entered: 03/20/2000)
03/17/2000	12	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/16/00 upon federal defendant U.S. GENERAL ACCT . by serving Director of Office of Policy (bjsp) (Entered: 03/20/2000)
03/23/2000	46	MOTION filed by plaintiff BARBARA SCHWARZ for order Clerk of Court to issue summons, to forward to summons and complaint to US Marshal Service and request by plaintiff to order US Marsh Service of Columbia to provide me right away with process return receipts ; attachments (tb) (Entered: 09/26/2000)
03/24/2000	13	RETURN OF SERVICE/AFFIDAVIT of summons and complaint (3) executed on 3/20/00 upon federal defendant D EISENHOWER LIBRARY; Return Receipt Cards attached. (tth) (Entered: 03/27/2000)
03/24/2000	14	RETURN OF SERVICE/AFFIDAVIT of summons and complaint (2) executed on 3/20/00 upon defendant TENNESSEE VALLEY; Return Receipt Cards attached. (tth) (Entered: 03/27/2000)
03/24/2000	15	RETURN OF SERVICE/AFFIDAVIT of summons and complaint (2) unexecuted as to federal defendant PANAMA CANAL COMM (Executive Director and Ruth K. Huff, Asst. Sec'y/Comm. Affairs) (tth) Modified on 03/27/2000 (Entered: 03/27/2000)
03/24/2000	16	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/20/00 upon federal defendant PANAMA CANAL COMM (Chairman) (tth) (Entered: 03/27/2000)
03/30/2000	17	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/27/00 upon defendant TENNESSEE VALLEY by serving Robin D. Baxter (bjsp) Modified on 03/31/2000 (Entered: 03/31/2000)
03/30/2000	18	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/21/00 upon defendant TENNESSEE VALLEY upon Wilma H. McCauley- FOIA Officer (bjsp) (Entered: 03/31/2000)
03/30/2000	19	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/21/00 upon Gennessee Valley Authority (bjsp) (Entered: 03/31/2000)
03/30/2000	20	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/14/00 upon federal defendant D EISENHOWER LIBRARY by serving Martin M. Teasley Asst Director (bjsp) (Entered: 03/31/2000)
03/30/2000	21	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/21/00 upon federal defendant D EISENHOWER LIBRARY by serving Daniel D. Holt (bjsp) (Entered: 03/31/2000)

03/30/2000	22	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/21/00 upon federal defendant D EISENHOWER LIBRARY by serving Director (bjsp) (Entered: 03/31/2000)
03/30/2000	23	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/30/00 upon defendant TENNESSEE VALLEY by serving Ray M. Hickman (bjsp) (Entered: 03/31/2000)
03/30/2000	24	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/20/00 upon defendant TENNESSEE VALLEY by serving Director Employee Service Center (bjsp) (Entered: 03/31/2000)
04/07/2000	25	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/27/00 upon defendant TENNESSEE VALLEY and attorneys in this case Susan S. Fendley, Wilma McCauley, Robin Baxter, Ray Hickman, Dianne Vann, Director Employee Service Center and Executive Director ; attachments (bjsp) (Entered: 04/10/2000)
04/07/2000	26	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/31/00 upon federal defendant OFFICE OF ADMIN. by serving President, Carol Ehrlich- FOIA Officer (bjsp) (Entered: 04/10/2000)
04/07/2000	27	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 4/3/00 upon federal defendant LIBRARY OF CONGRESS by Serving Copyright Office, Patricia L. Sinn- FOIA Attorney (bjsp) (Entered: 04/10/2000)
04/07/2000	28	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 4/3/00 upon federal defendant LIBRARY OF CONGRESS by serving Copyright Office - Director (bjsp) (Entered: 04/10/2000)
04/07/2000	29	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 4/6/00 (bjsp) (Entered: 04/10/2000)
04/13/2000	30	ORDER by Judge Henry H. Kennedy : that plaintiff respond to defendant's motion to dismiss no later than 5/12/00 (N) (adc) (Entered: 04/13/2000)
04/13/2000	31	ORDER by Judge Henry H. Kennedy : that plaintiff provide the full name and address of the party identified as defendant on attached form and file it with the Court by 5/5/00 (N) (adc) (Entered: 04/13/2000)
04/17/2000	32	ATTORNEY APPEARANCE for defendant TENNESSEE VALLEY by Edward S. Christenbury (FIAT) KENNEDY, J. (bjsp) (Entered: 04/19/2000)
04/17/2000	33	MOTION filed by defendant TENNESSEE VALLEY to quash service of process , and to dismiss complaint [1-1] ; affidavit (1); attachments (bjsp) (Entered: 04/19/2000)
04/20/2000	36	RESPONSE by plaintiff BARBARA SCHWARZ to motion to quash service of process [33-1] by TENNESSEE VALLEY, motion to dismiss complaint [1-1] [33-2] by TENNESSEE VALLEY (tb) (Entered: 05/02/2000)

04/21/2000	34	ATTORNEY APPEARANCE for federal defendant U.S. GENERAL ACCT., federal defendant LIBRARY OF CONGRESS, federal defendant NATL ENDOWMENT/ARTS, federal defendant PANAMA CANAL COMM, federal defendant OFFICE OF ADMIN., federal defendant D EISENHOWER LIBRARY by Cynthia Harrison Anderson, Karen M. Finnegan (dam) (Entered: 04/24/2000)
04/24/2000	35	REPLY by defendant TENNESSEE VALLEY to motion to quash service of process [33-1] by TENNESSEE VALLEY, motion to dismiss complaint [1-1] [33-2] by TENNESSEE VALLEY (bm) (Entered: 04/26/2000)
05/02/2000	37	MOTION filed by federal defendant to extend time to 06/27/00 to answer complaint [1-1] (dam) (Entered: 05/03/2000)
05/03/2000	38	ORDER by Judge Henry H. Kennedy : granting motion to extend time to 06/27/00 to answer complaint [1-1] [37-1] by federal defendants ; Answer extended to 6/27/00 for D EISENHOWER LIBRARY, for OFFICE OF ADMIN., for PANAMA CANAL COMM, for NATL ENDOWMENT/ARTS, for TENNESSEE VALLEY, for LIBRARY OF CONGRESS, for U.S. GENERAL ACCT. (N) (dcn) (Entered: 05/04/2000)
05/05/2000	39	SURREPLY by plaintiff BARBARA SCHWARZ to motion to quash service of process [33-1] by TENNESSEE VALLEY, motion to dismiss complaint [1-1] [33-2] by TENNESSEE VALLEY; "Let this be filed" J. KENNEDY (tb) (Entered: 05/09/2000)
05/11/2000	40	MOTION filed by plaintiff BARBARA SCHWARZ to clarification of status of service on defendants National Endowments of Humanities , and to correct docket sheet (tb) (Entered: 05/16/2000)
05/11/2000	41	MOTION filed by plaintiff BARBARA SCHWARZ for free copy work (tb) (Entered: 05/16/2000)
05/11/2000	42	OBJECTIONS by plaintiff BARBARA SCHWARZ to motion to extend time to 06/27/00 to answer complaint [1-1] [37-1] by federal defendants (tb) (Entered: 05/16/2000)
06/27/2000	43	ANSWER TO COMPLAINT [1-1] by federal defendant U.S. GENERAL ACCT., federal defendant LIBRARY OF CONGRESS, defendant TENNESSEE VALLEY, federal defendant NATL ENDOWMENT/ARTS, federal defendant PANAMA CANAL COMM, federal defendant OFFICE OF ADMIN., federal defendant D EISENHOWER LIBRARY . (dam) (Entered: 06/28/2000)
07/03/2000	44	RESPONSE by plaintiff BARBARA SCHWARZ to answer [43-1] by federal defendantsss, defendant, federal defendant; exhibits (56) (tb) (Entered: 07/06/2000)
08/10/2000	45	MOTION filed by plaintiff BARBARA SCHWARZ to clarification of 07/27/00 order , and to protect outrageously recorded docket sheet and request for correction (tb) (Entered: 08/15/2000)
03/13/2001	47	ORDER by Judge Henry H. Kennedy : granting motion to quash service of process [33-1] by TENNESSEE VALLEY, granting motion to dismiss complaint [1-1] [33-2] by TENNESSEE VALLEY dismissing as to defendant TENNESSEE VALLEY (N) (dcn) (Entered: 03/15/2001)

03/13/2001	48	ORDER by Judge Henry H. Kennedy : granting motion to clarification of status of service on defendants National Endowments of Humanities [40-1] by BARBARA SCHWARZ , granting motion to clarification of 07/27/00 order [45-1] by BARBARA SCHWARZ, denying motion to correct docket sheet [40-2] by BARBARA SCHWARZ, denying motion for free copy work [41-1] by BARBARA SCHWARZ, denying motion for order Clerk of Court to issue summons, to forward to summons and complaint to US Marshal Service and request by plaintiff to order US Marsh Service of Columbia to provide me right away with process return receipts [46-1] by BARBARA SCHWARZ (N) (dcn) (Entered: 03/15/2001)
03/13/2001	49	ORDER by Judge Henry H. Kennedy : defendants dispositive motions due 4/30/01 ; (N) (dcn) (Entered: 03/15/2001)
03/13/2001	50	ORDER by Judge Henry H. Kennedy : denying motion of plaintiffs for recusal (N) (dcn) (Entered: 03/15/2001)
03/27/2001	51	OBJECTIONS by plaintiff BARBARA SCHWARZ to order denying motion of plaintiffs for recusal [50-1], order [50-2] (td) (Entered: 03/29/2001)
03/27/2001	52	OBJECTIONS by plaintiff BARBARA SCHWARZ to order defendants dispositive motions due 4/30/01 ; [49-1] (td) (Entered: 03/29/2001)
03/27/2001	53	OBJECTIONS by plaintiff BARBARA SCHWARZ to order dismissing as to defendant TENNESSEE VALLEY [47-1], order [47-2] (td) (Entered: 03/29/2001)
03/27/2001	54	OBJECTIONS by plaintiff BARBARA SCHWARZ order of Judge Kennedy to order on several motions filed by plaintiff, rendered 3/13/01 [50-1], [50-2], order [49-1], [49-2], [48-1], [47-1], order [47-2] (td) (Entered: 03/29/2001)
04/30/2001	55	MOTION filed by federal defendant, defendant, federal defendant to dismiss complaint [1-1] , or in the alternative for summary judgment (hsj) (Entered: 05/02/2001)
05/09/2001	57	RESPONSE by plaintiff BARBARA SCHWARZ to declarations of Jeffrey S. Forman, Patricia L. Sinn, Mary A. Sipper, David Ballenger, Carol Ehrlich, Martin M. Teasley and John W. Roberts. (td) Modified on 05/18/2001 (Entered: 05/18/2001)
05/11/2001	56	ORDER by Judge Henry H. Kennedy : plaintiffs response to motion for summary judgment due 6/18/01 (N) (dcn) (Entered: 05/11/2001)
07/19/2001	58	NOTICE OF SUPPLEMENTAL AUTHORITY by federal defendants of order issued by Chief Judge Hogan in Schwartz v. USDA, No. 01-1464 (D.D.C. June 29, 2001); exhibits (1) (cdw) (Entered: 07/20/2001)
07/31/2001	59	RESPONSE (OPPOSITIONS) by plaintiff BARBARA SCHWARZ to notice [58-1] of supplemental authority by federal defendants (cdw) (Entered: 08/03/2001)
07/31/2001	60	MOTION filed by plaintiff BARBARA SCHWARZ to protest that clerk Court administration does not docket my documents, motions, and declarations honestly to prefer and advance defendants ; attachments (cdw) (Entered: 08/09/2001)

07/31/2001	61	REQUEST (NEW) by plaintiff BARBARA SCHWARZ to finally correct the docket sheet ; attachments (cdw) (Entered: 08/09/2001)
11/13/2001	62	MEMORANDUM OPINION by Judge Henry H. Kennedy (N) (dcn) (Entered: 11/14/2001)
11/13/2001	63	FINAL JUDGMENT by Judge Henry H. Kennedy for federal defendants and against plaintiff BARBARA SCHWARZ (N) (dcn) (Entered: 11/14/2001)
11/28/2001	64	NOTICE OF APPEAL by plaintiff BARBARA SCHWARZ from order [63-1], entered on: 11/14/01. no fees paid - IFP. copies mailed to counsel. (cdw) (Entered: 12/18/2001)
12/18/2001		TRANSMITTED PRELIMINARY RECORD on appeal [64-1] by BARBARA SCHWARZ to U.S. Court of Appeals (cdw) (Entered: 12/18/2001)
12/19/2001		USCA # 01-5445 assigned for appeal [64-1] by BARBARA SCHWARZ (cdw) (Entered: 12/21/2001)
12/27/2001	65	MOTION filed by plaintiff BARBARA SCHWARZ to protest that my notice of appeal was not filed and docketed (cdw) (Entered: 12/28/2001)
05/23/2002	66	CERTIFIED COPY of order filed in USCA dated 3/29/2, on appeal [64-1] , affirming the judgment of USDC . USCA # 01-5445 (cjp) (Entered: 06/11/2002)
09/16/2002	67	ORDER by Judge Henry H. Kennedy : denying motion to protest that my notice of appeal was not filed and docketed [65-1] by BARBARA SCHWARZ (N) (dcn) (Entered: 09/18/2002)