

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:96-cv-00458-JR**

SPIRKO, et al v. U.S. POSTAL  
Assigned to: Judge James Robertson  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/11/1996  
Date Terminated: 04/14/1997  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****JOHN G. SPIRKO, JR.**

represented by **Dale Andrew Baich**  
OFFICE OF THE FEDERAL PUBLIC DEFENDER  
Assistant Federal Public Defender  
222 North Central Avenue  
Suite 810  
Phoenix, AZ 85004  
(602) 379-3670  
Fax: 602-379-3681  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant****U.S. POSTAL SERVICE**

represented by **Charles Francis Flynn**  
U.S. ATTORNEY'S OFFICE  
Judiciary Center Building  
555 Fourth Street, NW  
Room 4118  
Washington, DC 20530  
(202) 514-7188  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
03/11/1996	1	COMPLAINT filed by plaintiff JOHN G. SPIRKO JR; exhibits (5) (JMF) (Entered: 03/12/1996)
03/11/1996		SUMMONS (3) issued to federal party(s) federal defendant U.S. POSTAL , and non-parties: U.S. Attorney and U.S. Attorney General. (JMF) (Entered: 03/12/1996)
03/11/1996		MAILED CJRA brochure, Meet and Confer list, and Notice regarding dismissal to plaintiff JOHN G. SPIRKO JR. (JMF) (Entered: 03/12/1996)
03/11/1996	2	APPLICATION by plaintiff JOHN G. SPIRKO JR to proceed in forma pauperis (JMF) (Entered: 03/12/1996)
03/11/1996		ORDER by Judge Aubrey E. Robinson granting motion to proceed in forma pauperis [2-1] by JOHN G. SPIRKO JR (fiat) (N) (JMF) (Entered: 03/12/1996)
03/11/1996	3	ATTORNEY APPEARANCE for plaintiff JOHN G. SPIRKO JR by Dale A. Baich (JMF) (Entered: 03/12/1996)
03/18/1996	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 3/18/96 (JMF) (Entered: 03/21/1996)
03/21/1996	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 3/15/96 (JMF) (Entered: 03/28/1996)

04/09/1996	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 4/3/96 upon federal defendant U.S. POSTAL (JMF) (Entered: 04/10/1996)
04/15/1996	7	ATTORNEY APPEARANCE for federal defendant U.S. POSTAL by Charles Francis Flynn (JMF) (Entered: 04/16/1996)
04/15/1996	8	ANSWER TO COMPLAINT [1-1] by federal defendant U.S. POSTAL . (JMF) (Entered: 04/16/1996)
04/18/1996	9	ORDER by Judge James Robertson: directing that if defendant intends to file a dispositive motion, it shall do so within 10 days of this date, or such further time as the court may allow upon proper written motion. (N) (jeb) (Entered: 04/18/1996)
05/02/1996	10	MOTION (UNOPPOSED) filed by federal defendant U.S. POSTAL to extend time to file a dispositive motion (JMF) (Entered: 05/03/1996)
05/15/1996	11	MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 206(d) filed by federal defendant U.S. POSTAL . (JMF) (Entered: 05/16/1996)
05/21/1996	12	SCHEDULING ORDER by Judge James Robertson Case assigned to the Fast track (track one) . , and defendant's motion for summary judgment due 6/25/96; plaintiff's response to motion for summary judgment due 7/12/96; defendant's reply to response to motion for summary judgment due 7/24/96 ; , and defendant to make a submission pursuant to Vaughn v. Rosen due by 6/10/96 (N) (jeb) (Entered: 05/21/1996)
06/10/1996	13	NOTICE OF FILING by federal defendant U.S. POSTAL a facsimile of the declaration of Paul Hartman, together with its attached exhibit A. (adc) (Entered: 06/11/1996)
06/24/1996	14	ERRATA by federal defendant U.S. POSTAL of original declaration of Paul M. Hartman, facsimile was filed on June 10, 1996 together with Exhibit A. (JMF) (Entered: 06/25/1996)
06/25/1996	15	MOTION filed by federal defendant U.S. POSTAL for summary judgment (JMF) (Entered: 06/26/1996)
07/12/1996	16	MOTION filed by plaintiff JOHN G. SPIRKO JR for further indexing and more specific "vaughn" affidavit (JMF) (Entered: 07/12/1996)
07/18/1996	17	ORDER by Judge James Robertson :denying motion for further indexing and more specific "vaughn" affidavit [16-1] by JOHN G. SPIRKO JR (N) (jeb) Modified on 04/03/1997 (Entered: 07/18/1996)
08/16/1996	18	MOTION filed by plaintiff to extend time to 8/26/96 to oppose defendant's motion for summary judgment. (bjl) (Entered: 08/19/1996)
08/22/1996	19	ORDER by Judge Paul L. Friedman : granting motion to extend time to 8/26/96 to oppose defendant's motion for summary judgment [18-1] by JOHN G. SPIRKO JR; opposition to motion for summary judgment due 8/26/96 (N) (dbw) (Entered: 08/22/1996)
08/26/1996	20	MEMORANDUM by plaintiff JOHN G. SPIRKO JR in opposition to motion for summary judgment [15-1] by U.S. POSTAL SERVICE; exhibits (7) (JMF) (Entered: 08/27/1996)
08/27/1996	21	MOTION filed by plaintiff JOHN G. SPIRKO JR to allow counsel to attend in camera review of documents ; exhibits (1) (JMF) (Entered: 08/28/1996)
09/03/1996	22	MEMORANDUM by federal defendant U.S. POSTAL SERVICE in opposition to motion to allow counsel to attend in camera review of documents [21-1] by JOHN G. SPIRKO JR (JMF) (Entered: 09/04/1996)
09/04/1996	23	SUPPLEMENTAL MEMORANDUM by plaintiff JOHN G. SPIRKO JR in opposition to motion for summary judgment [15-1] by U.S. POSTAL SERVICE; exhibits (5) (JMF) (Entered: 09/06/1996)
09/16/1996	24	ORDER by Judge James Robertson : denying motion to allow counsel to attend in camera review of documents [21-1] by JOHN G. SPIRKO JR (N) (jeb) (Entered: 09/16/1996)

09/23/1996	25	NOTICE OF CHANGE OF ADDRESS by Dale Andrew Baich representing plaintiff JOHN G. SPIRKO JR. New address: OFFICE OF THE PUBLIC DEFENDER FOR THE DISTRICT OF ARIZONA, 222 North Central Avenue, Ste. 810, Phoenix, AZ 85004 (602) 379-3670. (blj) (Entered: 09/25/1996)
10/16/1996	26	MEMORANDUM by federal defendant U.S. POSTAL SERVICE to the court that the U.S. Postal Service is reviewing the 478 pages of withheld records that were submitted in camera on August 16, 1996 (JMF) (Entered: 10/17/1996)
12/13/1996	27	NOTICE OF FILING by federal defendant U.S. POSTAL SERVICE of second declaration of Sheri C. Newman (JMF) (Entered: 12/16/1996)
02/25/1997	28	MEMORANDUM OPINION by Judge James Robertson (N) (jeb) (Entered: 02/25/1997)
02/25/1997	29	ORDER by Judge James Robertson: directing the government to make a particularized showing within eleven days of the date of this order as to how release of certain pages of the in camera submission will either result in the disclosure of a confidential source or reveal information furnished by the confidential source; granting in part motion for summary judgment as to the rest of the documents submitted to the Court for in camera review [15-1] by U.S. POSTAL SERVICE (N)(jeb) Modified on 02/25/1997 (Entered: 02/25/1997)
03/10/1997	30	MOTION filed by plaintiff JOHN G. SPIRKO JR to alter judgment granting, in part, defendant's motion for summary judgment ; exhibits (6) (JMF) (Entered: 03/11/1997)
03/10/1997	31	MEMORANDUM by federal defendant U.S. POSTAL SERVICE; attachments (1) (JMF) (Entered: 03/11/1997)
03/21/1997	32	MEMORANDUM by federal defendant U.S. POSTAL SERVICE in opposition to motion to alter judgment granting, in part, defendant's motion for summary judgment [30-1] by JOHN G. SPIRKO JR (JMF) (Entered: 03/24/1997)
04/01/1997	33	REPLY by plaintiff JOHN G. SPIRKO JR to opposition to motion to alter judgment granting, in part, defendant's motion for summary judgment [30-1]; exhibits (1) (JMF) (Entered: 04/02/1997)
04/14/1997	34	MEMORANDUM OPINION by Judge James Robertson (N) (jeb) (Entered: 04/14/1997)
04/14/1997	35	ORDER by Judge James Robertson : denying motion to alter judgment [30-1] by JOHN G. SPIRKO JR; granting motion for summary judgment [15-1] by U.S. POSTAL SERVICE as to the documents released to plaintiff in redacted form and as to page 454 of the in camera submission. (N) (jeb) (Entered: 04/14/1997)
06/11/1997	36	NOTICE OF APPEAL by plaintiff JOHN G. SPIRKO JR from order [35-1] , entered on: April 14, 1997. IFP: Copies mailed to Dale A. Baich and Charles F. Flynn. (Submitted to Judge James Robertson). (Buck slip w/noa to Judge). (JMF) (Entered: 06/13/1997)
06/13/1997		TRANSMITTED PRELIMINARY RECORD on appeal [36-1] by JOHN G. SPIRKO JR to U.S. Court of Appeals (JMF) (Entered: 06/13/1997)
06/19/1997		USCA # 97-5153 assigned for appeal [36-1] by JOHN G. SPIRKO JR (JMF) (Entered: 06/20/1997)
11/21/1997	37	CERTIFIED COPY of Order filed in USCA dated 11/21/97, referencing appeal [36-1] , directing initial partial filing fee. USCA # 97-5153 (cjp) (Entered: 11/24/1997)
09/14/1998	38	CERTIFIED COPY of judgment filed in USCA dated 7/7/98, on appeal [36-1] , affirming the judgment of USDC . USCA # 97-5153 (cjp) (Entered: 09/14/1998)
12/03/1998		DEPOSIT by plaintiff of \$105.00 filing fee. (jf) (Entered: 01/22/1999)