

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:95-cv-01104-CRR**

REICHERTZ v. HHS, et al
Assigned to: Judge Charles R. Richey
Demand: \$0
Cause: 05:551 Administrative Procedure Act

Date Filed: 06/09/1995
Date Terminated: 08/21/1995
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**PETER S. REICHERTZ**

represented by **Peter S. Reichertz**
SHEPPARD MULLIN RICHTER &
HAMPTON LLP
2099 Pennsylvania Avenue, NW
Suite 100
Washington, DC 20006
(202) 218-0000
Fax: (202) 218-0020
Email: preichertz@sheppardmullin.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES**

represented by **Susan Ann Nellor**
U.S. ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
Room 10-845
Washington, DC 20530
(202) 514-0065
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**FOOD & DRUG ADMINISTRATION**

represented by **Susan Ann Nellor**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**DAVID A. KESSLER**
Commissioner of Food & Drugs

represented by **Susan Ann Nellor**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/09/1995	1	COMPLAINT filed by plaintiff PETER S. REICHERTZ, attachments (8) (st) (Entered: 06/15/1995)
06/09/1995		SUMMONS (5) issued to federal party(s) defendant HHS, defendant FDA, federal defendant DAVID A. KESSLER , and non-parties: U.S. Attorney and U.S. Attorney General. (st) (Entered: 06/15/1995)

06/12/1995	2	ORDER by Judge Charles R. Richey : directing U.S. Attorney for DC to show cause as to whether case should be dismissed ; defendants' response to show cause due 4:00 6/26/95; plaintiff's opposition due 4:00 7/5/95 ; directing U.S. Attorney to serve a copy of its response to Court's show cause order on plaintiff by certified mail return receipt requested and then to file a copy of the return receipt with the Court; directing Clerk of Court to telephone counsel for parties and to inform them of the contents of this order (N) (dbw) (Entered: 06/16/1995)
06/15/1995		MAILED CJRA brochure, Meet and Confer list, and Notice regarding dismissal to plaintiff PETER S. REICHERTZ . (st) (Entered: 06/15/1995)
07/05/1995	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 6/12/95 (ted) (Entered: 07/10/1995)
07/05/1995	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 6/12/95 (ted) (Entered: 07/10/1995)
07/05/1995	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 6/12/95 upon federal defendant HHS, federal defendant FDA, federal defendant DAVID A. KESSLER (ted) (Entered: 07/10/1995)
07/07/1995	3	ORDER by Judge Charles R. Richey entering judgment in favor of plaintiff PETER S. REICHERTZ. (N) (dbw) (Entered: 07/10/1995)
07/12/1995	7	ATTORNEY APPEARANCE for federal defendant HHS, federal defendant FDA, federal defendant DAVID A. KESSLER by Susan Ann Nellor (cjp) (Entered: 07/13/1995)
07/12/1995	8	MOTION filed by federal defendant HHS, federal defendant FDA, federal defendant DAVID A. KESSLER to set aside judgment's 6/9/95 EXHIBIT (ANSWER) (cjp) Modified on 07/13/1995 (Entered: 07/13/1995)
07/20/1995	9	ORDER by Judge Charles R. Richey : denying motion to set aside judgment [8-1] by DAVID A. KESSLER, FDA, HHS without prejudice to renew by applying orally during a hearing to be held before this Court at 10:00 7/26/95; with leave of either party to submit such further pleadings or memoranda as they deem fit by 4:00 7/24/95; status hearing set for 10:00 7/26/95 (N) (dbw) (Entered: 07/20/1995)
07/26/1995		STATUS HEARING before Judge Charles R. Richey : defendant's oral motion to set aside judgment, granted; order entering judgment vacated; status hearing set for 2:00 7/31/95 Reporter: Susan Tyner (dbw) (Entered: 07/26/1995)
07/26/1995		Case Reopened (dbw) (Entered: 07/26/1995)
07/28/1995	10	ORDER by Judge Charles R. Richey : granting defendants' motion to set aside judgment in favor of plaintiff; defendant's pleading addressing any and all remaining issues due 8/7/95 4:00; plaintiff's response due 8/14/95 4:00; cancelling 7/31/95 status conference and rescheduling status hearing for 10:00 8/15/95 (N) (dbw) (Entered: 07/31/1995)
08/07/1995	11	MOTION filed by federal defendant for summary judgment ; declarations (1); exhibits (11). (JMF) (Entered: 08/08/1995)
08/21/1995	12	STIPULATION OF DISMISSAL approved by Judge Charles R. Richey : dismissing action [1-1] with prejudice (N) (dbw) (Entered: 08/21/1995)
08/23/1995	13	TRANSCRIPT filed for status hearing held on date(s) of July 26, 1995. Reporter: Susan Page Tyner (JMF) (Entered: 08/23/1995)
08/25/1995	14	STIPULATED ORDER by Judge Charles R. Richey : dismissing action [1-1] with prejudice (N) (dbw) (Entered: 08/28/1995)