

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:95-cv-00959-GK**

RALPH HOAR & ASSOC., et al v. NATIONAL HIGHWAY
Assigned to: Judge Gladys Kessler
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 05/23/1995
Date Terminated: 01/03/1996
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

RALPH HOAR & ASSOCIATES

represented by **Katherine A. Meyer**
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LEAD ATTORNEY
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Plaintiff

S. TIMOTHY HARTSHORNE
Dr.

represented by **Katherine A. Meyer**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

NANCY S. HARTSHORNE

represented by **Katherine A. Meyer**
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Plaintiff

SUZANNE CLARK

represented by **Katherine A. Meyer**
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V.

Defendant

**NATIONAL HIGHWAY TRAFFIC
SAFETY ADMINISTRATION**

represented by **Gail F. Levine**
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Movant**CHRYSLER CORPORATION**

represented by **Ronald Louis Plesser**
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Date Filed	#	Docket Text
05/23/1995	1	COMPLAINT filed by plaintiff RALPH HOAR & ASSOC., plaintiff S. TIMOTHY HARTSHORNE, plaintiff NANCY S. HARTSHORNE, plaintiff SUZANNE CLARK (kmk) (Entered: 05/25/1995)
05/23/1995		SUMMONS issued to NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION , and non-parties: U.S. Attorney and U.S. Attorney General. (kmk) (Entered: 05/25/1995)
05/25/1995		MAILED CJRA brochure, Meet and Confer list, and Notice regarding dismissal to plaintiff RALPH HOAR & ASSOC., plaintiff S. TIMOTHY HARTSHORNE, plaintiff NANCY S. HARTSHORNE, plaintiff SUZANNE CLARK . (kmk) (Entered: 05/25/1995)
06/02/1995	2	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 5/23/95 (Return Receipt Card Not Attached). (tth) (Entered: 06/05/1995)
06/02/1995	3	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 5/23/95; (Return Receipt Card Attached). (tth) (Entered: 06/05/1995)
06/02/1995	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 5/23/95 upon defendant NATIONAL HIGHWAY; (Return Receipt Card Attached). (tth) (Entered: 06/05/1995)
06/21/1995	5	ANSWER TO COMPLAINT [1-1] by defendant NATIONAL HIGHWAY. (tth) (Entered: 06/22/1995)
06/22/1995	7	MOTION filed for CHRYSLER CORP. to intervene as a defendant ; EXHIBIT (ANSWER) (tth) (Entered: 06/23/1995)
06/23/1995	6	INITIAL SCHEDULING ORDER by Judge Gladys Kessler: status hearing set for 9:45 7/10/95 (N) (pob) (Entered: 06/23/1995)
06/30/1995	8	MOTION filed by defendant NATIONAL HIGHWAY to extend time to 7/6/95 to respond to application of Chrysler corporation to intervene. (dam) (Entered: 07/03/1995)

07/05/1995	9	ORDER by Judge Gladys Kessler: granting motion to extend time to 7/6/95 to respond to application of Chrysler Corporation to intervene [8-1] by NATIONAL HIGHWAY (N) (pob) (Entered: 07/06/1995)
07/06/1995	10	RESPONSE by defendant NATIONAL HIGHWAY in opposition to motion for CHRYSLER CORP. to intervene as a defendant [7-1] (tth) (Entered: 07/07/1995)
07/06/1995	11	RESPONSE by plaintiffs RALPH HOAR & ASSOC., S. TIMOTHY HARTSHORNE, NANCY S. HARTSHORNE and SUZANNE CLARK in opposition to motion for CHRYSLER CORP. intervene as a defendant [7-1]. (tth) (Entered: 07/07/1995)
07/07/1995	12	REPLY by movant CHRYSLER CORP. to plaintiff's and defendant's opposition to their motion to intervene as a defendant [7-1]. (tth) (Entered: 07/10/1995)
07/07/1995	13	MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 206(d) filed by defendant NATIONAL HIGHWAY. (tth) (Entered: 07/10/1995)
07/07/1995	14	(AMENDED) MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 206(d) filed by plaintiffs RALPH HOAR & ASSOC., S. TIMOTHY HARTSHORNE, NANCY S. HARTSHORNE, SUZANNE CLARK, NATIONAL HIGHWAY. (tth) (Entered: 07/10/1995)
07/10/1995		MOTION HEARING before Judge Gladys Kessler: denied motion for CHRYSLER CORP. to intervene as a defendant [7-1]; plaintiff to file request for discovery by 8/1/95; government to file their motion by 8/1/95; defendant's response due 8/15/95; reply due 8/18/95; motion heard/ status hearing set for 9:30 8/28/95 Reporter: Kay Mooney (pob) (Entered: 07/10/1995)
07/10/1995	15	ORDER by Judge Gladys Kessler: granting as moot (NPT) motion to extend time to 7/6/95 to respond to application of Chrysler corporation to intervene [8-1] by NATIONAL HIGHWAY (N) (pob) (Entered: 07/11/1995)
07/10/1995	16	ORDER by Judge Gladys Kessler: denying motion for CHRYSLER CORP. to intervene as a defendant [7-1] (N) (pob) (Entered: 07/11/1995)
07/19/1995	17	TRANSCRIPT of Motion to Intervene before Judge Gladys Kessler filed for the date of July 10, 1995. Reporter: Katherine K. Moomey. (tth) (Entered: 07/20/1995)
08/08/1995	18	MOTION filed by defendant NATIONAL HIGHWAY for protective order ; declaration (1); exhibits (6); attachments (3). (tth) (Entered: 08/09/1995)
08/14/1995	19	MOTION filed by plaintiffs to extend time to 8/18/95 within which to file opposition to government's motion for a protective order; reply due 8/23/95 (pob) Modified on 08/15/1995 (Entered: 08/15/1995)
08/15/1995	20	ORDER by Judge Gladys Kessler: granting motion to extend time to 8/18/95 within which to file opposition to government's motion for a protective order; reply due 8/23/95 [19-1] by SUZANNE CLARK, NANCY S. HARTSHORNE, S. TIMOTHY HARTSHORNE, RALPH HOAR & ASSOC. (N) (pob) (Entered: 08/15/1995)
08/18/1995	21	RESPONSE by plaintiffs RALPH HOAR & ASSOC., S. TIMOTHY HARTSHORNE, NANCY S. HARTSHORNE, and SUZANNE CLARK in opposition to motion for protective order [18-1] by NATIONAL HIGHWAY; exhibits (27). (tth) (Entered: 08/21/1995)
08/23/1995	22	MOTION filed by defendant NATIONAL HIGHWAY to extend time to 8/24/95 to respond to plaintiffs' opposition to defendant's motion for protective order. (tth) (Entered: 08/24/1995)
08/23/1995	24	ORDER by Judge Gladys Kessler : granting motion to extend time to 8/24/95 to respond to plaintiffs' opposition to defendant's motion for protective order. [22-1] by NATIONAL HIGHWAY (N) (rew) (Entered: 08/25/1995)
08/24/1995	23	REPLY by defendant NATIONAL HIGHWAY to plaintiffs' opposition their motion for protective order [18-1]. (tth) (Entered: 08/25/1995)
08/28/1995		MOTION HEARING before Judge Gladys Kessler: OTBP Reporter: Marilyn Young (kmk) (Entered: 08/28/1995)

08/28/1995	25	ORDER by Judge Gladys Kessler ; deferring ruling on Defendant's motion for Protective Order; directing defendant's motion for summary judgment due 11/1/95 ; and Plaintiff's response to motion for summary judgment due 11/15/95; and Defendant's reply is due 11/22/95 ; (N) (rew) (Entered: 08/29/1995)
08/30/1995	26	TRANSCRIPT of proceedings before the Honorable Gladys Kessler filed for date of August 8, 1995. Reporter: Marilyn G. Young (tth) (Entered: 08/31/1995)
12/08/1995	27	ORDER by Judge Gladys Kessler: that parties file a praecipe with the Court regarding the ultimate disposition of the case by 12/22/95 (N) (pob) (Entered: 12/08/1995)
12/22/1995	28	NOTICE OF FILING by plaintiffs RALPH HOAR & ASSOC., S. TIMOTHY HARTSHORNE, NANCY S. HARTSHORNE, SUZANNE CLARK and defendant NATIONAL HIGHWAY re: Disposition of the Case. (tth) (Entered: 12/28/1995)
01/03/1996	29	ORDER by Judge Gladys Kessler: dismissing case with prejudicial the Court will retain jurisdiction over the case for the issue of attorney's fees. (N) (pob) Modified on 04/24/1997 (Entered: 01/05/1996)
03/05/1996	30	MOTION filed by plaintiff RALPH HOAR & ASSOC., plaintiff S. TIMOTHY HARTSHORNE, plaintiff NANCY S. HARTSHORNE, plaintiff SUZANNE CLARK for award of reasonable attorneys' fees and costs against NATIONAL HIGHWAY ; affidavits; Exhibits (34). (tth) (Entered: 03/06/1996)
03/14/1996	32	ERRATA by plaintiff RALPH HOAR & ASSOC., plaintiff S. TIMOTHY HARTSHORNE, plaintiff NANCY S. HARTSHORNE, plaintiff SUZANNE CLARK re: the Laffey matrix and corrected page of Affidavit of Joan Claybrook; attachment (1). (tth) (Entered: 03/19/1996)
03/18/1996	31	MOTION (UNOPPOSED) filed by defendant NATIONAL HIGHWAY to extend time to 4/1/96 to respond to plaintiffs' petition for attorneys' fees and costs. (tth) (Entered: 03/19/1996)
03/22/1996	33	ORDER by Judge Gladys Kessler : granting motion to extend time to 4/1/96 to respond to plaintiffs' petition for attorneys' fees and costs [31-1] by NATIONAL HIGHWAY (N) (pob) (Entered: 03/22/1996)
04/01/1996	34	SUBSTITUTION OF COUNSEL for defendant NATIONAL HIGHWAY, substituting Gail F. Levine for attorney Patricia Russotto for NATIONAL HIGHWAY (tth) (Entered: 04/02/1996)
04/01/1996	35	MOTION filed by defendant NATIONAL HIGHWAY to strike motion for award of reasonable attorneys' fees and costs against NATIONAL HIGHWAY [30-1] ; attachment (1). (tth) (Entered: 04/02/1996)
04/15/1996	36	RESPONSE by plaintiff RALPH HOAR & ASSOC., plaintiff S. TIMOTHY HARTSHORNE, plaintiff NANCY S. HARTSHORNE, plaintiff SUZANNE CLARK in opposition to motion to strike motion for award of reasonable attorneys' fees and costs against NATIONAL HIGHWAY [30-1] [35-1] by NATIONAL HIGHWAY; exhibits (10). (tth) (Entered: 04/16/1996)
04/22/1996	37	ATTORNEY APPEARANCE for defendant NATIONAL HIGHWAY by Vincent Morgan Garvey (tth) (Entered: 04/23/1996)
04/22/1996	38	REPLY by defendant NATIONAL HIGHWAY to response to motion to strike motion for award of reasonable attorneys' fees and costs against NATIONAL HIGHWAY [30-1] [35-1] by NATIONAL HIGHWAY (tth) (Entered: 04/23/1996)
05/08/1996	39	ORDER by Judge Gladys Kessler: denying motion to strike motion for award of reasonable attorneys' fees and costs against NATIONAL HIGHWAY [30-1] [35-1] by NATIONAL HIGHWAY; defendants have until 5/20/96 to file any opposition to plaintiffs' motion for award of attorney's fees and costs. (N) (pob) Modified on 05/08/1996 (Entered: 05/08/1996)
05/20/1996	40	RESPONSE by defendant NATIONAL HIGHWAY to motion for award of reasonable attorneys' fees and costs against NATIONAL HIGHWAY [30-1] by SUZANNE CLARK, NANCY S. HARTSHORNE, S. TIMOTHY HARTSHORNE, RALPH HOAR & ASSOC.; attachments (20) (clv) (Entered: 05/21/1996)

05/23/1996	41	ERRATA by defendant NATIONAL HIGHWAY of the corrected declaration of Timothy Hurd; declaration (1). (tth) (Entered: 05/24/1996)
05/23/1996	42	ERRATA by defendant NATIONAL HIGHWAY to correct certain citations appearing in Defendant's Opposition to Plaintiffs' Motion for Award of Reasonable Attorneys Fees and Costs. (tth) (Entered: 05/24/1996)
05/24/1996	43	ERRATA by defendant NATIONAL HIGHWAY of the filing of certificates of service for Notice of Filing of Corrected Affidavit of Timothy Hurd, filed on 5/23/96 and Notice of Filing, filed on 5/23/96; attachments (2). (tth) (Entered: 05/29/1996)
06/06/1996	44	REPLY by plaintiff RALPH HOAR & ASSOC., plaintiff S. TIMOTHY HARTSHORNE, plaintiff NANCY S. HARTSHORNE, plaintiff SUZANNE CLARK to response to motion for award of reasonable attorneys' fees and costs against NATIONAL HIGHWAY [30-1] by SUZANNE CLARK, NANCY S. HARTSHORNE, S. TIMOTHY HARTSHORNE, RALPH HOAR & ASSOC.; attachments; exhibits (4); affidavit (1). (tth) (Entered: 06/07/1996)
06/11/1996	45	ERRATA by plaintiff RALPH HOAR & ASSOC., plaintiff S. TIMOTHY HARTSHORNE, plaintiff NANCY S. HARTSHORNE, plaintiff SUZANNE CLARK re: Corrected page 8 of their reply memorandum in support of their motion for an award of fees and costs. (tth) (Entered: 06/12/1996)
06/14/1996	46	MOTION filed by defendant NATIONAL HIGHWAY for leave to file response to plaintiffs' supplemental petition for an award of attorneys' fees and costs ; EXHIBIT (RESPONSE) (tth) (Entered: 06/17/1996)
06/18/1996	47	RESPONSE by plaintiff RALPH HOAR & ASSOC., plaintiff S. TIMOTHY HARTSHORNE, plaintiff NANCY S. HARTSHORNE, plaintiff SUZANNE CLARK in opposition to motion for leave to file response to plaintiffs' supplemental petition for an award of attorneys' fees and costs [46-1] by NATIONAL HIGHWAY . (tth) (Entered: 06/19/1996)
06/19/1996	48	ORDER by Judge Gladys Kessler: granting motion for leave to file response to plaintiffs' supplemental petition for an award of attorneys' fees and costs [46-1] by NATIONAL HIGHWAY (N) (pob) (Entered: 06/19/1996)
06/19/1996	49	RESPONSE by defendant NATIONAL HIGHWAY to plaintiffs' reply memorandum in support of their motion for an award of fees and costs [44-1]; exhibits (2). (tth) (Entered: 06/25/1996)
10/23/1996	50	NOTICE OF FILING by plaintiff RALPH HOAR & ASSOC., plaintiff S. TIMOTHY HARTSHORNE, plaintiff NANCY S. HARTSHORNE, plaintiff SUZANNE CLARK of additional document in support of their motion for attorneys' fees; attachment (1). (tth) (Entered: 10/24/1996)
11/06/1996	51	RESPONSE by defendant NATIONAL HIGHWAY to plaintiffs' notice of filing of additional document in support of their motion for an award of fees and cost [50-1] by SUZANNE CLARK, NANCY S. HARTSHORNE, S. TIMOTHY HARTSHORNE, RALPH HOAR & ASSOC.; exhibit (1). (tth) (Entered: 11/07/1996)
11/08/1996	52	NOTICE OF FILING by defendant NATIONAL HIGHWAY of the Declaration of Francois J. Castaing for the Court's consideration in resolving plaintiff's petition for an award of attorneys fees and costs. (tth) (Entered: 11/12/1996)
05/30/1997	53	MEMORANDUM OPINION by Judge Gladys Kessler (N) (pob) (Entered: 06/03/1997)
05/30/1997	54	ORDER by Judge Gladys Kessler : granting motion for award of reasonable attorneys' fees and costs against NATIONAL HIGHWAY [30-1] by SUZANNE CLARK, NANCY S. HARTSHORNE, S. TIMOTHY HARTSHORNE, RALPH HOAR & ASSOC.; plaintiff is hereby awarded attorneys' fees and costs in the amount of \$45,166. (N) (pob) (Entered: 06/03/1997)
07/29/1997	55	NOTICE OF APPEAL by defendant NATIONAL HIGHWAY from order [54-1], entered on 6/30/97 and order [39-1], entered on 5/8/96. NO FEES PAID; GOVERNMENT. Copies mailed to: Ronald Plessler, Vincent Garvey, Gail Levine and Katherine Meyer. (tth) Modified on 07/30/1997 (Entered: 07/30/1997)

07/30/1997		TRANSMITTED PRELIMINARY RECORD on appeal [55-1] by NATIONAL HIGHWAY to U.S. Court of Appeals (tth) (Entered: 07/30/1997)
08/04/1997		USCA # 97-5186 assigned for appeal [55-1] by NATIONAL HIGHWAY (tth) (Entered: 08/04/1997)
09/10/1997	56	CERTIFIED COPY of order filed in USCA dated 9/10/97, on appeal [55-1] , dismissing appeal . USCA # 95-959 (cjp) (Entered: 09/11/1997)
09/30/1997	57	STIPULATED ORDER by Judge Gladys Kessler regarding payment of attorneys' fees and costs. (N) (pao) (Entered: 10/03/1997)