

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:96-cv-00588-RMU**

DEVINE v. CIA, et al  
Assigned to: Judge Ricardo M. Urbina  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/25/1996  
Date Terminated: 05/19/1999  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**CAROLE DEVINE**

represented by **Amy Macdonald**

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V.

**Defendant**

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**Defendant**

**U.S. DEPARTMENT OF JUSTICE**

represented by **Fred Elmore Haynes**  
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**Defendant**

**DEPARTMENT OF DEFENSE**

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*ATTORNEY TO BE NOTICED***Marina Utgoff Braswell**

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*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****U.S. DEPARTMENT OF STATE**represented by **Fred Elmore Haynes**

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*TERMINATED: 06/14/1999**LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Marina Utgoff Braswell**

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*LEAD ATTORNEY**ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
03/25/1996	1	COMPLAINT filed by plaintiff CAROLE DEVINE (JMF) (Entered: 03/27/1996)
03/25/1996		SUMMONS (6) issued to federal party(s) federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS , and non-parties: U.S. Attorney and U.S. Attorney General. (JMF) (Entered: 03/27/1996)
03/25/1996		MAILED CJRA brochure, Meet and Confer list, and Notice regarding dismissal to plaintiff CAROLE DEVINE . (JMF) (Entered: 03/27/1996)
04/26/1996	7	ANSWER TO COMPLAINT [1-1] by federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS (cjp) (Entered: 05/02/1996)
04/29/1996	2	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/29/96 upon federal defendant DOS (JMF) (Entered: 05/01/1996)
04/29/1996	3	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 3/28/96 (JMF) (Entered: 05/01/1996)
04/29/1996	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 3/27/96 (JMF) (Entered: 05/01/1996)
04/29/1996	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 4/1/96 upon federal defendant CIA (JMF) (Entered: 05/01/1996)
04/29/1996	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/28/96 upon federal defendant DOJ (JMF) (Entered: 05/01/1996)
05/09/1996	8	MOTION (UNOPPOSED) filed by plaintiff CAROLE DEVINE to extend time to 5/17/96 in order to comply with Local Rule 206(a) (lkn) (Entered: 05/13/1996)
05/10/1996	9	ORDER by Judge Norma H. Johnson : granting motion to extend time to 5/17/96 in order to comply with Local Rule 206(a) [8-1] by CAROLE DEVINE (N) (adc) (Entered: 05/14/1996)
06/03/1996	10	MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 206(d) filed by plaintiff CAROLE DEVINE, federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS . (jeb) (Entered: 06/07/1996)
06/17/1996	11	ORDER by Judge Norma H. Johnson : that the parties file a proposed scheduling order as soon as the parties have agreed on a timetable and that the parties have until and including 6/28/96 to file such a proposed order. If the parties have not agreed on a schedule by 6/28/96, each party shall file a proposed scheduling order on that date. (N) (adc) (Entered: 06/17/1996)
06/28/1996	12	MOTION (UNOPPOSED) filed by federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS to extend time to 7/12/96 to file their

		joint or separate scheduling reports. (lkn) Modified on 07/03/1996 (Entered: 07/02/1996)
07/03/1996	13	ORDER by Judge Norma H. Johnson : granting motion to extend time to 7/12/96 to file their joint or separate scheduling reports. [12-1] by DOS, DOD, DOJ, CIA (N) (jeb) Modified on 07/03/1996 (Entered: 07/03/1996)
07/12/1996	14	MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 206(d) filed by plaintiff CAROLE DEVINE, federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS. (lkn) (Entered: 07/15/1996)
07/22/1996	15	SCHEDULING ORDER by Judge Norma H. Johnson that DOS shall have until 8/30/96 to provide plaintiff with a release and denial letter; on or before 9/21/96 plaintiff's counsel shall file with the Court a report stating what objections plaintiff has with regard to the disclosure determinations made by DOS and what aspects of the DOS disclosure plaintiff intends to challenge in this litigation; CIA shall have until 3/15/97 to complete processing of all CIA records responsive to plaintiff's FOIA requests and defendant CIA shall make one interim response to plaintiff not later than 11/15/96; OIG shall have until 9/15/96 to complete processing of all OIG records responsive to plaintiff's FOIA requests; FBI shall have until 9/15/96 to complete processing of all FBI records responsive to plaintiff's FOIA requests; the Office of the United States Attorney for the District of Columbia of defendant DOJ shall have until 12/16/96 to complete processing of all records responsive to plaintiff's FOIA requests; DEA of defendant DOJ shall have until 8/12/96 to file a vaughn index relating to documents which are responsive to plaintiff's FOIA requests but have been withheld by DEA; DOD shall have until 9/30/96 to complete processing of all DOD records responsive to plaintiff's FOIA requests, and that on or before 10/19/96, plaintiff's counsel shall file with the Court a report stating what objections plaintiff has regarding the disclosure determinations made by DOD and what aspects of DOD's disclosure plaintiff intends to challenge and it it further ordered that counsel for the parties appear for a status conference Friday, November 15, 1996 at 4:00 p.m. in Courtroom 4. status hearing set for 4:00 11/15/96 ; (adc) (Entered: 07/23/1996)
07/23/1996	16	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/28/96 upon federal defendant DOD (lkn) (Entered: 07/25/1996)
08/12/1996	17	NOTICE OF FILING by federal defendants: Attachment (Vaughn Index). (bjl) (Entered: 08/14/1996)
09/16/1996	18	MOTION (UNOPPOSED) filed by federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS to extend time to and including 11/15/96 to complete its processing of the records responsive to plaintiff's request under the Freedom of Information Act (lkn) (Entered: 09/17/1996)
09/17/1996	19	ORDER by Judge Norma H. Johnson : granting motion to extend time to and including 11/15/96 to complete its processing of the records responsive to plaintiff's request under the Freedom of Information Act [18-1] by DOS, DOD, DOJ, CIA (N) (adc) (Entered: 09/18/1996)
09/20/1996	20	RESPONSE by plaintiff CAROLE DEVINE to order that DOS shall have until 8/30/96 to provide plaintiff with a release and denial letter; on or before 9/21/96 plaintiff's counsel shall file with the Court a report stating what objections plaintiff has with regard to the disclosure determinations made by DOS and what aspects of the DOS disclosure plaintiff intends to challenge in this litigation; CIA shall have until 3/15/97 to complete processing of all CIA records responsive to plaintiff's FOIA requests and defendant CIA shall make one interim response to plaintiff not later than 11/15/96; OIG shall have until 9/15/96 to complete processing of all OIG records responsive to plaintiff's FOIA requests; FBI shall have until 9/15/96 to complete processing of all FBI records responsive to plaintiff's FOIA requests; the Office of the United States Attorney for the District of Columbia of defendant DOJ shall have until 12/16/96 to complete processing of all records responsive to plaintiff's FOIA requests; DEA of defendant DOJ shall have until 8/12/96 to file a vaughn index relating to documents which are responsive to plaintiff's FOIA requests but have been withheld by DEA; DOD shall have until 9/30/96 to complete processing of all DOD records responsive to plaintiff's FOIA requests, and that on or before 10/19/96, plaintiff's counsel shall file with the Court a report stating what objections plaintiff has regarding the disclosure determinations made by DOD and what aspects of DOD's disclosure

		plaintiff intends to challenge and it it further ordered that counsel for the parties appear for a status conference Friday, November 15, 1996 at 4:00 p.m. in Courtroom 4. status hearing set for 4:00 11/15/96 ; [15-1], order [15-2] (lkn) (Entered: 09/23/1996)
10/01/1996	21	MOTION filed by federal defendants to extend time to 12/1/96 in which to complete their processing of the records responsive to plaintiff's request under FOIA. (bjl) (Entered: 10/02/1996)
10/17/1996	22	ORDER by Judge Norma H. Johnson : granting motion to extend time to 12/1/96 in which to complete their processing of the records responsive to plaintiff's request under FOIA. [21-1] by DOS, DOD, DOJ, CIA (N) (adc) (Entered: 10/18/1996)
11/14/1996	23	SUBSTITUTION OF COUNSEL, Julie Y. Patterson, appearing pro bono, for plaintiff CAROLE DEVINE, substituting for Mark L. Josephs; Attachments. (lkn) (Entered: 11/18/1996)
11/15/1996		STATUS HEARING before Judge Norma H. Johnson : counsel to submit agreed order to the Court Reporter: Gordon Slodysko (dbw) (Entered: 11/15/1996)
12/30/1996	24	ORDER by Judge Norma H. Johnson : that the parties shall file a revised joint proposed scheduling order within fifteen days of the date of this Order; such Order shall reflect the scheduled proposed to the Court by counsel at the 11/15/96 hearing. (N) (adc) (Entered: 12/31/1996)
01/14/1997	25	MOTION (UNOPPOSED) filed by federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS to extend time to and including 1/17/97 to file the proposed schedule ordered by this Court on December 30, 1996 (lkn) (Entered: 01/15/1997)
01/16/1997	26	ORDER by Judge Norma H. Johnson : granting motion to extend time to and including 1/17/97 to file the proposed schedule ordered by this Court on December 30, 1996 [25-1] by DOS, DOD, DOJ, CIA (N) (adc) (Entered: 01/17/1997)
01/22/1997	27	STIPULATED SCHEDULING ORDER by Judge Norma H. Johnson that the defendant DOS shall produce and serve on plaintiff not later than 2/28/97 a Vaughn index relating to materials withheld in whole or in part that are responsive to plaintiff's FOIA requests; NSA shall complete processing of all NSA records responsive to plaintiff's FOIA requests and shall serve the appropriate responses on plaintiff not later than 5/31/97; plaintiff shall serve on the defendant DOD a report stating what objections plaintiff has regarding the disclosure determinations made by DOD and what aspects of DOD's disclosure plaintiff intends to challenge not later than 7/31/97; DOJ, Criminal Division shall complete processing of all unclassified Criminal Division records responsive to plaintiff's FOIA requests and shall serve the appropriate responses on the plaintiff not later than 2/15/97; DOJ, Criminal Division shall complete processing of all classified records responsive to plaintiff's FOIA requests and shall serve the appropriate responses on the plaintiff not later than 3/15/97; the Office of the Inspector General of the DOJ shall produce and serve on the plaintiff not later than 2/28/97 a Vaughn Index relating to OIG documents that are responsive to plaintiff's FOIA request but which have been withheld in whole or in part by the OIG; the FBI shall produce and serve on the plaintiff not later than 4/15/97 a Vaughn Index relating to documents that are responsive to plaintiff's FOIA request but which have been withheld in whole or in part by the FBI; the United States Attorney's Office shall complete processing of all unclassified U.S. Attorney records responsive to plaintiff's FOIA requests and shall serve the appropriate responses on the plaintiff not later than 5/30/97. (N) (adc) (Entered: 01/23/1997)
02/28/1997	28	MOTION (UNOPPOSED) filed by federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS to extend time to 3/6/97 in which to file the Vaughn indices from the Dept. of State and the Office of the Inspector General for the Dept. of Justice. (lkn) (Entered: 03/03/1997)
03/04/1997	29	ORDER by Judge Norma H. Johnson : granting motion to extend time to 3/6/97 in which to file the Vaughn indices from the Dept. of State and the Office of the Inspector General for the Dept. of Justice. [28-1] by DOS, DOD, DOJ, CIA (N) (adc) (Entered: 03/04/1997)

03/06/1997	30	MOTION (UNOPPOSED) filed by federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS to extend time to and including 3/12/97 to file the Vaughn indices form the Department of State and the office of Inspector General for the Department of Justice (lkn) (Entered: 03/07/1997)
03/07/1997	31	ORDER by Judge Norma H. Johnson : granting motion to extend time to and including 3/12/97 to file the Vaughn indices form the Department of State and the office of Inspector General for the Department of Justice [30-1] by DOS, DOD, DOJ, CIA (N) (adc) (Entered: 03/07/1997)
03/17/1997	32	MOTION filed by federal defendant CIA to extend time to 9/15/97 to complete response to plaintiff's FOIA request ; declarations (1) (JMF) (Entered: 03/18/1997)
03/18/1997	33	ORDER by Judge Norma H. Johnson : granting motion to extend time to 9/15/97 to complete response to plaintiff's FOIA request [32-1] by CIA; CIA shall make an interim release on 5/15/97. (N) (adc) (Entered: 03/20/1997)
05/30/1997	34	MOTION (UNOPPOSED) filed by federal defendant DOJ to extend time to 9/15/97 to complete plaintiff's FOIA request ; attachments (1) (dam) (Entered: 06/02/1997)
06/02/1997	35	ORDER by Judge Norma H. Johnson : granting motion to extend time to 9/15/97 to complete plaintiff's FOIA request [34-1] by DOJ (N) (adc) (Entered: 06/03/1997)
07/23/1997		CASE REASSIGNED from Chief Judge Norma Holloway Johnson to Judge Stanley Sporkin by direction of the Calendar Committee. (N) (mlp) (Entered: 07/25/1997)
07/29/1997		CASE REASSIGNED from Judge Stanley Sporkin to Judge Ricardo M. Urbina by direction of the Calendar Committee. (st) (Entered: 07/30/1997)
08/25/1997		SCHEDULING NOTICE: status hearing set for 9:30 9/17/97 ; before Judge Ricardo M. Urbina Courtroom #12, Fourth Floor. (jwd) (Entered: 08/25/1997)
09/12/1997	36	STATUS REPORT by plaintiff CAROLE DEVINE, federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS (bjsp) (Entered: 09/16/1997)
09/15/1997	37	SUBSTITUTION OF COUNSEL for plaintiff CAROLE DEVINE , substituting Kate Abbott Martin for attorney James Xavier Dempsey for CAROLE DEVINE (adc) (Entered: 09/16/1997)
09/17/1997		STATUS HEARING before Judge Ricardo M. Urbina: plaintiff to file a report regarding Vaughn Index by 10/31/97; status hearing set for 10:00 11/7/97; Reporter: William D. McAllister (jwd) (Entered: 09/17/1997)
10/15/1997	38	REPORT by plaintiff CAROLE DEVINE to the Court RE: documents processed by defendants Defense Intelligence Agency, National Security Agency and Department of the Army of justice and criminal division (bjsp) (Entered: 10/15/1997)
10/31/1997	39	STATUS REPORT by plaintiff CAROLE DEVINE to the Court RE: documents processed by defendant Central Intelligence Agency (bjsp) (Entered: 11/04/1997)
11/03/1997	40	REPORT by plaintiff CAROLE DEVINE to the Court RE: the status of documents processed by defendant Department of State (bjsp) (Entered: 11/04/1997)
11/06/1997	41	JOINT STATUS REPORT MEMORANDUM by plaintiff CAROLE DEVINE, federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS (bjsp) (Entered: 11/07/1997)
11/07/1997		STATUS HEARING before Judge Ricardo M. Urbina : parties are to file a joint report regarding status of case by 1/31/98; status hearing set for 9:00 2/13/98 ; Reporter: William D. McAllister (jwd) (Entered: 11/07/1997)
01/30/1998	42	JOINT STATUS REPORT by plaintiff CAROLE DEVINE, federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS (bjsp) (Entered: 02/02/1998)
01/30/1998	43	REPORT by plaintiff CAROLE DEVINE to the Court RE: documents processed by defendants DRUG ENFORCEMENT AGENCY and US ATTY OFFICE (bjsp) (Entered: 02/02/1998)

02/06/1998		SCHEDULING NOTICE: status hearing set for 10:00 3/2/98 ; before Judge Ricardo M. Urbina Courtroom #12, Fourth Floor. (jwd) (Entered: 02/06/1998)
04/23/1998	44	STATUS MEMEORANDUM (JOINT) by plaintiff CAROLE DEVINE, federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS (bjsp) (Entered: 04/24/1998)
04/23/1998	45	SUBSTITUTION OF COUNSEL for plaintiff CAROLE DEVINE , substituting Amy Macdonald, Amy R. Fitzpatrick, Karen M. Robinson for attorney Julie Y. Patterson for CAROLE DEVINE ; exhibits (3) (bjsp) Modified on 04/29/1998 (Entered: 04/29/1998)
05/21/1998	46	REPORT by plaintiff CAROLE DEVINE to the Court RE: documents processed by defendants (bjsp) (Entered: 05/22/1998)
06/15/1998	47	STATUS REPORT by plaintiff CAROLE DEVINE, federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS (tw) (Entered: 06/16/1998)
07/28/1998	48	SUBSTITUTION OF COUNSEL for federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS , substituting Fred E. Haynes for attorney Marina Utgoff Braswell for DOS, attorney Marina Utgoff Braswell for DOD, attorney Marina Utgoff Braswell for DOJ, attorney Marina Utgoff Braswell for CIA (st) (Entered: 07/30/1998)
09/10/1998	49	JOINT STATUS REPORT by plaintiff, federal defendant (lkn) (Entered: 09/11/1998)
06/14/1999	50	SUBSTITUTION OF COUNSEL for federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS , substituting Marina Utgoff Braswell for attorney Fred E. Haynes for DOS, attorney Fred E. Haynes for DOD, attorney Fred E. Haynes for DOJ, attorney Fred E. Haynes for CIA (tw) (Entered: 06/15/1999)
06/14/1999	51	STATUS REPORT (joint) by plaintiff CAROLE DEVINE, federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS (tw) (Entered: 06/15/1999)
07/27/2001	52	STATUS REPORT by federal defendant CIA, federal defendant DOJ, federal defendant DOD, federal defendant DOS (aet) (Entered: 07/30/2001)
04/10/2002	53	STATUS REPORT by federal defendants CIA, DOJ, DOD, DOS (bm) (Entered: 04/12/2002)
09/24/2002	54	STATUS REPORT (memorandum) by federal defendants (cdw) (Entered: 09/26/2002)
12/31/2003		MINUTE ORDER. The parties shall submit a joint report on the status of the case by no later than January 23, 2004. Signed by Judge Ricardo M. Urbina on 12/31/03. (Entered: 12/31/2003)
01/21/2004	<u>55</u>	STATUS REPORT , <i>Joint, filed</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF STATE, U.S. DEPARTMENT OF JUSTICE. (Braswell, Marina) (Entered: 01/21/2004)
01/22/2004	<u>56</u>	ORDER Directing Parties to File an Additional Joint Status Report by March 1, 2004. Signed by Judge Ricardo M. Urbina on 1/22/04. (Entered: 01/22/2004)
02/13/2004	<u>57</u>	NOTICE of Withdrawal of Appearance by Amy Macdonald as attorney for plaintiff CAROLE DEVINE (cp, ) (Entered: 02/13/2004)
02/27/2004	<u>58</u>	STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF STATE, CAROLE DEVINE, U.S. DEPARTMENT OF JUSTICE. (Braswell, Marina) (Entered: 02/27/2004)
03/01/2004	<u>59</u>	ORDER Directing the Parties to Submit an Additional Joint Status Report Including a Schedule for Concluding the Case. Signed by Judge Ricardo M. Urbina on 3/1/04. (Entered: 03/01/2004)
03/31/2004	<u>60</u>	STATUS REPORT , <i>Joint,</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF STATE, CAROLE DEVINE, U.S. DEPARTMENT OF JUSTICE. (Braswell, Marina) (Entered: 03/31/2004)

04/05/2004	<u>61</u>	ORDER Directing the Parties to Submit an Additional Joint Status Report Including a Schedule for Concluding the Case. Signed by Judge Ricardo M. Urbina on 4/5/04. (Entered: 04/05/2004)
05/03/2004	<u>62</u>	STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF DEFENSE, DEPARTMENT OF STATE, CAROLE DEVINE, U.S. DEPARTMENT OF JUSTICE. (Braswell, Marina) (Entered: 05/03/2004)
05/04/2004	<u>63</u>	REVISED SCHEDULING ORDER. Signed by Judge Ricardo M. Urbina on 5/4/04. (Entered: 05/04/2004)
05/04/2004		Set Deadlines/Hearings: The Executive Office of the U.S. Attorneys of defendnt Department of Justice respond to the plaintiff's request for supplemental information in connection with its vaughn declaration and index by no later than 6/1/2004. Futher Ordered that the plaintiff inform the defendants whether she is satisfied with the responses received from all of the government agencies by no later than 7/1/2004. If the plaintiff is satisfied, she may move to dismiss the caseby no later than 7/12/2004. If the Plaintiff is not satisfied, the following scheduled applies: The defendants file their Dispositive Motion on or before 8/2/2004. The plaintiff file her Oppositions to defendant' motion and Cross-Dispositive Motion on or before 8/30/2004. The defendants file a reply in support of their Motion and Opposition to plaintiff's Motion 9/27/2004.The plaintiff file her reply in support of her motion on or before 10/11/2004. (jwd, ) (Entered: 05/04/2004)
06/16/2004	<u>64</u>	Unopposed MOTION for Extension of Time to <i>Submit Supplemental Vaughn Declaration</i> by U.S. DEPARTMENT OF JUSTICE. (Braswell, Marina) (Entered: 06/16/2004)
06/17/2004	<u>65</u>	ORDER granting <u>64</u> Defendants' Unopposed Motion for Extension of Time. Signed by Judge Ricardo M. Urbina on 6/17/04. (Entered: 06/17/2004)
08/02/2004	<u>66</u>	MOTION to Dismiss by CAROLE DEVINE. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Certificate of Service)(Gonzalez, Cecilia) (Entered: 08/02/2004)
08/03/2004	<u>67</u>	ORDER granting <u>66</u> Motion to Dismiss. Signed by Judge Ricardo M. Urbina on 8/3/04. (Entered: 08/03/2004)