

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:95-cv-00347-RMU**

THOMPSON v. DEPARTMENT OF NAVY
Assigned to: Judge Ricardo M. Urbina
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 02/22/1995
Date Terminated: 08/18/1997
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

CHARLES C. THOMPSON, II

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V.

Defendant

DEPARTMENT OF NAVY

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Date Filed	#	Docket Text
02/22/1995	1	COMPLAINT filed by plaintiff CHARLES C. THOMPSON II (bjsp) (Entered: 02/24/1995)
02/22/1995		SUMMONS (3) issued to federal party(s) defendant NAVY , and non-parties: U.S. Attorney and U.S. Attorney General. (bjsp) (Entered: 02/24/1995)
03/01/1995		MAILED CJRA brochure, Meet and Confer list and Notice regarding dismissal to plaintiff CHARLES C. THOMPSON, II (kk) (Entered: 03/01/1995)
03/24/1995	2	ATTORNEY APPEARANCE for defendant DEPARTMENT OF NAVY by Charles Francis Flynn (kk) (Entered: 03/27/1995)
03/24/1995	3	MOTION filed by defendant DEPARTMENT OF NAVY to dismiss , or in the alternative, for summary judgment ; Attachments (11), Declarations (4) (kk) (Entered: 03/27/1995)
03/31/1995	4	RETURN OF SERVICE (Copy) of summons and complaint executed upon the U.S. Attorney General (received by Cornelius M. Leonard) on 2/24/95 by certified mail (kk) (Entered: 04/04/1995)
03/31/1995	5	RETURN OF SERVICE (Copy) of summons and complaint executed upon defendant DEPARTMENT OF NAVY (received by Sarah English) on 2/24/95 by certified mail (kk) (Entered: 04/04/1995)
03/31/1995	6	RETURN OF SERVICE of summons and complaint executed upon the U.S. Attorney (accepted by Iola Jenkins, Secretary to Deputy Chief) on 2/22/95 by process server (kk) (Entered: 04/04/1995)
04/07/1995	7	MOTION filed by plaintiff CHARLES C. THOMPSON II to stay proceedings for forty-five days. (bjsp) (Entered: 04/10/1995)
04/07/1995	8	MEMORANDUM by plaintiff CHARLES C. THOMPSON II in opposition to defendant's motion to dismiss [3-1] or, in the alternative summary judgment [3-2]; attachments (6) ; declaration (1) (bjsp) (Entered: 04/10/1995)
04/07/1995	9	MEMORANDUM by plaintiff CHARLES C. THOMPSON II in support of his motion to stay proceedings for forty-five days. [7-1] (bjsp) (Entered: 04/10/1995)

04/11/1995	10	JOINT MEET AND CONFER REPORT TO THE COURT PURSUANT TO L.R. 206(d) filed by plaintiff CHARLES C. THOMPSON, II and defendant DEPARTMENT OF NAVY (kk) (Entered: 04/12/1995)
04/21/1995	11	MEMORANDUM by defendant DEPARTMENT OF NAVY in opposition to plaintiff's motion to stay proceedings for forty-five days. [7-1] (bjsp) (Entered: 04/24/1995)
04/21/1995	12	REPLY by defendant DEPARTMENT OF NAVY to plaintiff's opposition to defendant's motion for summary judgment [3-2] (bjsp) (Entered: 04/24/1995)
04/25/1995	13	ORDER by Judge Ricardo M. Urbina: granting defendant until nunc pro tunc 4/21/95 to file its opposition to plaintiff's motion to stay proceedings; plaintiff may reply to defendant's opposition on or before 5/3/95 (N) (jwd) (Entered: 04/25/1995)
05/03/1995	14	REPLY by plaintiff CHARLES C. THOMPSON II to defendant's opposition to plaintiff's motion to stay proceedings for forty-five days. [7-1]; attachments (3) (bjsp) (Entered: 05/04/1995)
06/14/1995	15	SUPPLEMENTAL MEMORANDUM in opposition to defendant's motion to dismiss or in the alternative for summary judgment; attachment (1) (bjsp) (Entered: 06/16/1995)
06/14/1995	16	SUPPLEMENTAL MEMORANDUM in support of plaintiff CHARLES C. THOMPSON, II's motion to stay proceedings for forty-five days. [7-1] (bjsp) (Entered: 06/16/1995)
08/08/1995	17	MOTION filed by plaintiff CHARLES C. THOMPSON II for a Court ordering the defendant DEPARTMENT OF NAVY to provide plaintiff's attorney with a FOIA Vaughn index of the withheld documents and portions of documents at issues in this case, pursuant to Vaughn v. Rosen, 484 F. 2d 820 (D.C. Cir. 1973) (bjsp) (Entered: 08/09/1995)
08/29/1995	18	ATTORNEY APPEARANCE for defendant DEPARTMENT OF NAVY by Marina Utgoff Braswell (tw) (Entered: 08/30/1995)
08/29/1995	19	MOTION filed by defendant DEPARTMENT OF NAVY to extend time to 9/8/95 in which to defendant must respond to plaintiffs's motion for a Vaughn index (tw) (Entered: 08/30/1995)
09/08/1995	21	MEMORANDUM by defendant DEPARTMENT OF NAVY in opposition to motion for a Court ordering the defendant DEPARTMENT OF NAVY to provide plaintiff's attorney with a FOIA Vaughn index of the withheld documents and portions of documents at issues in this case, pursuant to Vaughn v. Rosen, 484 F. 2d 820 (D.C. Cir. 1973) [17-1] by CHARLES C. THOMPSON II (bjsp) (Entered: 09/11/1995)
09/11/1995	20	ORDER by Judge Ricardo M. Urbina: granting motion to extend time to 9/8/95 in which to defendant must respond to plaintiffs's motion for a Vaughn index [19-1] by DEPARTMENT OF NAVY (N) (jwd) (Entered: 09/11/1995)
10/02/1995		SCHEDULING NOTICE: status hearing set for 9:00 12/6/95 ; before Judge Ricardo M. Urbina . (jwd) (Entered: 10/02/1995)
11/13/1995	22	ATTORNEY APPEARANCE for defendant DEPARTMENT OF NAVY by Anthony Michael Alexis Sr. (bjsp) (Entered: 11/14/1995)
12/06/1995	23	ORDER by Judge Ricardo M. Urbina: granting motion for a Court ordering the defendant DEPARTMENT OF NAVY to provide plaintiff's attorney with a FOIA Vaughn index of the withheld documents and portions of documents at issues in this case, pursuant to Vaughn v. Rosen, 484 F. 2d 820 (D.C. Cir. 1973) [17-1] by CHARLES C. THOMPSON II, denying as moot motion to stay proceedings for forty-five days. [7-1] by CHARLES THOMPSON II, denying motion to dismiss [3-1] by DEPARTMENT OF NAVY, denying motion for summary judgment [3-2] by DEPARTMENT OF NAVY (N) (jwd) (Entered: 12/06/1995)
12/06/1995		STATUS HEARING before Judge Ricardo M. Urbina: motion of defendant to dismiss or, in the alternative for summary judgment, denied; motion of plaintiff to stay proceedings, denied as moot; motion of plaintiff for a Vaughn Index, granted; defendant to file a Vaughn Index by 1/31/96; motion for summary judgment due

		2/26/96 ; response to motion for summary judgment due 3/11/96 summary judgment hearing set for 9:00 4/16/96 ; Reporter: William D. McAllister (jwd) (Entered: 12/06/1995)
12/13/1995	24	ORDER by Judge Ricardo M. Urbina: status hearing set for 9:00 4/16/96 ;dispositive motions and/or cross motions by the parties due 2/26/96; any objections by plaintiff to Defendant's Vaughn Index, which by order dated 12/6/96 must be submitted to the Court and served upon plaintiff by 1/31/96, must be filed on or before 2/26/96; any opposition and/or reply memoranda to such motion be filed by 3/11/96 reply memoranda due 3/11/96 ; (N) (jwd) (Entered: 12/13/1995)
12/22/1995	25	ANSWER TO COMPLAINT [1-1] by defendant DEPARTMENT OF NAVY . (tw) (Entered: 12/26/1995)
01/31/1996	26	NOTICE OF FILING by defendant DEPARTMENT OF NAVY of the declaration of Captain John K. Henebery, JAG Corps, United States Navy, and Vaughn Index (tw) (Entered: 02/01/1996)
02/21/1996	27	JOINT MOTION by plaintiff CHARLES C. THOMPSON II, defendant DEPARTMENT OF NAVY to amend the Court's scheduling order for status hearing set for 9:00 4/16/96 ;dispositive motions and/or cross motions by the parties due 2/26/96; any objections by plaintiff to Defendant's Vaughn Index, which by order dated 12/6/96 must be submitted to the Court and served upon plaintiff by 1/31/96, must be filed on or before 2/26/96; any opposition and/or reply memoranda to such motion be filed by 3/11/96 reply memoranda due 3/11/96 ; [24-1] (bjsp) (Entered: 02/22/1996)
02/26/1996	28	ORDER by Judge Ricardo M. Urbina: granting joint motion to amend the Court's scheduling order for status hearing set for 9:00 4/16/96 ;dispositive motions and/or cross motions by the parties due 2/26/96; any objections by plaintiff to Defendant's Vaughn Index, which by order dated 12/6/96 must be submitted to the Court and served upon plaintiff by 1/31/96, must be filed on or before 2/26/96; any opposition and/or reply memoranda to such motion be filed by 3/11/96 reply memoranda due 3/11/96 ; [24-1] [27-1] by DEPARTMENT OF NAVY, CHARLES C. THOMPSON II any reply by plaintiff to defendant's opposition, must be filed on or before 3/22/96; status hearing set for 9:00 4/16/96 ; (N) (jwd) (Entered: 02/26/1996)
02/26/1996	29	OBJECTIONS by plaintiff CHARLES C. THOMPSON II to Vaughn Index [26-1] by DEPARTMENT OF NAVY (bjsp) (Entered: 02/27/1996)
02/26/1996	30	MOTION filed by plaintiff CHARLES C. THOMPSON II for a Court order requesting that defendant revise its Vaughn index to include all documents responsive to plaintiff's Freedom of Information Act request ; attachments (bjsp) (Entered: 02/27/1996)
03/11/1996	31	RESPONSE by defendant DEPARTMENT OF NAVY to plaintiff's objection to Vaughn Index which was filed on 2/26/96. [29-1] by CHARLES C. THOMPSON II ; exhibits (2) (bjsp) (Entered: 03/12/1996)
03/22/1996	32	REPLY by plaintiff CHARLES C. THOMPSON II in support of plaintiff's objections to Vaughn index [31-1]. (tw) (Entered: 03/25/1996)
04/16/1996		STATUS HEARING held before Judge Ricardo M. Urbina re motion by plaintiff for a revised Vaughn Index. Reporter: Wm. McAllister (oj) (Entered: 04/16/1996)
04/16/1996	33	ORDER by Judge Ricardo M. Urbina : granting motion for a Court order requesting that defendant revise its Vaughn index to include all documents responsive to plaintiff's Freedom of Information Act request [30-1] by CHARLES C. THOMPSON II ; revised Vaughn Index by the defendant due by 05/31/96; dispositive motions due 6/28/96 ; response to dispositive motions due 7/22/96 ; reply to dispositive motions due 7/31/96. (N) (oj) (Entered: 04/16/1996)
04/30/1996	34	SUBSTITUTION OF COUNSEL for plaintiff CHARLES C. THOMPSON II, substituting Sarah L. Levitt for attorney Donald G. Aplin III for CHARLES C. THOMPSON II (bjsp) (Entered: 05/01/1996)
05/28/1996	35	MOTION (UNOPPOSED) filed by defendant DEPARTMENT OF NAVY to extend time to 6/7/96 within which to file a revised Vaughn Index in this case (bjsp) (Entered: 05/28/1996)

		05/29/1996)
06/07/1996	36	MOTION (SECOND) filed by defendant DEPARTMENT OF NAVY to extend time to 6/10/96 within which to revise Vaughn Index in this case pursuant to the Freedom of Informaiton Act (bjsp) (Entered: 06/10/1996)
06/10/1996	37	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 6/7/96 within which to file a revised Vaughn Index in this case [35-1] by DEPARTMENT OF NAVY (N) (jwd) (Entered: 06/11/1996)
06/10/1996	38	NOTICE OF FILING by defendant DEPARTMENT OF NAVY of the declaration of Lieutenant Commander Edward S. White, JAG Corps, United States Navy, a Vaughn index of documents potentially responsive to Charles C. Thompson's (FOIA) request; declaration (1); attachment (1) (tw) (Entered: 06/11/1996)
06/17/1996	39	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 6/10/96 nunc pro tunc within which to revise Vaughn Index in this case pursuant to the Freedom of Informaiton Act [36-1] by DEPARTMENT OF NAVY (N) (jwd) (Entered: 06/18/1996)
06/28/1996	40	STIPULATED ORDER by Judge Ricardo M. Urbina: extending for parties to file cross dispositive motions; dispositive motions due 7/8/96 ; response to dispositive motions due 7/22/96 ; reply to dispositive motions due 7/31/96 ; (N) (jwd) (Entered: 07/01/1996)
07/01/1996	41	MOTION (UNOPPOSED) filed by defendant DEPARTMENT OF NAVY for a revised briefing schedule (bjsp) (Entered: 07/02/1996)
07/11/1996	42	ORDER by Judge Ricardo M. Urbina : granting motion for a revised briefing schedule [41-1] by DEPARTMENT OF NAVY; deft. to report to this Court its decision regarding the release of any of the withhold documents by 7/22/96 , parties to file their cross motions for summary judgment by 7/23/96 (N) (jaw) (Entered: 07/12/1996)
07/23/1996	43	MOTION filed by defendant DEPARTMENT OF NAVY to extend time to 7/26/96 within which to file its motion for summary judgment (bjsp) (Entered: 07/24/1996)
07/25/1996	44	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 7/26/96 within which to file its cross motion for summary judgment [43-1] by DEPARTMENT OF NAVY (N) (oj) (Entered: 07/25/1996)
07/26/1996	45	MOTION filed by plaintiff CHARLES C. THOMPSON II for summary judgment ; attachments (1) ; declarations (1) (bjsp) (Entered: 07/29/1996)
07/26/1996	46	STATUS REPORT by defendant DEPARTMENT OF NAVY RE: the release of documents withheld pursuant to FOIA exemptions in this matter (bjsp) (Entered: 07/29/1996)
07/26/1996	47	MOTION filed by defendant DEPARTMENT OF NAVY for summary judgment (bjsp) (Entered: 07/29/1996)
08/14/1996	48	STIPULATED ORDER by Judge Ricardo M. Urbina : extending time to 8;/23/96 for parties to file cross oppositions to the motions for summary judgment; cross oppositions to motion for summary judgment due 8/23/96 (N) (jwd) (Entered: 08/15/1996)
08/14/1996	49	STATUS REPORT (SECOND) by defendant DEPARTMENT OF NAVY regarding the release of certain documents ; attachments (bjsp) (Entered: 08/15/1996)
08/23/1996	50	MEMORANDUM by plaintiff CHARLES C. THOMPSON II in opposition to motion for summary judgment [47-1] by DEPARTMENT OF NAVY (bjsp) (Entered: 08/26/1996)
08/23/1996	51	RESPONSE by defendant DEPARTMENT OF NAVY in opposition to cross motion for summary judgment [45-1] by CHARLES C. THOMPSON II . (bjsp) (Entered: 08/26/1996)
06/06/1997	52	ORDER by Judge Ricardo M. Urbina: directing Navy file a sworn affidavit(s) detailing its justifications for the claimed exemptions on or before 6/19/97; that Navy hand-deliver, to chambers, a copy of the affidavit(s) (N) (jwd) (Entered: 06/06/1997)

06/19/1997	53	NOTICE OF FILING by defendant DEPARTMENT OF NAVY to the Court RE: the filing of a second declaration of Lt. Commander Edward S. White ; declarations (1) (bjsp) (Entered: 06/19/1997)
08/18/1997	54	MEMORANDUM ORDER by Judge Ricardo M. Urbina : granting motion for summary judgment [47-1] by DEPARTMENT OF NAVY; dismissing action from docket of this court and entering judgment in favor of defendant (N) (N) (jwd) Modified on 08/18/1997 (Entered: 08/18/1997)
10/16/1997	55	NOTICE OF APPEAL by plaintiff CHARLES C. THOMPSON II from order [54-1] , entered on: 8/18/97. Docketing fee paid \$100.00. Filing fee paid \$5.00. Copies were sent out to Robert Seldon, Sarah Levitt, Marina Braswell and Anthony Alexis. (bjsp) (Entered: 10/16/1997)
10/16/1997		TRANSMITTED RECORD ON appeal [55-1] by CHARLES C. THOMPSON II to U.S. Court of Appeals USCA# (bjsp) (Entered: 10/16/1997)
10/24/1997		USCA # 97 5292 assigned for appeal [55-1] by CHARLES C. THOMPSON II (bjsp) (Entered: 10/24/1997)
07/01/1998	56	CERTIFIED COPY of order filed in USCA dated 03/11/98, on appeal [55-1] , affirming the judgment of USDC . USCA # 97-5292 (ldc) (Entered: 07/06/1998)
11/24/1998	57	MOTION (CONSENT) filed by plaintiff CHARLES C. THOMPSON II to extend time to 12/7/98 within which to submit a petition for an award of fees and expenses (bjsp) (Entered: 11/25/1998)
12/07/1998	58	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 12/7/98 within which to submit a petition for an award of fees and expenses [57-1] by CHARLES C. THOMPSON II (N) (jwd) (Entered: 12/07/1998)
12/07/1998	59	MOTION (CONSENT) filed by plaintiff CHARLES C. THOMPSON II to extend time to 12/31/98 to submit a Petition for an award of reasonable fees and expenses in this matter. (tw) (Entered: 12/08/1998)
12/30/1998	60	MOTION filed by plaintiff CHARLES C. THOMPSON II for attorney fee ; exhibits (1); declarations (1) (bjsp) (Entered: 01/04/1999)
01/08/1999	61	SUPPLEMENTAL MEMORANDUM by plaintiff CHARLES C. THOMPSON II in support of plaintiff's motion for an award of reasonable fees and costs [60-1] by CHARLES C. THOMPSON II (tw) (Entered: 01/11/1999)
01/12/1999	62	MOTION (UNOPPOSED) filed by defendant DEPARTMENT OF NAVY to extend time to 1/21/99 within which to file brief enlargement file an opposition to plaintiffs motion for attorneys fees (bjsp) Modified on 01/13/1999 (Entered: 01/13/1999)
01/13/1999	63	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 1/21/99 within which to file brief enlargement file an opposition to plaintiffs motion for attorneys fees [62-1] by DEPARTMENT OF NAVY response to motion for attorneys fees due by 1/21/99 ; (N) (jwd) (Entered: 01/13/1999)
01/21/1999	64	RESPONSE by defendant DEPARTMENT OF NAVY in opposition to motion for attorney fee [60-1] by CHARLES C. THOMPSON II; Attachments . (lkn) (Entered: 01/22/1999)
01/28/1999	65	MOTION (CONSENT) filed by plaintiff CHARLES C. THOMPSON II to extend time to 2/5/99 submit a reply on the peititon for an awar of reasonable fees and expenses (lkn) (Entered: 01/29/1999)
02/05/1999	66	REPLY by plaintiff CHARLES C. THOMPSON II in support of motion for attorney fee [60-1]; exhibits (3) (jf) (Entered: 02/08/1999)
03/02/1999	67	MOTION filed by plaintiff CHARLES C. THOMPSON II for an immediate award of undisputed attorneys' fees and costs (bjsp) (Entered: 03/03/1999)
03/17/1999	68	RESPONSE by defendant DEPARTMENT OF NAVY in opposition to motion for an immediate award of undisputed attorneys' fees and costs [67-1] by CHARLES C. THOMPSON II. (tth) (Entered: 03/18/1999)

03/25/1999	69	RESPONSE by defendant DEPARTMENT OF NAVY in opposition to motion for attorney fee [60-1] by CHARLES C. THOMPSON II; attachment (1). (bm) (Entered: 03/26/1999)
03/26/1999	70	REPLY by plaintiff CHARLES C. THOMPSON II to response to motion for an immediate award of undisputed attorneys' fees and costs [67-1] by CHARLES C. THOMPSON II (st) (Entered: 03/29/1999)
07/28/1999	71	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 12/31/99 to submit a Petition for an award of reasonable fees and expenses in this matter. [59-1] by CHARLES C. THOMPSON II, granting motion to extend time to 2/5/99 submit a reply on the peititon for an awar of reasonable fees and expenses [65-1] by CHARLES C. THOMPSON II, nunc pro tunc (N) (lpp) Modified on 07/29/1999 (Entered: 07/28/1999)
09/15/1999	72	SUPPLEMENTAL MEMORANDUM by plaintiff CHARLES C. THOMPSON II in support of motion for an immediate award of undisputed attorneys' fees and costs [67-1] by CHARLES C. THOMPSON II (st) (Entered: 09/16/1999)
09/29/1999	73	ORDER by Judge Ricardo M. Urbina: granting in part, denying in part motion for attorney fee [60-1]; defendant shall issue a check, payable to "Charles C. Thompson, II," in the amount of \$14,179.71 (fourteen thousand one hundred seventy-nine dollars and seventy-one cents), said amount representing the sum of \$13,901.50 in attorneys' fees and \$278.21 in cost; defendant shall deliver said check to Sarah L. Leavitt, Esquire, Project on Liberty & the Workplace, Suite 1004, 1612 K Street N.W., Washington, D.C. 20006, by hand or certified mail, to arrive no later than 5:00 p.m. on Friday, 10/22/99. (N) (jwd) (Entered: 09/30/1999)
10/22/1999	75	SUBSTITUTION OF COUNSEL for defendant DEPARTMENT OF NAVY , substituting David Jackson Ball Jr. for attorney Anthony Michael Alexis Sr. for DEPARTMENT OF NAVY (st) (Entered: 10/25/1999)
10/22/1999	76	JOINT MOTION by plaintiff CHARLES C. THOMPSON II, defendant DEPARTMENT OF NAVY for leave to file stipulation , and stipulation to extend time to 10/27/99 for defendant to pay fees and costs (st) (Entered: 10/25/1999)
10/25/1999	74	ORDER by Judge Ricardo M. Urbina: clarifying order dated 9/30/99; directing parties to confer in an effort to reach an amicable resolution of the plaintiff's request foran award of attorneys' fees and costs incurred in preparation of the fee petition itself; that counsel shall apprise the court of the outcome of their conference by Friday, November 5, 1999. (N) (jwd) (Entered: 10/25/1999)
10/25/1999	77	ORDER by Judge Ricardo M. Urbina: granting joint motion for leave to file stipulation [76-1] by DEPARTMENT OF NAVY, CHARLES C. THOMPSON II, granting joint motion to extend time to 10/27/99 for defendant to pay fees and costs [76-2] by DEPARTMENT OF NAVY, CHARLES C. THOMPSON II (N) (jwd) (Entered: 10/26/1999)
10/29/1999	78	STATUS REPORT by defendant DEPARTMENT OF NAVY resolving plaintiff's request for attorneys fees and costs (st) (Entered: 11/01/1999)
11/30/1999	79	STIPULATION filed and fiated by Judge Ricardo M. Urbina regarding settlement and dismissal. (N) (clv) (Entered: 12/01/1999)