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CLOSED, TYPE-I

# U.S. District Court District of Columbia (Washington, DC) CIVIL DOCKET FOR CASE #: 1:96-cv-01740-NHJ

NATL. VETERANS LEGAL v. U.S. VETERANS AFFAIR

Assigned to: Judge Norma Holloway Johnson

Demand: \$0

Cause: 05:552 Freedom of Information Act

Date Filed: 07/26/1996 Date Terminated: 12/23/1996

Jury Demand: None

Nature of Suit: 895 Freedom of

Information Act

Jurisdiction: U.S. Government Defendant

### **Plaintiff**

NATIONAL VETERANS LEGAL SERVICES PROGRAM

## represented by Barton Frank Stichman

NATIONAL VETERANS LEGAL

SERVICES PROGRAM 1600 K Street, NW

Suite 500

Washington, DC 20006 (202) 265–8305 x114 Fax: (202) 328–0063

Email: bart stichman@nvlsp.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

#### **Defendant**

UNITED STATES DEPARTMENT OF VETERANS AFFAIRS

#### represented by Karen Kathleen Richardson

U.S. DEPARTMENT OF JUSTICE 20 Massachusetts Avenue, NW Washington, DC 20001

(202) 514–3374 Fax: (202)616–8460

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#### **Thomas Edward Caballero**

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| Date Filed | # | Docket Text  |
|------------|---|--|
| 07/26/1996 | 1 | COMPLAINT filed by plaintiff NATL. VETERANS LEGAL (lkn) (Entered: 07/30/1996)  |
| 07/26/1996 |   | SUMMONS (3) issued to federal party(s) federal defendant U.S. VETERANS AFFAIR, and non–parties: U.S. Attorney and U.S. Attorney General. (lkn) (Entered: 07/30/1996) |
| 07/26/1996 | 2 | RULE 109 Certificate of disclosure of corporate affiliations and financial interests by plaintiff NATL. VETERANS LEGAL (lkn) (Entered: 07/30/1996)                   |
| 07/30/1996 |   | MAILED CJRA brochure, Meet and Confer list, and Notice regarding dismissal to plaintiff NATL. VETERANS LEGAL . (lkn) (Entered: 07/30/1996)                           |

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| 08/26/1996 | 3  | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 8/5/96 (lkn) (Entered: 08/27/1996)   |
|------------|----|--|
| 08/26/1996 | 4  | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 8/2/96 (lkn) (Entered: 08/27/1996)   |
| 09/03/1996 | 5  | MOTION filed by federal defendant to extend time for an additional thirty days to respond to complaint. (bjl) (Entered: 09/04/1996)  |
| 09/04/1996 | 6  | ORDER by Judge Norma H. Johnson: granting motion to extend time for an additional thirty days to respond to complaint. [5–1] by U.S. VETERANS AFFAIR; response to the complaint due 10/3/96. (N) (adc) (Entered: 09/06/1996)   |
| 09/10/1996 | 7  | RETURN OF SERVICE/AFFIDAVIT of summons and complaint mailed on 8/1/96 upon federal defendant U.S. VETERANS AFFAIR (lkn) (Entered: 09/11/1996)  |
| 09/19/1996 | 8  | JOINT MOTION by plaintiff NATL. VETERANS LEGAL, federal defendant U.S. VETERANS AFFAIR to stay proceedings thirty (30) days from the date of this joint motion (lkn) (Entered: 09/20/1996)   |
| 09/23/1996 | 9  | ORDER by Judge Norma H. Johnson: granting joint motion to stay proceedings thirty (30) days from the date of this joint motion [8–1] by U.S. VETERANS AFFAIR, NATL. VETERANS LEGAL (N) (dcn) (Entered: 09/23/1996)   |
| 11/04/1996 | 10 | ANSWER TO COMPLAINT [1–1] by federal defendant U.S. VETERANS AFFAIR . (lkn) (Entered: 11/06/1996)  |
| 12/23/1996 | 11 | STIPULATION OF DISMISSAL with prejudice of case by plaintiff NATL. VETERANS LEGAL, federal defendant U.S. VETERANS AFFAIR . (adc) (Entered: 12/23/1996)  |
| 01/22/1997 | 12 | MOTION filed by plaintiff NATL. VETERANS LEGAL for attorney fees and litigation costs against U.S. VETERANS AFFAIR; Exhibits (9). (lkn) (Entered: 01/23/1997)  |
| 01/28/1997 | 13 | ORDER by Judge Norma H. Johnson: referring motion for attorneys' fees to Magistrate Judge for report and recommendation (N) (adc) (Entered: 01/29/1997)  |
| 02/04/1997 | 14 | ERRATA by plaintiff NATL. VETERANS LEGAL, to memorandum in support of plaintiff's motion for award of reasonable attorney's fees and litigation costs (lkn) (Entered: 02/05/1997)  |
| 02/05/1997 | 15 | STIPULATION filed and fiated by Judge Norma H. Johnson regarding extension of time for defendant to respond to plaintiff's motion for award of reasonable attorney fees and litigation costs. (N) (adc) (Entered: 02/10/1997)  |
| 02/05/1997 | 16 | ORDER by Judge Norma H. Johnson: granting defendant's request for extension of time to respond to plaintiff's motion for award of reasonable attorney fees and litigation costs; defendant's brief opposing plaintiff's motion for award of reasonable attorney fees and litigation costs is extended to 2/13/97.(N) (adc) (Entered: 02/10/1997) |
| 02/07/1997 |    | CASE REFERRED to Mag. Judge Patrick J. Attridge for report and recommendation (mmh) (Entered: 02/10/1997)  |
| 02/13/1997 | 17 | RESPONSE by federal defendant U.S. VETERANS AFFAIR in opposition to motion for attorney fees and litigation costs against U.S. VETERANS AFFAIR [12–1] by NATL. VETERANS LEGAL; Exhibits (5). (lkn) (Entered: 02/14/1997)   |
| 02/27/1997 | 18 | ORDER by Judge Norma H. Johnson: granting plaintiff's request for an extension of time to respond to defendant's opposition to plaintiff's motion for award of reasonable attorney fees and litigation costs; response due3/19/97.(N) (adc) (Entered: 02/27/1997)  |
| 02/27/1997 | 19 | STIPULATION filed and fiated by Judge Norma H. Johnson regarding extending plaintiff's time to respond to defendant's opposition to plaintiff's motion for award of reasonable attorney fees and litigation costs; "Let this be filed" (N) (adc) (Entered: 02/27/1997)   |
| 03/19/1997 | 20 | MOTION (UNOPPOSED) filed by plaintiff NATL. VETERANS LEGAL to extend time until 03/21/97 to file reply to defendant's opposition to plaintiff's motion for   |

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|            |    | award of reasonable attorney fees and litigation costs (lkn) (Entered: 03/20/1997)   |
|------------|----|--|
| 03/20/1997 | 21 | ORDER by Judge Norma H. Johnson: granting motion to extend time until 03/21/97 to file reply to defendant's opposition to plaintiff's motion for award of reasonable attorney fees and litigation costs [20–1] by NATL. VETERANS LEGAL (N) (adc) (Entered: 03/24/1997)   |
| 03/21/1997 | 22 | REPLY by plaintiff NATL. VETERANS LEGAL to defendants' opposition to motion for attorney fees and litigation costs against U.S. VETERANS AFFAIR [12–1] by NATL. VETERANS LEGAL; Attachments (4). (lkn) (Entered: 03/24/1997)   |
| 06/30/1997 |    | CASE referral ended Mag. Judge Patrick J. Attridge (pao) (Entered: 07/02/1997)   |
| 07/02/1997 | 23 | REPORT AND RECOMMENDATION of Mag. Judge Patrick J. Attridge (pao) (Entered: 07/02/1997)  |
| 07/17/1997 | 24 | OBJECTIONS by plaintiff NATL. VETERANS LEGAL to one part of the report & recommendation [23–1]; exhibits (1) (dam) Modified on 07/18/1997 (Entered: 07/18/1997)  |
| 07/22/1997 | 25 | ERRATA by plaintiff NATL. VETERANS LEGAL to their objection to the report and recommendation of the Magistrate Judge filed on 7/17/97.; Declarations (1) (dam) (Entered: 07/23/1997)   |
| 08/04/1997 | 26 | RESPONSE by federal defendant U.S. VETERANS AFFAIR to objection [24–1] by NATL. VETERANS LEGAL to the report and recommendation of the Magistrate Judge (dam) (Entered: 08/05/1997)  |
| 10/29/1997 | 27 | ORDER by Chief Judge Norma H. Johnson: granting motion for attorney fees and litigation costs against U.S. VETERANS AFFAIR [12–1] by NATL. VETERANS LEGAL, it is further ORDERED that the defendant pay plaintiff \$5,510.15 in attorneys' fees and litigation costs within twenty—one (21) days of the date of this order. (N) (dam) (Entered: 10/31/1997)  |
| 11/26/1997 | 28 | APPLICATION by plaintiff NATL. VETERANS LEGAL for attorney fees and litigation costs against U.S. VETERANS AFFAIR; attachment (adc) (Entered: 12/01/1997)  |
| 12/08/1997 | 29 | ORDER by Chief Judge Norma H. Johnson: granting defendant's request for an extension of time to respond to plaintiff's wrap—up application for award of reasonable attorney fees, and litigation costs, it is further ORDERED that the time for defendant to serve and file its brief opposing plaintiff's wrap—up application for award of reasonable attorney fees, and litigation costs is extended to 12/16/97 (N) (dam) (Entered: 12/11/1997) |
| 12/16/1997 | 30 | RESPONSE by federal defendant U.S. VETERANS AFFAIR in opposition to motion for attorney fees and litigation costs against U.S. VETERANS AFFAIR; attachment [28–1] by NATL. VETERANS LEGAL; exhibits (A–B). (adc) (Entered: 12/17/1997)   |
| 12/16/1997 | 31 | ATTORNEY APPEARANCE for federal defendant U.S. VETERANS AFFAIR by Thomas E. Caballero. (adc) (Entered: 12/17/1997)   |
| 12/24/1997 | 32 | REPLY by plaintiff NATL. VETERANS LEGAL to response to motion for attorney fees and litigation costs against U.S. VETERANS AFFAIR [28–1] by NATL. VETERANS LEGAL (ks) (Entered: 12/29/1997)  |
| 03/16/1998 | 33 | ORDER by Chief Judge Norma H. Johnson: that plaintiff's wrap application for award of reasonable attorney fees and litigation costs be, and hereby is, referred to Magistrate Judge Attridge for a Report and Recommendation (N) (dam) (Entered: 03/16/1998)   |
| 03/16/1998 |    | CASE REFERRED to Mag. Judge Patrick J. Attridge for report and recommendation (cjp) (Entered: 03/30/1998)  |
| 04/28/1998 |    | CASE REFERRED to Magistrate Judge John M. Facciola for report and recommendation (cjp) (Entered: 04/30/1998)   |
| 10/08/1998 | 34 | REPORT AND RECOMMENDATION of Magistrate Judge John M. Facciola regarding attorney fees and litigation costs. (N) (pao) (Entered: 10/08/1998)   |

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| 10/22/1998 | 35 | OBJECTIONS by federal defendant U.S. VETERANS AFFAIR to report & recommendation [34–1]; exhibit (1) (tlh) (Entered: 10/23/1998)   |
|------------|----|---|
| 11/04/1998 | 36 | REPLY by plaintiff NATL. VETERANS LEGAL to response to objection [35–1] by U.S. VETERANS AFFAIR . (tlh) (Entered: 11/05/1998)   |
| 04/13/1999 | 37 | MEMORANDUM ORDER by Chief Judge Norma H. Johnson: granting motion for attorney fees and litigation costs against U.S. VETERANS AFFAIR; attachment [28–1] by NATL. VETERANS LEGAL; that defendant pay plaintiff \$20,230.77 in attorney's fees and litigation costs within thirty (30) days of the date of this Order. (N) (N) (dot) (Entered: 04/13/1999) |
| 04/13/1999 | 38 | JUDGMENT by Chief Judge Norma H. Johnson in favor of plaintiff NATL. VETERANS LEGAL against federal defendant U.S. VETERANS AFFAIR; that this case is closed. (N) (dot) (Entered: 04/13/1999)   |
| 04/16/1999 |    | CASE referral ended Magistrate Judge John M. Facciola (pao) (Entered: 04/21/1999)   |