

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:96-cv-01915-SS**

PLAYBOY ENTERPRISES v. U.S. CUSTOMS SERVICE

Assigned to: Stanley Sporkin

Demand: \$0

Cause: 05:552 Freedom of Information Act

Date Filed: 08/16/1996

Date Terminated: 02/10/1997

Jury Demand: None

Nature of Suit: 895 Freedom of Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff**PLAYBOY ENTERPRISES,
INCORPORATED**

represented by **David Francescani**
FRANCESCANI & HAYES, L.L.P.
17 Barstow Road
Suite 206
Great Neck, NY 11021
(516) 487-1455
Fax: 516-487-1353
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Douglas Paul Lobel
COOLEY GODWARD KRONISH LLP
4401 Eastgate Mall
San Diego, CA 92121
(703) 456-8019
Fax: (703) 456-8100
Email: dlobel@cooley.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**US CUSTOMS SERVICE**

represented by **Marina Utgoff Braswell**
U.S. ATTORNEY'S OFFICE
Civil Division
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2561
Fax: (202) 252-2599
Email: Marina.Braswell@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/16/1996	1	COMPLAINT filed by plaintiff PLAYBOY ENTERPRISES; exhibits (14) (tw) (Entered: 08/19/1996)
08/16/1996		SUMMONS (3) issued to federal party(s) federal defendant U.S. CUSTOMS SERVICE , and non-parties: U.S. Attorney and U.S. Attorney General. (tw) (Entered: 08/19/1996)
08/16/1996	2	RULE 109 Certificate of disclosure of corporate affiliations and financial interests by plaintiff PLAYBOY ENTERPRISES (tw) (Entered: 08/19/1996)
08/22/1996	3	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 8/16/96; copies received by Brenda Jones, Civil Division Legal Secretary (tw) (Entered: 08/23/1996)

08/22/1996	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 8/16/96; copies received by Altonia Mcguire, Correspondence Clerk (tw) (Entered: 08/23/1996)
08/22/1996	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 8/16/96 upon federal defendant U.S. CUSTOMS SERVICE; copies received by Lou Brenner, Attorney, Chief Counsel's Office (tw) (Entered: 08/23/1996)
09/16/1996	6	ANSWER TO COMPLAINT [1-1] by federal defendant U.S. CUSTOMS SERVICE . (tw) (Entered: 09/17/1996)
10/04/1996		SCHEDULING NOTICE: status hearing set for 10:00 10/21/96 ; before Judge Stanley Sporkin . (lin) (Entered: 10/04/1996)
10/17/1996	7	JOINT MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 206(d) filed by plaintiff PLAYBOY ENTERPRISES, federal defendant U.S. CUSTOMS SERVICE . (bjsp) (Entered: 10/17/1996)
10/23/1996	8	MOTION filed by plaintiff PLAYBOY ENTERPRISES for David R. Francescani to appear pro hac vice (DARBY & DARBY, P.C. 805 3rd Avenue, New York, New York, 10022-7513, (212) 527-7700) (tw) (Entered: 10/25/1996)
10/28/1996		STATUS HEARING before Judge Stanley Sporkin : motion hearing set for 2:00 2/4/97 ; Reporter: M. Bassford (tw) (Entered: 10/28/1996)
10/28/1996	9	ORDER by Judge Stanley Sporkin : granting motion for David R. Francescani to appear pro hac vice (DARBY & DARBY, P.C. 805 3rd Avenue, New York, New York, 10022-7513, (212) 527-7700) [8-1] by PLAYBOY ENTERPRISES (N) (tw) (Entered: 10/28/1996)
11/27/1996	10	MOTION filed by plaintiff PLAYBOY ENTERPRISES for a one day extension of time to 12/3/96 to file their cross motions for summary judgment. (tw) (Entered: 11/29/1996)
12/03/1996	12	(UNOPPOSED) MOTION filed by federal defendant U.S. CUSTOMS SERVICE to extend time to 12/10/96 within which to file their cross motion for summary judgment (bjsp) Modified on 12/04/1996 (Entered: 12/04/1996)
12/03/1996	13	MOTION filed by plaintiff PLAYBOY ENTERPRISES for summary judgment to compel disclosure under the freedom of information act ; exhibits (11) ; declarations (1) (bjsp) (Entered: 12/04/1996)
12/04/1996	11	ORDER by Judge Stanley Sporkin : granting motion for a one day extension of time to 12/3/96 to file their cross motions for summary judgment. [10-1] by PLAYBOY ENTERPRISES (N) (lin) Modified on 12/04/1996 (Entered: 12/04/1996)
12/10/1996	14	MOTION filed by federal defendant U.S. CUSTOMS SERVICE to extend time to 12/20/96 in which to file defendant's cross-motion for summary judgment. (tw) (Entered: 12/11/1996)
12/16/1996	15	ORDER by Judge Stanley Sporkin : granting motion to extend time to 12/20/96 in which to file defendant's cross-motion for summary judgment. [14-1] by U.S. CUSTOMS SERVICE; cross motions due by 12/20/96 (N) (jaw) (Entered: 12/16/1996)
12/19/1996	16	MOTION filed by federal defendant U.S. CUSTOMS SERVICE to dismiss complaint [1-1] as moot. ; attachment (1) (tw) (Entered: 12/20/1996)
02/03/1997	17	REPLY MEMORANDUM by plaintiff PLAYBOY ENTERPRISES in support of their motion for summary judgment to compel disclosure under the freedom of information act [13-1] by PLAYBOY ENTERPRISES (bjsp) (Entered: 02/04/1997)
02/03/1997	18	RESPONSE by plaintiff PLAYBOY ENTERPRISES to motion to dismiss complaint [1-1] as moot. [16-1] by U.S. CUSTOMS SERVICE (bjsp) (Entered: 02/04/1997)
02/03/1997	19	REPLY by federal defendant U.S. CUSTOMS SERVICE to plaintiff's opposition in part to motion to dismiss complaint [1-1] as moot. [16-1] by U.S. CUSTOMS SERVICE; attachments (bjsp) (Entered: 02/04/1997)

02/04/1997		MOTION HEARING before Judge Stanley Sporkin granted motion to dismiss complaint [1-1] as moot with permission to reinstate within 2 years. [16-1] by U.S. CUSTOMS SERVICE Reporter: B. Byrne (lin) (Entered: 02/10/1997)
02/07/1997	20	MOTION filed by plaintiff PLAYBOY ENTERPRISES to set award of attorney's fees and costs. ; declarations (2); attachments (2) (tw) (Entered: 02/10/1997)
02/07/1997	21	NOTICE OF FILING by federal defendant U.S. CUSTOMS SERVICE of a proposed order for the Court's consideration. (tw) (Entered: 02/10/1997)
02/12/1997	22	ORDER by Judge Stanley Sporkin : dismissing (N) (lin) (Entered: 02/12/1997)
02/19/1997	23	MOTION filed by federal defendant U.S. CUSTOMS SERVICE to extend time to 2/24/97 in which to file defendant's response to plaintiff's application for attorney's fees and costs. (tw) (Entered: 02/20/1997)
02/24/1997	25	RESPONSE (OPPOSITIONS) by federal defendant U.S. CUSTOMS SERVICE to plaintiff's motion for attorney's fees [20-1] (tw) (Entered: 02/25/1997)
02/25/1997	24	ORDER by Judge Stanley Sporkin : granting motion to extend time to 2/24/97 in which to file defendant's response to plaintiff's application for attorney's fees and costs. [23-1] by U.S. CUSTOMS SERVICE (N) (lin) (Entered: 02/25/1997)
03/03/1997	26	REPLY by plaintiff PLAYBOY ENTERPRISES to defendant's opposition to motion for attorney's fees and costs; attachments (7) (tw) (Entered: 03/04/1997)
03/03/1997	27	SUPPLEMENTAL MEMORANDUM by plaintiff PLAYBOY ENTERPRISES in support of plaintiff's application for attorney's fees and costs. (tw) (Entered: 03/04/1997)
03/03/1997	28	NOTICE OF FILING by federal defendant U.S. CUSTOMS SERVICE of affidavit explaining the destruction of the clothing samples was unintentional with respect to plaintiff's pending FOIA request; affidavit (1); attachment (1) (tw) (Entered: 03/04/1997)
03/04/1997		MOTION HEARING before Judge Stanley Sporkin Reporter: W. McAllister (lin) (Entered: 03/10/1997)
03/07/1997	29	TRANSCRIPT filed for date(s) of March 4, 1997. Reporter: William D. Mc Allister (tw) (Entered: 03/10/1997)
03/11/1997	30	NOTICE OF FILING by federal defendant U.S. CUSTOMS SERVICE of declaration of John F. Atwood. (tw) (Entered: 03/12/1997)
03/11/1997	31	TRANSCRIPT filed for date(s) of February 4, 1997. Reporter: Beverly J. Byrne (tw) (Entered: 03/12/1997)
03/19/1997	32	MEMORANDUM OPINION by Judge Stanley Sporkin (N) (lin) (Entered: 03/20/1997)
03/19/1997	33	ORDER granting plaintiff's motion for attorney fees; awarding 60% of its application by Judge Stanley Sporkin : (N) (lin) (Entered: 03/20/1997)
05/16/1997	34	NOTICE OF APPEAL by federal defendant U.S. CUSTOMS SERVICE from order [33-1] granting plaintiff certain fees and costs , entered on: 3/20/97. (st) (Entered: 05/19/1997)
05/19/1997		TRANSMITTED PRELIMINARY RECORD on appeal [34-1] by U.S. CUSTOMS SERVICE to U.S. Court of Appeals (st) (Entered: 05/19/1997)
05/23/1997		USCA # 97-5128 assigned for appeal [34-1] by U.S. CUSTOMS SERVICE (st) (Entered: 05/27/1997)
06/18/1997	35	CERTIFIED COPY of order filed in USCA dated 6/18/97, on appeal [34-1] , dismissing appeal . USCA # 97-5128 (cjp) (Entered: 06/19/1997)