

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:96-cv-01787-EGS**

AMER. AUTO. SHIPPERS v. U.S. CUSTOMS SVC., et al
Assigned to: Judge Emmet G. Sullivan
Demand: \$0
Cause: 18:1905 Disclosure of Confidential Information

Date Filed: 07/30/1996
Date Terminated: 03/31/1998
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**AMERICAN AUTOMOTIVE
SHIPPERS ASSOCIATION, INC.**
A Not-for-Profit Organization

represented by **Thomas C. Papson**
LEGAL AID SOCIETY OF THE
DISTRICT OF COLUMBIA
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

V.

Defendant

US CUSTOMS SERVICE
Department Of The Treasury

represented by **Carole Annette Jeandheur**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
P.O. Box 883
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Defendant

JOURNAL OF COMMERCE, INC.

represented by **Emilio William Cividanes**
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Date Filed	#	Docket Text
07/30/1996	1	COMPLAINT filed by plaintiff AMERICAN AUTO/ASSOC. (bjsp) (Entered: 07/31/1996)
07/30/1996		SUMMONS (3) issued to federal party(s) federal defendant U.S. CUSTOMS SERVICE , and non-parties: U.S. Attorney and U.S. Attorney General. (bjsp) (Entered: 07/31/1996)
07/30/1996		SUMMONS (1) issued for defendant JOURNAL OF COMMERCE (bjsp) (Entered: 07/31/1996)
07/30/1996		MAILED CJRA brochure, Meet and Confer list, and Notice regarding dismissal to plaintiff AMERICAN AUTO/ASSOC. . (bjsp) (Entered: 07/31/1996)
08/01/1996	2	RULE 109 Certificate of disclosure of corporate affiliations and financial interests by plaintiff AMERICAN AUTO/ASSOC. (bjsp) (Entered: 08/01/1996)
08/01/1996		(bjsp) (Entered: 08/01/1996)
08/01/1996	3	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 8/1/96 (bjsp) (Entered: 08/02/1996)
08/01/1996	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 8/1/96 upon defendant JOURNAL OF COMMERCE (bjsp) (Entered: 08/02/1996)
08/19/1996	5	(UNOPPOSED) MOTION filed by defendant JOURNAL OF COMMERCE to extend time to 9/30/96 to answer complaint [1-1] (bjsp) (Entered: 08/20/1996)
08/20/1996	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 8/20/96 upon federal defendant U.S. CUSTOMS SERVICE ; green card received and signed (paperwork was served upon Elizabeth Anderson who is able to sign for U.S. Customs Service) (bjsp) (Entered: 08/21/1996)
08/26/1996	7	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 9/30/96 to answer complaint [1-1] [5-1] by JOURNAL OF COMMERCE ; Answer extended to 9/30/96 for JOURNAL OF COMMERCE (N) (jwd) (Entered: 08/26/1996)
09/23/1996	8	(UNOPPOSED) MOTION filed by federal defendant U.S. CUSTOMS SERVICE to extend time to 10/25/96 to answer complaint [1-1] (tw) (Entered: 09/24/1996)
09/25/1996	9	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 10/25/96 to answer complaint [1-1] [8-1] by U.S. CUSTOMS SERVICE ; Answer extended to 10/25/96 for JOURNAL OF COMMERCE, for U.S. CUSTOMS SERVICE (N) (jwd) (Entered: 09/25/1996)
10/25/1996	10	MOTION filed by defendant JOURNAL OF COMMERCE to dismiss complaint [1-1] ; exhibits (8) (bjsp) (Entered: 10/28/1996)
10/25/1996	11	MOTION filed by federal defendant U.S. CUSTOMS SERVICE to dismiss complaint [1-1] (bjsp) (Entered: 10/28/1996)
10/25/1996	12	MEMORANDUM by federal defendant U.S. CUSTOMS SERVICE in support of their motion to dismiss complaint [1-1] [11-1] by U.S. CUSTOMS SERVICE; exhibits (9) (bjsp) (Entered: 10/28/1996)
11/05/1996	13	(UNOPPOSED) MOTION filed by plaintiff AMERICAN AUTO/ASSOC. to extend time to 12/9/96 within which to file their opposition to the motion to dismiss the action filed by defendants in this case (bjsp) (Entered: 11/06/1996)
11/07/1996	14	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 12/9/96 within which to file their opposition to the motion to dismiss the action filed by defendants in this case [13-1] by AMERICAN AUTO/ASSOC. response to dispositive motions due by 12/9/96 ; (N) (bjsp) (Entered: 11/08/1996)
11/18/1996	15	ERRATA by federal defendant U.S. CUSTOMS SERVICE to the Court of their filing of a page which should have been attached to exhibit 9 of defendant's motion to

		dismiss the complaint which was filed on 10/25/96 ; attachments (bjsp) (Entered: 11/19/1996)
12/09/1996	16	MOTION filed by plaintiff AMERICAN AUTO/ASSOC. for summary judgment (bjsp) (Entered: 12/10/1996)
12/09/1996	17	MEMORANDUM by plaintiff AMERICAN AUTO/ASSOC. in opposition to motion to dismiss complaint [1-1] [11-1] by U.S. CUSTOMS SERVICE ; exhibits (8) (bjsp) (Entered: 12/10/1996)
12/09/1996	18	MEMORANDUM by plaintiff AMERICAN AUTO/ASSOC. in support of their motion for summary judgment [16-1] by AMERICAN AUTO/ASSOC. (bjsp) (Entered: 12/10/1996)
12/17/1996	19	JOINT MOTION (UNOPPOSED) by plaintiff AMERICAN AUTO/ASSOC., federal defendant U.S. CUSTOMS SERVICE, defendant JOURNAL OF COMMERCE to extend time to 1/10/97 within which to file their memoranda in opposition to plaintiff's motion for summary judgment and replies to plaintiff's opposition to defendants' motion to dismiss (bjsp) (Entered: 12/18/1996)
12/30/1996	20	ORDER by Judge Ricardo M. Urbina : granting joint motion to extend time to 1/10/97 within which to file their memoranda in opposition to plaintiff's motion for summary judgment and replies to plaintiff's opposition to defendants' motion to dismiss [19-1] by JOURNAL OF COMMERCE, U.S. CUSTOMS SERVICE, AMERICAN AUTO/ASSOC. response to dispositive motions due by 1/10/97 ; reply to dispositive motions due by 1/10/97 ; (N) (lin) (Entered: 12/30/1996)
01/10/1997	21	JOINT MOTION by federal defendant U.S. CUSTOMS SERVICE, defendant JOURNAL OF COMMERCE to extend time to 1/14/97 within which to respond to plaintiffs' motion for summary judgment (bjsp) (Entered: 01/13/1997)
01/14/1997	22	RESPONSE by federal defendant U.S. CUSTOMS SERVICE in opposition to motion for summary judgment [16-1] by AMERICAN AUTO/ASSOC. . (bjsp) (Entered: 01/15/1997)
01/14/1997	23	REPLY by federal defendant U.S. CUSTOMS SERVICE in support of their motion to dismiss complaint [1-1] [11-1] by U.S. CUSTOMS SERVICE (bjsp) (Entered: 01/15/1997)
01/14/1997	24	REPLY MEMORANDUM by defendant JOURNAL OF COMMERCE in support of their motion to dismiss complaint [1-1] [10-1] by JOURNAL OF COMMERCE ; exhibits (6) (bjsp) (Entered: 01/15/1997)
01/14/1997	25	MEMORANDUM by defendant JOURNAL OF COMMERCE in opposition to motion for summary judgment [16-1] by AMERICAN AUTO/ASSOC. (bjsp) (Entered: 01/15/1997)
01/15/1997	26	ORDER by Judge Ricardo M. Urbina : granting joint motion to extend time to nunc pro tunc 1/14/97 within which to respond to plaintiffs' motion for summary judgment [21-1] by JOURNAL OF COMMERCE, U.S. CUSTOMS SERVICE response to dispositive motions due by 1/14/97 ; (N) (jwd) (Entered: 01/15/1997)
01/27/1997	27	REPLY by plaintiff AMERICAN AUTO/ASSOC. to defendants' opposition to plaintiff's motion for summary judgment [16-1] by AMERICAN AUTO/ASSOC. ; exhibits (5) (bjsp) (Entered: 01/28/1997)
02/10/1997	28	NOTICE OF FILING by plaintiff AMERICAN AUTO/ASSOC. to the Court RE: the filing of a corrected copy of one of the exhibits to plaintiff's reply to defendant's oppositions to plaintiff's motion for summary judgment ; attachments (bjsp) (Entered: 02/10/1997)
02/10/1997	29	MOTION filed by defendant JOURNAL OF COMMERCE for leave to file response to plaintiff's reply to defendants' oppositions to plaintiff's motion for summary judgment. ; EXHIBIT (Journal of Commerce's reponse) (tw) (Entered: 02/11/1997)
02/12/1997	30	MOTION filed by defendant JOURNAL OF COMMERCE for reconsideration of the Court's decision this morning to deny the Journal's motion for leave of Court to file their response to plaintiff's reply to defendant's oppositions to plaintiff's motion for summary judgment (bjsp) (Entered: 02/12/1997)

02/12/1997		Tele-conference before Judge Ricardo M. Urbina: motion of of defendant to file sur-reply, denied reporter: Not Reported (jwd) (Entered: 02/26/1997)
02/18/1997	31	RESPONSE by plaintiff AMERICAN AUTO/ASSOC. in opposition to motion for reconsideration of the Court's decision this morning to deny the Journal's motion for leave of Court to file their response to plaintiff's reply to defendant's oppositions to plaintiff's motion for summary judgment [30-1] by JOURNAL OF COMMERCE . (bjsp) (Entered: 02/18/1997)
02/18/1997		CASE REASSIGNED from Judge Urbina to Judge Emmet G. Sullivan on 2/18/97. (bjsp) (Entered: 02/19/1997)
03/07/1997	32	ORDER by Judge Emmet G. Sullivan : denying without prejudice motion for reconsideration of the Court's decision this morning to deny the Journal's motion for leave of Court to file their response to plaintiff's reply to defendant's oppositions to plaintiff's motion for summary judgment [30-1] by JOURNAL OF COMMERCE (N) (jwd) (Entered: 03/07/1997)
03/12/1997		SCHEDULING NOTICE: status hearing set for 9:30 4/24/97 ; before Judge Emmet G. Sullivan . (clv) (Entered: 03/12/1997)
04/24/1997		STATUS HEARING before Judge Emmet G. Sullivan : status hearing set for 11:00 5/19/97 ; refer to Magistrate Judge Kay for settlement purposes; Reporter: Frank Rangus (clv) (Entered: 04/24/1997)
04/24/1997		CASE REFERRED to Magistrate Judge Alan Kay for settlement (mmh) (Entered: 04/25/1997)
04/25/1997	33	(UNOPPOSED) MOTION filed by plaintiff AMER. AUTO. SHIPPERS for PETER S. PEARLMAN, to appear pro hac vice (MCKENNA & CUNEO, 1900 K STREET, NW, WASHINGTON, DC, 20006, (202) 496-7500) (bjsp) Modified on 04/28/1997 (Entered: 04/28/1997)
04/30/1997	34	ORDER by Judge Emmet G. Sullivan : granting motion for PETER S. PEARLMAN, to appear pro hac vice (MCKENNA & CUNEO, 1900 K STREET, NW, WASHINGTON, DC, 20006, (202) 496-7500) [33-1] by AMER. AUTO. SHIPPERS (N) (clv) (Entered: 04/30/1997)
05/19/1997		STATUS HEARING before Judge Emmet G. Sullivan : motion hearing set for 10:00 8/12/97 ; defendant's supplemental pleadings due by 6/29;/97; plaintiff's resposes due by 7/9/97; Reporter: Frank Rangus (clv) (Entered: 05/19/1997)
05/23/1997	35	MOTION filed by defendant JOURNAL OF COMMERCE to supplement judicial record. ; attachments (2) (tw) (Entered: 05/27/1997)
06/11/1997		SCHEDULING NOTICE: motion hearing set for 10:00 8/14/97 ; before Judge Emmet G. Sullivan . (clv) (Entered: 06/11/1997)
08/04/1997		SCHEDULING NOTICE: motion hearing set for 11:00 10/28/97 ; before Judge Emmet G. Sullivan . (clv) (Entered: 08/04/1997)
10/08/1997		SCHEDULING NOTICE: motion hearing set for 2:00 11/13/97 ; before Judge Emmet G. Sullivan . (clv) (Entered: 10/08/1997)
11/03/1997		CASE referral ended Magistrate Judge Alan Kay (lpp) (Entered: 12/08/1997)
11/13/1997		MOTION HEARING before Judge Emmet G. Sullivan by AMER. AUTO. SHIPPERS motion for summary judgment [16-1] heard, by U.S. CUSTOMS SERVICE motion to dismiss complaint [1-1] [11-1] heard, by JOURNAL OF COMMERCE motion to dismiss complaint [1-1] [10-1] heard; motions taken under advisement; Reporter: Frank Rangus (clv) (Entered: 11/14/1997)
11/20/1997	36	ORDER by Judge Emmet G. Sullivan : to show cause why this case should not be dismissed with prejudice for lack of standing . ; response to plaintiff's submission due by 12/10/97; (N) (clv) (Entered: 11/20/1997)
12/03/1997	37	MEMORANDUM by plaintiff AMER. AUTO. SHIPPERS to the Court in response to order to show cause why plaintiff has standing ; exhibits 5 (bjsp) (Entered: 12/04/1997)

12/10/1997	38	RESPONSE by federal defendant U.S. CUSTOMS SERVICE to n plaintiff's memorandum on standing RE: this case [37-1] by AMER. AUTO. SHIPPERS (bjsp) Modified on 12/11/1997 (Entered: 12/11/1997)
12/10/1997	39	RESPONSE by defendant JOURNAL OF COMMERCE to plaintiff's memorandum in response to order to show cause why plaintiff has standing [37-1] by AMER. AUTO. SHIPPERS (bjsp) (Entered: 12/11/1997)
12/18/1997	40	ORDER by Judge Emmet G. Sullivan :directing the parties that by no later than 12/22/97 at 12:00 p.m., the parties shall address the applicability, or not, of the circuit opinion in Sargeant v. Dixon; (N) (clv) (Entered: 12/18/1997)
12/19/1997	41	RESPONSE by federal defendant U.S. CUSTOMS SERVICE to the Court's 12/18/97 order [40-1] (bjsp) (Entered: 12/22/1997)
12/22/1997	42	MEMORANDUM by plaintiff AMER. AUTO. SHIPPERS in response to the order of this Court dated 12/17/97 (jaw) (Entered: 12/23/1997)
12/22/1997	43	MEMORANDUM by defendant JOURNAL OF COMMERCE to the Court RE: Sargeant vs Dixon (bjsp) (Entered: 12/23/1997)
03/31/1998	44	ORDER by Judge Emmet G. Sullivan : granting motion to supplement judicial record. [35-1] by JOURNAL OF COMMERCE, denying motion for summary judgment [16-1] by AMER. AUTO. SHIPPERS, granting motion to dismiss complaint [1-1] [11-1] by U.S. CUSTOMS SERVICE, granting motion to dismiss complaint [1-1] [10-1] by JOURNAL OF COMMERCE dismissing this action (N) (clv) (Entered: 04/01/1998)
06/01/1998	45	NOTICE OF APPEAL by plaintiff AMER. AUTO. SHIPPERS from order dismissing this action [44-1] , entered on: 4/1/98. granting motion to dismiss, fees paid, copies mailed (st) (Entered: 06/02/1998)
06/02/1998		TRANSMITTED PRELIMINARY RECORD on appeal [45-1] by AMER. AUTO. SHIPPERS to U.S. Court of Appeals (st) (Entered: 06/02/1998)
06/17/1998		USCA # 98-5231 assigned for appeal [45-1] by AMER. AUTO. SHIPPERS (st) (Entered: 06/18/1998)
06/17/1998		USCA # 98-5231 assigned for appeal [45-1] by AMER. AUTO. SHIPPERS (JMF) (Entered: 06/22/1998)
08/04/1998	46	TRANSCRIPT filed motion hearing for date(s) of 11/13/97. Reporter: Frank J. Rangus (mpt) (Entered: 08/05/1998)
05/21/2002	47	CERTIFIED COPY of order filed in USCA dated 05/20/02, on appeal [45-1] , dismissing appeal . USCA # 98-5231 (cp) (Entered: 05/21/2002)