

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:94-cv-02702-TPJ**

MARTIN MARIETTA CORP v. DALTON, et al
Assigned to: Judge Thomas Penfield Jackson
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 12/16/1994
Date Terminated: 08/09/1997
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**MARTIN MARIETTA
CORPORATION**

represented by **Robert W. Ogren**
PIPER RUDNICK LLP
1200 19th Street, NW
Washington, DC 20036
(202) 861-3900
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

JOHN H. DALTON
Secretary of the Navy

represented by **Cynthia Ann Schnedar**
U.S. ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
Room 10-108
Washington, DC 20530
(202) 514-7143
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DEPARTMENT OF NAVY

represented by **Cynthia Ann Schnedar**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/16/1994	1	COMPLAINT filed by plaintiff MARTIN MARIETTA CORP (pob) (Entered: 12/19/1994)
12/16/1994	2	RULE 109 Certificate of disclosure of corporate affiliations and financial interests by plaintiff MARTIN MARIETTA CORP (pob) (Entered: 12/19/1994)
12/16/1994		SUMMONS issued to federal party(s) defendant JOHN H. DALTON, defendant NAVY , and non-parties: U.S. Attorney and U.S. Attorney General. (pob) (Entered: 12/19/1994)
12/19/1994		MAILED CJRA brochure, Meet and Confer list, and Notice regarding dismissal to plaintiff MARTIN MARIETTA CORP . (pob) (Entered: 12/19/1994)
12/22/1994	3	RETURN OF SERVICE/AFFIDAVIT executed personally upon U. S. Attorney General on 12/16/94 (kmk) (Entered: 12/23/1994)
12/22/1994	4	RETURN OF SERVICE/AFFIDAVIT executed personally upon U. S. Attorney on 12/16/94 (kmk) (Entered: 12/23/1994)

12/22/1994	5	RETURN OF SERVICE/AFFIDAVIT executed personally on 12/16/94 upon defendant JOHN H. DALTON (kmk) (Entered: 12/23/1994)
12/22/1994	6	RETURN OF SERVICE/AFFIDAVIT executed personally on 12/16/94 upon defendant NAVY. (kmk) (Entered: 12/23/1994)
12/22/1994	7	RETURN OF SERVICE/AFFIDAVIT executed personally on 12/16/94 upon defendant JOHN H. DALTON, defendant NAVY c/o/ General Counsel. (kmk) (Entered: 12/23/1994)
12/22/1994	8	RETURN OF SERVICE/AFFIDAVIT executed personally upon U. S. Attorney General on 12/16/94 (kmk) (Entered: 12/23/1994)
02/02/1995	9	ATTORNEY APPEARANCE for defendant JOHN H. DALTON, defendant NAVY by Cynthia Ann Schnedar (tth) (Entered: 02/07/1995)
02/06/1995	10	MOTION (joint consent) filed by plaintiff MARTIN MARIETTA CORP, defendant JOHN H. DALTON, defendant NAVY for briefing schedule , and for order permitting filings under seal (kmk) (Entered: 02/08/1995)
02/07/1995	11	ORDER by Judge Thomas P. Jackson : granting motion for briefing schedule [10-1] by NAVY, JOHN H. DALTON, MARTIN MARIETTA CORP defendants motion for summary judgment due 2-14-95, plaintiffs opposition and motion for summary judgment and cross-motion due 3-7-95, defendants reply in support and opposition to plaintiffs cross-motion due 3-21-95, plaintiff's reply in support and cross-motion due 3-28-95, and allowing parties to file under seal portions alleged confidential with instructions to counsel on failure to object to sealed material. (N) (rew) (Entered: 02/09/1995)
02/13/1995	12	MOTION (UNOPPOSED) filed by defendant JOHN H. DALTON, defendant NAVY to extend time to 03/21/95 to answer complaint [1-1] , and for extension of briefing schedule (dam) (Entered: 02/14/1995)
02/14/1995		SCHEDULING NOTICE: status hearing set for 9:30 4/12/95 ; (rew) (Entered: 02/14/1995)
02/15/1995		Text not available. (Entered: 02/15/1995)
02/15/1995	13	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 03/21/95 to answer complaint [1-1] [12-1] by NAVY, JOHN H. DALTON, granting motion for extension of briefing schedule [12-2] by NAVY, JOHN H. DALTON, defendants to file motion for summary judgment and the administrative record by 3-21-95; plaintiff to file opposition to defendants motion for summary judgment and file cross-motion for summary judgment by 4-11-95; and defendant to reply in support of motion for summary judgment and oppose plaintiffs cross-motion for summary judgment by 4-25-95; and plaintiff to reply in support of its cross-motion for summary judgment by 5-2-95; and allowing parties shall file under seal certain confidential information; and failure to object to decision to file under seal shall not be deemed that sealed information is in fact confidential. (N) (rew) (Entered: 02/15/1995)
03/21/1995	14	MOTION filed by defendant JOHN H. DALTON, defendant NAVY to extend time to 03/24/95 to answer or otherwise respond to plaintiff's complaint [1-1] (dam) (Entered: 03/22/1995)
03/22/1995	15	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 03/24/95 to answer or otherwise respond to plaintiff's complaint [1-1] [14-1] by NAVY, JOHN H. DALTON ; Answer extended to 3/24/95 for NAVY, for JOHN H. DALTON (N) (rew) (Entered: 03/23/1995)
03/24/1995	16	ADMINISTRATIVE RECORD by defendant JOHN H. DALTON, defendant NAVY (bulky pleading) (Portions of the Administrative Record are FILED UNDER SEAL IN ROOM 1800) (dam) Modified on 03/30/1995 (Entered: 03/27/1995)
03/24/1995	17	MOTION filed by defendant JOHN H. DALTON, defendant NAVY for summary judgment (dam) (Entered: 03/27/1995)
03/24/1995	18	MOTION (unopposed) filed by defendant JOHN H. DALTON, defendant NAVY to extend time to 03/31/95 to answer complaint [1-1] (dam) (Entered: 03/27/1995)

03/27/1995	19	NOTICE OF CHANGE OF ADDRESS by Robert W. Ogren representing plaintiff MARTIN MARIETTA CORP. New address: Piper & Marbury, 1200 Nineteenth Street, N.W. Washington D.C. 20036-2430. (202) 861-3900. (dam) (Entered: 03/28/1995)
03/28/1995	20	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 03/31/95 to answer complaint [1-1] [18-1] by NAVY, JOHN H. DALTON ; Answer extended to 3/31/95 for NAVY, for JOHN H. DALTON (N) (rew) (Entered: 03/29/1995)
03/30/1995	21	ANSWER TO COMPLAINT [1-1] by defendant JOHN H. DALTON, defendant NAVY . (dam) (Entered: 03/31/1995)
04/03/1995	22	RULE 26(a)(1) DISCLOSURE STATEMENT filed by plaintiff MARTIN MARIETTA CORP, defendant JOHN H. DALTON, defendant NAVY (dam) (Entered: 04/04/1995)
04/12/1995		STATUS HEARING before Judge Thomas P. Jackson ,no dates set, Plaintiff to respond to defendants dispositive motion. Reporter: Marilyn Young (rew) (Entered: 04/12/1995)
04/18/1995	23	MOTION (Joint Consent) filed by plaintiff MARTIN MARIETTA CORP, defendant JOHN H. DALTON, defendant NAVY for revised briefing schedule. (dam) (Entered: 04/19/1995)
04/19/1995	24	ORDER by Judge Thomas P. Jackson : granting motion for revised briefing schedule. [23-1] by NAVY, JOHN H. DALTON, MARTIN MARIETTA CORP cross motions due 5/3/95 ; reply to cross motions due 5/17/95 ; , response to cross motions due 5/17/95 ; reply to cross motions due 5/24/95 ; (N) (rew) (Entered: 04/19/1995)
05/03/1995	25	MOTION (unopposed) filed by plaintiff MARTIN MARIETTA CORP to extend time to 5/26/95 in which to file its cross-motion for summary judgment ; attachment (dam) (Entered: 05/04/1995)
05/03/1995	26	RESPONSE by plaintiff MARTIN MARIETTA CORP in opposition to defendants motion for summary judgment [17-1]. (dam) (Entered: 05/04/1995)
05/04/1995	27	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 5/26/95 in which to file its cross-motion for summary judgment [25-1] by MARTIN MARIETTA CORP (N) (rew) (Entered: 05/05/1995)
05/04/1995	28	MOTION (JOINT CONSENT) filed by plaintiff MARTIN MARIETTA CORP, defendant JOHN H. DALTON, defendant NAVY for second revised briefing schedule (dam) Modified on 05/09/1995 (Entered: 05/08/1995)
05/08/1995	29	ORDER by Judge Thomas P. Jackson : granting motion for second revised briefing schedule [28-1] by NAVY, JOHN H. DALTON, MARTIN MARIETTA CORP Plaintiffs opposition to defendants motion for summary judgment and Cross-motions due by 5/26/95 and defendants reply in support and opposition to cross-motions due by 6/14/95 and plaintiffs Reply to cross-motions due by 6/28/95 for MARTIN MARIETTA CORP . (N) (rew) (Entered: 05/09/1995)
05/26/1995	30	CROSS MOTIONS by plaintiff MARTIN MARIETTA CORP for summary judgment (pob) (Entered: 05/30/1995)
05/26/1995	31	RULE 109 Certificate of disclosure of corporate affiliations and financial interests by plaintiff MARTIN MARIETTA CORP (pob) (Entered: 05/30/1995)
05/26/1995	32	MOTION filed by plaintiff MARTIN MARIETTA CORP to submit Plaintiff's Memorandum of Points and Authorities, Statement of Material Facts Not in Dispute and Declaration of Peter H. Wiggett under seal ; EXHIBIT (Memorandum, Statement of Material Facts and Declaration - LODGED UNDER SEAL). (tth) (Entered: 06/02/1995)
06/12/1995	33	MOTION (UNOPPOSED) filed by defendant JOHN H. DALTON, defendant NAVY to enlarge briefing schedule to 6/28/95 in which to complete their opposition to plaintiff's cross-motion for summary judgment and complete their reply in support of their for summary judgment. (dam) Modified on 07/03/1995 (Entered: 06/16/1995)

06/14/1995	34	ORDER by Judge Thomas P. Jackson : granting motion to enlarge briefing schedule to 6/28/95 in which to complete their opposition to plaintiff's cross-motion for summary judgment and complete their reply in support of their motion for summary judgment. [33-1] by NAVY, JOHN H. DALTON ,and plaintiff shall file its reply in support of it cross motion for summary judgment by 7/26/95. (N) (rew) (Entered: 06/19/1995)
06/28/1995	35	MOTION (unopposed) filed by defendant JOHN H. DALTON, defendant NAVY to extend time to file a briefing schedule (kmk) Modified on 06/29/1995 (Entered: 06/29/1995)
06/30/1995	36	ORDER by Judge Thomas P. Jackson : granting motion to extend time to file a briefing schedule [35-1] by NAVY, JOHN H. DALTON and defendants to file reply in support of motion for summary judgment and oppoition to plaintiffs cross-motion for summary judgment by 8-4-95 and plaintiff to file reply in support of its cross-motion for summary judgment by 9-1-95. (N) (rew) (Entered: 06/30/1995)
07/11/1995	37	MOTION (UNOPPOSED) filed by plaintiff MARTIN MARIETTA CORP for leave to file a supplemental complaint. ; EXHIBIT (Supplemental complaint for declaratory and injunctive relief) (dam) Modified on 07/14/1995 (Entered: 07/12/1995)
07/12/1995	39	MOTION (CONSENT) filed by defendant JOHN H. DALTON, defendant NAVY to extend time to 8/14/95 to file a response to plaintiff's supplemental complaint for declaratory and injunctive relief (dam) Modified on 07/14/1995 (Entered: 07/13/1995)
07/13/1995	38	ORDER by Judge Thomas P. Jackson : granting motion for leave to file a supplemental complaint. [37-1] by MARTIN MARIETTA CORP (N) (rew) (Entered: 07/13/1995)
07/13/1995	40	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 8/14/95 to file a response to plaintiff's supplemental complaint for declaratory and injunctive relief [39-1] by NAVY, JOHN H. DALTON (N) (rew) (Entered: 07/18/1995)
07/13/1995	41	SUPPLEMENTAL (MEMORANDUM) by plaintiff MARTIN MARIETTA CORP COMPLAINT for declaratory and injunctive relief. (dam) (Entered: 07/19/1995)
08/04/1995	42	SUPPLEMENTAL MEMORANDUM by defendant JOHN H. DALTON, defendant NAVY supplementing their administrative record [16-1]; attachments (10); Filed under seal in room 1800 (dam) (Entered: 08/07/1995)
08/04/1995	43	RESPONSE by defendant JOHN H. DALTON, defendant NAVY in opposition to plaintiff's cross motion for summary judgment [30-1] and defendants' reply memorandum in support of its motion for summary judgment; exhibits (4) (dam) (Entered: 08/07/1995)
08/14/1995	44	ANSWER TO supplemental complaint by defendant JOHN H. DALTON. (dam) (Entered: 08/21/1995)
09/01/1995	45	MOTION filed by plaintiff MARTIN MARIETTA CORP for leave to file their reply to defendant's opposition to plaintiff's motion for summary judgment under seal ; EXHIBIT (reply) (dam) (Entered: 09/05/1995)
09/05/1995	46	ORDER by Judge Thomas P. Jackson : granting motion for leave to file their reply to defendant's opposition to plaintiff's motion for summary judgment under seal [45-1] by MARTIN MARIETTA CORP (N) (rew) (Entered: 09/06/1995)
05/14/1996		SCHEDULING NOTICE: status hearing set for 9:30 5/22/96 ; before Judge Thomas P. Jackson . (rew) (Entered: 05/14/1996)
05/22/1996		STATUS HEARING before Judge Thomas P. Jackson ,case held in abeyance pending ruling in another case. Reporter: P. Merana (rew) (Entered: 05/23/1996)
02/04/1997		STATUS HEARING before Judge Thomas P. Jackson ,cross motions for summary judgment pending, no dates set. Reporter: P. Merana (rew) (Entered: 02/04/1997)
04/30/1997		SCHEDULING NOTICE: motion hearing set for 2:00 5/13/97 ; before Judge Thomas P. Jackson . (rew) (Entered: 04/30/1997)
05/13/1997		MOTION HEARING before Judge Thomas P. Jackson, cross-motions for summary judgment heard and taken under advisement. Reporter: P. Merana (rew) (Entered: 05/13/1997)

05/13/1997	47	SUPPLEMENT TO ADMINISTRATIVE RECORD by plaintiff MARTIN MARIETTA CORP; Tabs 54-59; (FILED UNDER SEAL IN ROOM 1800) (tth) (Entered: 05/16/1997)
06/05/1997	48	TRANSCRIPT filed for date(s) of 5/13/97. Reporter: Phyllis Merana (tth) (Entered: 06/06/1997)
08/08/1997	49	MEMORANDUM AND ORDER by Judge Thomas P. Jackson : denying cross motion for summary judgment [30-1] by MARTIN MARIETTA CORP, granting motion for summary judgment [17-1] by NAVY, JOHN H. DALTON ,directing Clerk to enter judgment and the case is dismissed with prejudice. (N) (N) (rew) (Entered: 08/11/1997)
08/08/1997	50	JUDGMENT by the Clerk entered in favor of defendant JOHN H. DALTON against plaintiff MARTIN MARIETTA CORP(N) (rew) (Entered: 08/11/1997)
12/09/1997		ADMINSTRATIVELY CLOSED ADMINISTRATIVE RECORD [47-1], [16-1] filed by defendant JOHN H. DALTON, defendant NAVY (FILED UNDER SEAL) (cjp) (Entered: 12/09/1997)