

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:95-cv-01709-RCL**

GRUBB v. U.S. MARSHALS, et al
Assigned to: Chief Judge Royce C. Lamberth
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 09/08/1995
Date Terminated: 04/16/1997
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

DAVID GRUBB

represented by **DAVID GRUBB**
Reg. No. 06816-040
OXFORD FEDERAL CORRECTIONAL
INSTITUTION
P.O. Box 1000
Oxford, WI 53952-1000
PRO SE

V.

Defendant

US MARSHAL SERVICE

represented by **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
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**EXECUTIVE OFFICE FOR UNITED
STATES ATTORNEY**

represented by **Suzanne Claire Nyland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**BUREAU OF ALCOHOL, TOBACCO,
FIREARMS, AND EXPLOSIVES**
TERMINATED: 04/16/1997

represented by **Suzanne Claire Nyland**
(See above for address)
TERMINATED: 04/16/1997
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**FEDERAL BUREAU OF
INVESTIGATION**

represented by **Suzanne Claire Nyland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**DRUG ENFORCEMENT
ADMINISTRATION**
TERMINATED: 04/16/1997

represented by **Suzanne Claire Nyland**
(See above for address)
TERMINATED: 04/16/1997
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**US BUREAU OF PRISONS**represented by **Suzanne Claire Nyland**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****INTERNAL REVENUE SERVICE***Department of the Treasury*represented by **Alan J.J. Swirski**
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& FLOM LLP
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*ATTORNEY TO BE NOTICED***Suzanne Claire Nyland**
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LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****CRIMINAL DIVISION OF THE
DEPARTMENT OF JUSTICE***TERMINATED: 04/16/1997*represented by **Suzanne Claire Nyland**
(See above for address)
TERMINATED: 04/16/1997
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****TAX DIVISION OF THE UNITED
STATES DEPARTMENT OF
JUSTICE**represented by **Alan J.J. Swirski**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Suzanne Claire Nyland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/08/1995	1	COMPLAINT filed by plaintiff DAVID GRUBB. (ja) (Entered: 09/11/1995)
09/08/1995		SUMMONS (11) issued to federal party(s) federal defendant U.S. MARSHALS, federal defendant EXECUTIVE OFF USATTY, federal defendant BATF, federal defendant FBI, federal defendant DEA, federal defendant U.S. BUREAU PRISONS, federal defendant IRS, federal defendant CRIMINAL DIV./DOJ, federal defendant TAX DIVISION/DOJ, and non-parties: U.S. Attorney and U.S. Attorney General. (ja) (Entered: 09/11/1995)
09/08/1995	2	APPLICATION by plaintiff DAVID GRUBB to proceed in forma pauperis. (ja) (Entered: 09/11/1995)
09/08/1995		ORDER by Judge James Robertson granting motion to proceed in forma pauperis. [2-1] by DAVID GRUBB (fiat) (N) (ja) (Entered: 09/11/1995)
09/13/1995	3	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/12/95 upon federal defendant DEA (mlp) (Entered: 09/14/1995)

09/13/1995	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/12/95 upon federal defendant BATF (mlp) (Entered: 09/14/1995)
09/19/1995	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 9/12/95. (ja) (Entered: 09/20/1995)
09/19/1995	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/13/95 upon federal defendant U.S. BUREAU PRISONS. (ja) (Entered: 09/20/1995)
09/20/1995	7	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/15/95 upon federal defendant IRS. (ja) (Entered: 09/21/1995)
09/20/1995	8	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/15/95 upon federal defendant FBI. (ja) (Entered: 09/21/1995)
09/20/1995	9	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/15/95 upon federal defendant TAX DIVISION/DOJ. (ja) (Entered: 09/21/1995)
09/20/1995	10	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/15/95 upon federal defendant CRIMINAL DIV./DOJ (ja) (Entered: 09/21/1995)
09/20/1995	11	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 9/15/95. (ja) (Entered: 09/21/1995)
09/20/1995	12	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/15/95 upon federal defendant EXECUTIVE OFF USATTY. (ja) (Entered: 09/21/1995)
09/28/1995	13	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/15/95 upon federal defendant U.S. MARSHALS; attachment (mlp) (Entered: 09/29/1995)
10/12/1995	14	ANSWER TO COMPLAINT [1-1] by federal defendant IRS to Count V. (cjp) (Entered: 10/13/1995)
10/12/1995	15	MOTION filed by federal defendant TAX DIVISION/DOJ to dismiss complaint [1-1] count viv of the complaint under Rule 12(b)(1) for lack of subject matter jurisdiction ; exhibits (5) (cjp) (Entered: 10/13/1995)
10/12/1995	16	ANSWER TO COMPLAINT [1-1] by federal defendant IRS to Count VII (cjp) (Entered: 10/13/1995)
10/12/1995	17	MOTION filed by federal defendant U.S. MARSHALS to extend time to 11/14/95 to answer complaint [1-1] (cjp) (Entered: 10/13/1995)
10/12/1995	18	ATTORNEY APPEARANCE for federal defendant U.S. MARSHALS by Suzanne Nyland (cjp) (Entered: 10/13/1995)
10/26/1995	19	MOTION filed by federal defendant IRS to dismiss count VII of the complaint under Rule 12 (b) (1) for lack of subject matter jurisdiction ; Exhibits (2) (blj) (Entered: 10/27/1995)
11/03/1995	22	ORDER by Judge Royce C. Lamberth : granting motion to extend time to 11/14/95 to answer complaint [1-1] [17-1] by U.S. MARSHALS (N) (cjp) (Entered: 11/20/1995)
11/14/1995	20	ANSWER TO COMPLAINT [1-1] by federal defendants'. (bjsp) (Entered: 11/16/1995)
11/15/1995	21	MOTION filed by federal defendant U.S. BUREAU PRISONS to extend time to 12/1/95 to answer complaint [1-1] (bjsp) (Entered: 11/16/1995)
11/30/1995	23	ANSWER TO Count VI of COMPLAINT [1-1] by federal defendant U.S. BUREAU PRISONS . (mlp) (Entered: 12/04/1995)
01/23/1996	24	ORDER nunc pro tunc by Judge Royce C. Lamberth : granting motion to extend time to 12/1/95 to answer complaint [1-1] [21-1] by U.S. BUREAU PRISONS ; Answer extended to 12/1/95 for TAX DIVISION/DOJ, for CRIMINAL DIV./DOJ, for IRS, for U.S. BUREAU PRISONS, for DEA, for FBI, for BATF, for EXEC. OFFICE/US ATTY, for U.S. MARSHALS (N) (mon) (Entered: 01/24/1996)

01/26/1996	25	ORDER by Judge Royce C. Lamberth : advising the plaintiff that he must respond to defendants' motion to dismiss within fourteen days. If plaintiff does not respond the motion will be treated as conceded and case will be dismissed; advising the remaining federal defendants if they expect to file dispositive motions, they shall do so within ten days. (N) (fle) (Entered: 01/26/1996)
02/05/1996	26	MOTION filed by federal defendants to extend time to 3/15/96 to file dispositive motions (mlp) (Entered: 02/06/1996)
02/06/1996	27	NOTICE OF FILING by federal defendants of declarations (8) (mlp) Modified on 02/20/1996 (Entered: 02/07/1996)
02/15/1996	28	RESPONSE by plaintiff DAVID GRUBB in opposition to motion to dismiss count VII of the complaint under Rule 12 (b) (1) for lack of subject matter jurisdiction [19-1] by IRS . (mlp) (Entered: 02/16/1996)
03/01/1996	29	MOTION filed by federal defendant IRS to extend time to 3/1/96 within which to file a reply memorandum in further support of motion to dismiss for lack of subject matter jurisdiction (bjsp) (Entered: 03/04/1996)
03/04/1996	30	MOTION filed by plaintiff DAVID GRUBB for partial summary judgment , affidavit (1) (lpp) (Entered: 03/05/1996)
03/06/1996	31	ORDER by Judge Royce C. Lamberth : granting motion to extend time to 3/1/96 within which to file a reply memorandum in further support of motion to dismiss for lack of subject matter jurisdiction [29-1] by IRS reply to dispositive motions due by 3/1/96 ; nunc pro tunc. (N) (fle) (Entered: 03/06/1996)
03/06/1996	32	ORDER by Judge Royce C. Lamberth : granting motion to extend time to 3/15/96 to file dispositive motions [26-1] by federal defendantsssssss dispositive motions due by 3/15/96 ; (N) (fle) (Entered: 03/06/1996)
03/06/1996	33	ORDER by Judge Royce C. Lamberth : granting motion to dismiss complaint [1-1] count viv of the complaint under Rule 12(b)(1) for lack of subject matter jurisdiction [15-1] by TAX DIVISION/DOJ (N) (fle) (Entered: 03/06/1996)
03/06/1996	34	ORDER by Judge Royce C. Lamberth : granting motion to dismiss count VII of the complaint under Rule 12 (b) (1) for lack of subject matter jurisdiction [19-1] by IRS (N) (fle) (Entered: 03/06/1996)
03/13/1996	35	MOTION filed by federal defendant for summary judgment on behalf of the Federal Bureau of Prisons , Exhibits (6) (lpp) (Entered: 03/14/1996)
03/13/1996	36	MOTION filed by federal defendant to dismiss the FBI from this case or, in the alternative for summary judgment on behalf of the FBI (lpp) (Entered: 03/14/1996)
03/13/1996	37	MOTION filed by federal defendants for summary judgment on behalf of the U.S. Marhals Service (lpp) (Entered: 03/14/1996)
03/14/1996	38	MOTION filed by federal defendants to dismiss as to federal defendant BATF , or in the alternative for summary judgment (ks) (Entered: 03/15/1996)
03/14/1996	39	MOTION filed by federal defendants to dismiss as to federal defendant DEA , or in the alternative for summary judgment (ks) (Entered: 03/15/1996)
03/14/1996	40	MOTION filed by federal defendants to dismiss as to federal defendant CRIMINAL DIV./DOJ , or in the alternative for summary judgment (ks) (Entered: 03/15/1996)
03/15/1996	41	MOTION filed by federal defendants for summary judgment on behalf of the Executive Office for U.S. Attorneys ; supplemental declaration (1); exhibits (3) (mlp) (Entered: 03/18/1996)
04/16/1997	42	ORDER by Judge Royce C. Lamberth : granting motion for summary judgment on behalf of the U.S. Marhals Service [37-1] by federal defendants and dismissing the US Marshals service from this case, denying motion for partial summary judgment [30-1] by DAVID GRUBB. (N) (emh) (Entered: 04/25/1997)
04/16/1997	43	ORDER by Judge Royce C. Lamberth : granting motion for summary judgment on behalf of the Executive Office for U.S. Attorneys [41-1] by federal defendants and dismissing the Executive Office for US Attorneys from this case with prejudice. (N)

		(emh) (Entered: 04/25/1997)
04/16/1997	44	ORDER by Judge Royce C. Lamberth : granting motion to dismiss with prejudice as to federal defendant BATF [38-1] by federal defendantsssssss (N) (emh) (Entered: 04/25/1997)
04/16/1997	45	ORDER by Judge Royce C. Lamberth : granting motion to dismiss the FBI from this case [36-1] by federal defendants with prejudice. (N) (emh) (Entered: 04/28/1997)
04/16/1997	46	ORDER by Judge Royce C. Lamberth : granting motion to dismiss as to federal defendant CRIMINAL DIV./DOJ [40-1] by federal defendants with prejudice. (N) (emh) (Entered: 04/28/1997)
04/16/1997	47	ORDER by Judge Royce C. Lamberth : granting motion to dismiss as to federal defendant DEA [39-1] by federal defendants with prejudice. (N) (emh) (Entered: 04/28/1997)
04/16/1997	48	ORDER by Judge Royce C. Lamberth : granting motion for summary judgment on behalf of the Federal Bureau of Prisons [35-1] by federal defendants with prejudice. (N) (emh) (Entered: 04/28/1997)