

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:96-cv-01049-HHK**

KEEN, et al v. EXEC. OFFICE/US ATTY
Assigned to: Judge Henry H. Kennedy
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 05/07/1996
Date Terminated: 03/28/2000
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**JAMES L. KEEN**

represented by **JAMES L. KEEN**
R36293-019
LOMPOC UNITED STATES
PENITENTIARY
3901 Klein Boulevard
Lompoc, CA 93436
PRO SE

V.

Defendant**EXECUTIVE OFFICE FOR UNITED
STATES ATTORNEY**

represented by **David T. Smorodin**
AMERICAN CHEMICAL SOCIETY
Office of the Secretary & General Counsel
1155 16th Street, NW
Washington, DC 20036
(202) 872-4510
Fax: (202) 872-6338
Email: d_smorodin@acs.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lisa Barsoomian
**See Ms. Barsoomian file
Email: Lisa.Barsoomian@nih.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Suzanne Claire Nyland
U.S. ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
Washington, DC 20530
(202) 252-6751
Email: suzanne.c.nyland@usdoj.gov
TERMINATED: 03/15/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/07/1996	1	COMPLAINT filed by plaintiff JAMES L. KEEN (mjk) (Entered: 05/08/1996)
05/07/1996		SUMMONS (3) issued for plaintiff JAMES L. KEEN (mjk) (Entered: 05/08/1996)
05/07/1996	2	APPLICATION by plaintiff JAMES L. KEEN to proceed in forma pauperis (mjk) (Entered: 05/08/1996)

05/07/1996		ORDER by Judge James Robertson granting motion to proceed in forma pauperis [2-1] by JAMES L. KEEN (fiat) (N) (mjk) (Entered: 05/08/1996)
05/07/1996		CASE REFERRED by Judge Hogan to Magistrate Judge Alan Kay for full case management. (ks) (Entered: 05/10/1996)
05/29/1996	3	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 5/22/96 by personal service. (tth) (Entered: 05/30/1996)
06/03/1996	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 5/29/96 upon federal defendant EXEC. OFFICE/US ATTY (dot) (Entered: 06/04/1996)
06/03/1996	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 5/29/96 (dot) (Entered: 06/04/1996)
06/21/1996	6	ATTORNEY APPEARANCE for federal defendant EXEC. OFFICE/US ATTY by Suzanne Claire Nyland (ks) (Entered: 06/24/1996)
06/21/1996	7	MOTION filed by federal defendant EXEC. OFFICE/US ATTY to extend time to 7/10/96 to answer complaint [1-1] (ks) (Entered: 06/24/1996)
06/25/1996	8	ORDER by Magistrate Judge Alan Kay : granting motion to extend time to 7/10/96 to answer complaint [1-1] [7-1] by EXEC. OFFICE/US ATTY ; Answer extended to 7/10/96 for EXEC. OFFICE/US ATTY (N) (oj) (Entered: 06/25/1996)
07/10/1996	9	MOTION filed by federal defendant EXEC. OFFICE/US ATTY to dismiss complaint [1-1] , or in the alternative for summary judgment ; Exhibits (9) (ks) (Entered: 07/11/1996)
08/01/1996	10	RESPONSE by plaintiff JAMES L. KEEN in opposition to motion to dismiss complaint [1-1] [9-1] or, in the alternative, motion for summary judgment [9-2] by EXEC. OFFICE/US ATTY . ; exhibits (6) ; declarations (1) (bjsp) (Entered: 08/02/1996)
08/13/1996	11	MOTION filed by federal defendant EXEC. OFFICE/US ATTY to extend time to 8/21/96 within which to reply to plaintiff's opposition to defendant's motion to dismiss or, in the alternative for summary judgment , and to extend time within which to file its opposition to plaintiff's motion for discovery , and to extend time within which to file a motion for a protective order (bjsp) (Entered: 08/14/1996)
08/20/1996	12	ORDER by Magistrate Judge Alan Kay : granting motion to extend time to 8/21/96 within which to reply to plaintiff's opposition to defendant's motion to dismiss or, in the alternative for summary judgment [11-1] by EXEC. OFFICE/US ATTY (N) (oj) (Entered: 08/20/1996)
08/20/1996	13	PROTECTIVE (CONFIDENTIALITY) ORDER by Magistrate Judge Alan Kay ; setting forth procedures for handling confidential material; allowing designated material to be filed under seal. (N) (oj) (Entered: 08/20/1996)
08/21/1996	14	REPLY by federal defendant EXEC. OFFICE/US ATTY to response to motion for summary judgment [9-2] by EXEC. OFFICE/US ATTY (blj) (Entered: 08/22/1996)
08/21/1996	15	MOTION filed by federal defendant EXEC. OFFICE/US ATTY for protective order staying all discovery (blj) (Entered: 08/22/1996)
09/03/1996	16	RESPONSE by plaintiff JAMES L. KEEN to reply [14-1] by EXEC. OFFICE/US ATTY (ks) (Entered: 09/04/1996)
09/09/1996	17	RESPONSE by plaintiff JAMES L. KEEN to motion for protective order staying all discovery [15-1] by EXEC. OFFICE/US ATTY; declaration (1) (blj) (Entered: 09/09/1996)
12/20/1996	18	ORDER by Magistrate Judge Alan Kay : granting motion for protective order staying all discovery [15-1] by EXEC. OFFICE/US ATTY, until the trial court has ruled on Defendant's Moton to Dismiss (N) (lpp) (Entered: 12/20/1996)
01/06/1997	19	REPORT AND RECOMMENDATION of Magistrate Judge Alan Kay (lpp) (Entered: 01/06/1997)

01/24/1997	20	RESPONSE by federal defendant EXEC. OFFICE/US ATTY to Court's report & recommendation [19-1] (ks) (Entered: 01/27/1997)
02/03/1997	21	RESPONSE (OPPOSITIONS) by plaintiff JAMES L. KEEN to defendant's response of the Court's Report and Recommendation [20-1] by EXEC. OFFICE/US ATTY (blj) Modified on 06/25/1998 (Entered: 02/04/1997)
02/24/1997	22	NOTICE OF CHANGE OF ADDRESS by JAMES L. KEEN, #R36293-019 New address: HALAWA CORRECTIONAL FACILITY, 99-902 Moanalua Highway, Aiea HI 96701 . (blj) (Entered: 02/24/1997)
03/13/1997	23	ORDER by Judge Thomas F. Hogan : denying motion to dismiss complaint [1-1] [9-1] by EXEC. OFFICE/US ATTY, denying motion for summary judgment [9-2] by EXEC. OFFICE/US ATTY; the defendant's amended Vaughn index is due on for before 4/25/97 and the renewed motion to dismiss or for summary judgment may also be filed. (N) (lpp) (Entered: 03/13/1997)
03/17/1997	24	NOTICE OF CHANGE OF ADDRESS by JAMES L. KEEN, #UGM 648. New address: NORTH COUNTY JAIL, 550 6th Street Oakland CA 94607. (blj) (Entered: 03/18/1997)
04/25/1997	25	MOTION (RENEWED) filed by federal defendant EXEC. OFFICE/US ATTY to dismiss complaint [1-1] , or, in the alternative for summary judgment ; Supplemental declaration (1), exhibits (3). (lkn) (Entered: 04/28/1997)
04/28/1997	26	NOTICE OF CHANGE OF ADDRESS by JAMES L. KEEN representing plaintiff JAMES L. KEEN . New address: HALAWA CORRECTIONAL FACILITY, 99-902 MOANALVA HWY, AIENI, HI, 96701. (bjsp) (Entered: 04/28/1997)
05/13/1997	27	NOTICE by plaintiff JAMES L. KEEN, of noncompliance by defendant and Court (lkn) (Entered: 05/14/1997)
05/13/1997	28	REQUEST by plaintiff JAMES L. KEEN to lift protective order (lkn) (Entered: 05/14/1997)
06/12/1997	29	NOTICE OF CHANGE OF ADDRESS by JAMES L. KEEN representing plaintiff JAMES L. KEEN . New address: North County Jail, 550 Sixth Street, Oakland, CA, 94607. (lkn) (Entered: 06/13/1997)
06/26/1997	30	RESPONSE by plaintiff JAMES L. KEEN in opposition to renewed motion to dismiss complaint [1-1] [25-1] by EXEC. OFFICE/US ATTY, motion for summary judgment [25-2] by EXEC. OFFICE/US ATTY; Declaration (1). (lkn) (Entered: 06/27/1997)
06/26/1997	31	CROSS MOTIONS by plaintiff JAMES L. KEEN for summary judgment ; Declaration (1). (lkn) (Entered: 06/27/1997)
10/20/1997		CASE REASSIGNED to Judge Henry H. Kennedy (lkn) (Entered: 10/22/1997)
12/22/1997	32	NOTICE OF CHANGE OF ADDRESS by JAMES L. KEEN representing plaintiff JAMES L. KEEN . New address: Reg #36293-019, FCI Sheridan, P.O. Box 5000 Sheridan Oregon 97378. (adc) (Entered: 12/29/1997)
02/25/1998	33	NOTICE OF CHANGE OF ADDRESS by JAMES L. KEEN representing plaintiff JAMES L. KEEN . New address: Reg # 36293-019, FCI Sheridan; P.O. Box 5000 Sheridan Oregon 97378. (adc) (Entered: 02/25/1998)
03/13/1998	34	REPORT AND RECOMMENDATION of Magistrate Judge Alan Kay (lpp) (Entered: 03/17/1998)
04/03/1998	35	ORDER by Judge Henry H. Kennedy : adopting the Report and Recommendation (#34) in whole; denying motion to dismiss complaint [1-1] [25-1] by EXEC. OFFICE/US ATTY, denying motion for summary judgment [25-2] by EXEC. OFFICE/US ATTY, denying cross motion for summary judgment [31-1] by JAMES L. KEEN (N) (dcn) (Entered: 04/03/1998)
04/22/1998	36	MOTION filed by federal defendant EXEC. OFFICE/US ATTY to extend time to 5/15/98 to comply with the Court's 4/3/98 order (tlh) (Entered: 04/24/1998)
04/29/1998	37	ORDER by Judge Henry H. Kennedy : granting motion to extend time to 5/15/98 to comply with the Court's 4/3/98 order [36-1] by EXEC. OFFICE/US ATTY (N) (dcn)

		(Entered: 04/30/1998)
05/15/1998	38	MOTION filed by federal defendant EXEC. OFFICE/US ATTY to extend time to 5/26/98 to comply with the Court's 4/3/98 order. (tlh) (Entered: 05/18/1998)
05/22/1998	39	ORDER by Judge Henry H. Kennedy : granting motion to extend time to 5/26/98 to comply with the Court's 4/3/98 order. [38-1] by EXEC. OFFICE/US ATTY (N) (dcn) (Entered: 05/26/1998)
06/01/1998	40	MOTION filed by plaintiff JAMES L. KEEN for default judgment against EXEC. OFFICE/US ATTY (tlh) (Entered: 06/02/1998)
06/11/1998	41	MOTION filed by plaintiff JAMES L. KEEN to extend time to 6/26/98 to comply with Court's 4/3/98 order (tlh) (Entered: 06/12/1998)
06/16/1998	42	MOTION filed by federal defendant EXEC. OFFICE/US ATTY to extend time to 6/26/98 to respond to plaintiff's motion for default judgment (tlh) (Entered: 06/17/1998)
06/16/1998	44	ORDER by Judge Henry H. Kennedy : granting motion to extend time to 6/26/98 to comply with Court's 4/3/98 order [41-1] by JAMES L. KEEN (N) (dcn) (Entered: 06/22/1998)
06/19/1998	43	ORDER by Judge Henry H. Kennedy : granting motion to extend time to 6/26/98 to respond to plaintiff's motion for default judgment [42-1] by EXEC. OFFICE/US ATTY (N) (dcn) (Entered: 06/22/1998)
06/26/1998	45	MOTION filed by federal defendant EXEC. OFFICE/US ATTY to extend time to 7/10/98 to comply with the Court's 4/3/98 order and to respond to plaintiff's motion for default judgment (tlh) (Entered: 06/29/1998)
07/01/1998	46	ORDER by Judge Henry H. Kennedy : granting motion to extend time to 7/10/98 to comply with the Court's 4/3/98 order and to respond to plaintiff's motion for default judgment [45-1] by EXEC. OFFICE/US ATTY (N) (dcn) (Entered: 07/08/1998)
07/10/1998	47	MOTION filed by federal defendant EXEC. OFFICE/US ATTY to extend time to 7/24/98 to comply with the Court's 4/3/98 order and to respond to plaintiff's motion for default judgment. (tlh) (Entered: 07/13/1998)
07/21/1998	48	ORDER by Judge Henry H. Kennedy : granting motion to extend time to 7/24/98 to comply with the Court's 4/3/98 order and to respond to plaintiff's motion for default judgment. [47-1] by EXEC. OFFICE/US ATTY motion(s) due by 7/24/98 ; (N) (scm) (Entered: 07/21/1998)
07/24/1998	49	MOTION filed by federal defendant EXEC. OFFICE/US ATTY to extend time to 8/7/98 to respond to Court's order dated April 03, 1998 and to plaintiff's motion for default judgment (JMF) (Entered: 07/27/1998)
07/28/1998	50	ORDER by Judge Henry H. Kennedy : granting motion to extend time to 8/7/98 to respond to Court's order dated April 03, 1998 and to plaintiff's motion for default judgment [49-1] by EXEC. OFFICE/US ATTY (N) (kat) (Entered: 07/29/1998)
08/07/1998	51	MOTION filed by federal defendant EXEC. OFFICE/US ATTY to extend time to 8/24/98 to respond to Court's 4/3/98 order and to plaintiff's motion for default judgment. (tlh) (Entered: 08/10/1998)
08/10/1998	52	MOTION filed by plaintiff JAMES L. KEEN for issuance of a order denying all further requests for enlargement of time ; declaration (1) (tlh) (Entered: 08/11/1998)
08/12/1998	53	ORDER by Judge Henry H. Kennedy : granting motion to extend time to 8/24/98 to respond to Court's 4/3/98 order and to plaintiff's motion for default judgment. [51-1] by EXEC. OFFICE/US ATTY (N) (dcn) (Entered: 08/13/1998)
08/21/1998	54	ORDER by Judge Henry H. Kennedy : granting motion for issuance of a order denying all further requests for enlargement of time [52-1] by JAMES L. KEEN (N) (kat) (Entered: 08/21/1998)
08/24/1998	55	MEMORANDUM by federal defendant EXEC. OFFICE/US ATTY in opposition to motion for default judgment against EXEC. OFFICE/US ATTY [40-1] by JAMES L.

		KEEN (tlh) (Entered: 08/25/1998)
08/24/1998	56	RESPONSE by federal defendant EXEC. OFFICE/US ATTY to Judge Kay's report & recommendation [34-1] (tlh) (Entered: 08/25/1998)
08/24/1998	57	MOTION (SECOND RENEWED) filed by federal defendant EXEC. OFFICE/US ATTY to dismiss complaint [1-1] , or in the alternative for summary judgment (tlh) (Entered: 08/25/1998)
09/14/1998	58	RESPONSE by plaintiff JAMES L. KEEN in opposition to motion to dismiss complaint [1-1] [57-1] by EXEC. OFFICE/US ATTY, motion for summary judgment [57-2] by EXEC. OFFICE/US ATTY . (tlh) (Entered: 09/15/1998)
10/06/1998	59	ORDER by Judge Henry H. Kennedy : referring defendant's response to Magistrate Judge's Report and Recommendation and renewed motion to dismiss, or in the alternative, for summary judgment to Magistrate Judge Kay (N) (adc) (Entered: 10/07/1998)
03/02/1999	60	ORDER by Judge Henry H. Kennedy : denying motion for default judgment against EXEC. OFFICE/US ATTY [40-1] by JAMES L. KEEN (N) (dcn) (Entered: 03/02/1999)
03/15/1999	61	SUBSTITUTION OF COUNSEL for federal defendant EXEC. OFFICE/US ATTY , substituting Lisa Barsoomian for attorney Suzanne Claire Nyland for EXEC. OFFICE/US ATTY (tb) (Entered: 03/16/1999)
07/06/1999	62	NOTICE OF CHANGE OF ADDRESS by JAMES L. KEEN representing plaintiff JAMES L. KEEN . New address: FCC COLEMAN-MEDIUM P.O. Box 879, Coleman, FL, 33521 . (tb) (Entered: 07/07/1999)
07/15/1999	63	REPORT AND RECOMMENDATION of Magistrate Judge Alan Kay (lpp) (Entered: 07/15/1999)
08/09/1999	64	RESPONSE by plaintiff JAMES L. KEEN to report & recommendation [63-1]; declaration (1); exhibit (1) (tb) (Entered: 08/10/1999)
03/28/2000	65	ORDER by Judge Henry H. Kennedy: adopting the Magistrate Judge's Report; granting motion to dismiss complaint [1-1] [57-1] or, in the alternative for summary judgment [57-2] by EXEC. OFFICE/US ATTY; dismissing complaint [1-1] (N) (bm) (Entered: 03/28/2000)
04/06/2000		CASE referral ended (lpp) (Entered: 06/06/2000)
04/10/2000	66	MOTION filed by plaintiff JAMES L. KEEN for reconsideration of the Court's 3/28/00 order [65-2] , or, in the alternative to alter or amend judgment order dated 3/28/00 [65-2] ; declaration (1) (bjsp) (Entered: 04/11/2000)
06/06/2000		CASE referral ended Magistrate Judge Alan Kay (lpp) (Entered: 06/06/2000)
04/09/2001	<u>67</u>	ORDER by Judge Henry H. Kennedy : denying motion for reconsideration of the Court's 3/28/00 order [65-2] [66-1] by JAMES L. KEEN, denying motion to alter or amend judgment order dated 3/28/00 [65-2] [66-2] by JAMES L. KEEN (N) (dcn) (Entered: 04/11/2001)