

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:94-cv-02250-TFH**

PONS v. DEPT. OF TREASURY, et al  
Assigned to: Judge Thomas F. Hogan  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/19/1994  
Date Terminated: 04/21/1998  
Jury Demand: Plaintiff  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**JOSE A. PONS**

represented by **JOSE A. PONS**  
R83732-011  
FORT DIX FEDERAL  
CORRECTIONAL INSTITUTION  
P.O. Box 7000, West  
Fort Dix, NJ 08640  
PRO SE

V.

**Defendant**

**DEPARTMENT OF TREASURY**

represented by **William Mark Nebeker**  
U.S. ATTORNEY'S OFFICE  
Civil Division  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 252-2536  
Fax: (202) 514-8780  
Email: [mark.nebeker@usdoj.gov](mailto:mark.nebeker@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**BUREAU OF ALCOHOL, TOBACCO,  
FIREARMS, AND EXPLOSIVES**

represented by **William Mark Nebeker**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**NATIONAL FIREARMS BRANCH**  
*Bureau of Alcohol, Tobacco, and  
Firearms*

represented by **William Mark Nebeker**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**WAYNE P. MORAN**  
*Chief, NFA Branch of BATF*

represented by **William Mark Nebeker**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**KAYE PICKUS**  
*NFA Specialist*

represented by **William Mark Nebeker**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**ROBERT L. PRITCHETT**  
Chief, Disclosure Branch, BATF

represented by **William Mark Nebeker**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/19/1994	1	COMPLAINT filed by plaintiff JOSE A. PONS; jury demand (bm) (Entered: 10/20/1994)
10/19/1994		SUMMONS (8) issued to federal party(s) defendants DEPT. OF TREASURY, ATF, NATL. FIREARMS BR., WAYNE P. MORAN, KAYE PICKUS, ROBERT L. PRITCHETT , and non-parties: U.S. Attorney and U.S. Attorney General. (bm) (Entered: 10/20/1994)
10/19/1994	2	APPLICATION by plaintiff JOSE A. PONS to proceed in forma pauperis (bm) (Entered: 10/20/1994)
10/19/1994		ORDER by Judge John H. Pratt granting motion to proceed in forma pauperis [2-1] by JOSE A. PONS (fiat) (N) (bm) (Entered: 10/20/1994)
10/26/1994	3	RETURN OF SERVICE/AFFIDAVIT executed on 10/25/94 upon defendant ATF . (blj) (Entered: 10/27/1994)
10/26/1994	4	RETURN OF SERVICE/AFFIDAVIT executed on 10/25/94 upon defendant ROBERT L. PRITCHETT . (blj) (Entered: 10/27/1994)
10/26/1994	5	RETURN OF SERVICE/AFFIDAVIT executed on 10/25/94 upon defendant WAYNE P. MORAN . (blj) (Entered: 10/27/1994)
10/26/1994	6	RETURN OF SERVICE/AFFIDAVIT executed on 10/25/94 upon defendant KAYE PICKUS . (blj) (Entered: 10/27/1994)
10/26/1994	7	RETURN OF SERVICE/AFFIDAVIT executed on 10/25/94 upon defendant NATL. FIREARMS BR. . (blj) (Entered: 10/27/1994)
10/26/1994	8	RETURN OF SERVICE/AFFIDAVIT executed on 10/26/94 upon defendant DEPT. OF TREASURY . (blj) (Entered: 10/27/1994)
10/26/1994	9	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney General on 10/25/94 (blj) (Entered: 10/27/1994)
10/26/1994	10	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney on 10/24/94 (blj) (Entered: 10/27/1994)
11/23/1994	11	MOTION filed by defendants DEPT. OF TREASURY, ATF, NATL. FIREARMS BR., WAYNE P. MORAN, KAYE PICKUS to extend time to 12/28/94 to answer complaint [1-1] . Appearance entered for defendants by attorney William Mark Nebeker (ks) (Entered: 11/25/1994)
11/23/1994	12	ATTORNEY APPEARANCE for all defendants by William Mark Nebeker (ks) (Entered: 11/25/1994)
12/07/1994	13	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 12/28/94 to answer complaint [1-1] . [11-1] by defendants ROBERT L. PRITCHETT, KAYE PICKUS, WAYNE P. MORAN, NATL. FIREARMS BR., ATF, and DEPT. OF TREASURY . (N) (bm) (Entered: 12/08/1994)
12/28/1994	14	MOTION filed by defendants to extend time to 1/12/95 to answer complaint [1-1] . (ks) (Entered: 12/29/1994)
01/03/1995	15	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 1/12/95 to answer complaint [1-1] . [14-1] by defendants. (N) (gew) (Entered: 01/04/1995)
01/12/1995	16	MOTION filed by defendants' DEPT. OF TREASURY, ATF, NATL. FIREARMS BR., WAYNE P. MORAN, KAYE PICKUS, ROBERT L. PRITCHETT to extend time to 1/20/95 to respond to plaintiff's complaint, and memorandum in support thereof (blj) (Entered: 01/13/1995)

01/18/1995	17	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 1/20/95 to respond to plaintiff's complaint, [16-1] by defendants; extending time to 1/20/95 to answer complaint [1-1] (N) (ks) (Entered: 01/18/1995)
01/20/1995	18	MOTION filed by defendants' DEPT. OF TREASURY, ATF, NATL. FIREARMS BR., WAYNE P. MORAN, KAYE PICKUS, ROBERT L. PRITCHETT to extend time to 01/27/95 to answer complaint, and memorandum in support thereof [1-1] . (blj) (Entered: 01/23/1995)
01/25/1995	19	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 01/27/95 to answer complaint [1-1] [18-1] by defendants (N) (bm) (Entered: 01/26/1995)
01/27/1995	20	MOTION filed by defendant to dismiss complaint [1-1] . , or in the alternative for summary judgment ; Exhibits (3); Declarations (2); Attachments (ks) (Entered: 01/30/1995)
01/30/1995	21	MOTION filed by plaintiff JOSE A. PONS for sanctions (blj) (Entered: 01/31/1995)
02/06/1995	22	MEMORANDUM by defendants' DEPT. OF TREASURY, ATF, NATL. FIREARMS BR., WAYNE P. MORAN, KAYE PICKUS, ROBERT L. PRITCHETT in opposition to motion for sanctions [21-1] by JOSE A. PONS (blj) (Entered: 02/07/1995)
02/06/1995	23	MOTION filed by defendants' DEPT. OF TREASURY, ATF, NATL. FIREARMS BR., WAYNE P. MORAN, KAYE PICKUS, ROBERT L. PRITCHETT for leave to file attached documents under seal ; EXHIBIT (ATTACHMENTS) LODGED UNDER SEAL IN ROOM 1825 (blj) (Entered: 02/07/1995)
02/09/1995	24	ORDER by Judge Thomas F. Hogan : granting motion for leave to file attached documents under seal [23-1] by defendants; and that these documents shall remain under seal for 21 days after which the clerk of the court shall file them on the public record (N) (ks) (Entered: 02/10/1995)
02/09/1995	25	NOTICE OF FILING by defendants' DEPT. OF TREASURY, ATF, NATL. FIREARMS BR., WAYNE P. MORAN, KAYE PICKUS, ROBERT L. PRITCHETT of documents; (FILED UNDER SEAL IN ROOM 1800) (blj) (Entered: 02/10/1995)
02/15/1995	26	MOTION filed by plaintiff JOSE A. PONS to extend time to 3/3/95 to respond to defendant's motion to dismiss , or, in the alternative, for summary judgment (blj) (Entered: 02/16/1995)
02/21/1995	27	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 3/3/95 to respond to defendant's motion to dismiss [26-1] by JOSE A. PONS (N) (gew) (Entered: 02/22/1995)
03/10/1995	28	MOTION filed by plaintiff JOSE A. PONS for sanctions against the defendants and their counsel for interposing papers for an improper purpose (bm) (Entered: 03/13/1995)
03/10/1995	29	RESPONSE by plaintiff JOSE A. PONS in opposition to motion to dismiss complaint [1-1] [20-1] by defendants, motion for summary judgment [20-2] by defendants; declaration of Jose A. Pons; exhibits 1-19, 21-25, 27-38. (bm) (Entered: 03/13/1995)
03/10/1995	38	MOTION filed by plaintiff JOSE A. PONS to strike motion to dismiss, or in the alternative for summary judgment and defendant's Pritchett and Moran declarations [1-1] . [20-1] (blj) (Entered: 04/19/1995)
03/14/1995	30	MOTION filed by defendants' DEPT. OF TREASURY, ATF, NATL. FIREARMS BR., WAYNE P. MORAN, KAYE PICKUS, ROBERT L. PRITCHETT to extend time to 3/27/95 to respond to plaintiff's opposition to defendants' motion to dismiss (blj) (Entered: 03/15/1995)
03/16/1995	31	MOTION filed by defendants' DEPT. OF TREASURY, ATF, NATL. FIREARMS BR., WAYNE P. MORAN, KAYE PICKUS, ROBERT L. PRITCHETT to extend time to 3/27/95 to respond to plaintiff's motion for sactions and motion to strike (blj) (Entered: 03/17/1995)
03/16/1995	32	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 3/27/95 to respond to plaintiff's opposition to defendants' motion to dismiss [30-1] by defendants; that the time by which the defendants must respond to the complaint

		herein is enlarged up to and including 3/27/95. (N) (dot) (Entered: 03/17/1995)
03/21/1995	33	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 3/27/95 to respond to plaintiff's motion for sanctions and motion to strike [31-1] by defendants; response to motion(s) due by 3/27/95. (N) (dot) (Entered: 03/21/1995)
03/27/1995	34	MOTION filed by defendants' DEPT. OF TREASURY, ATF, NATL. FIREARMS BR., WAYNE P. MORAN, KAYE PICKUS, ROBERT L. PRITCHETT to extend time to 4/10/95 to respond to plaintiff's motion for sanctions, motion to strike, and plaintiff's opposition to defendants' motion for summary judgment (blj) (Entered: 03/28/1995)
03/31/1995	35	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 4/10/95 to respond to plaintiff's motion for sanctions, motion to strike, and plaintiff's opposition to defendants' motion for summary judgment [34-1] by defendants (N) (gew) (Entered: 03/31/1995)
04/10/1995	36	MOTION filed by defendants' DEPT. OF TREASURY, ATF, NATL. FIREARMS BR., WAYNE P. MORAN, KAYE PICKUS, ROBERT L. PRITCHETT to extend time to 4/17/95 to respond to plaintiff's motion for sanctions, motion to strike, and plaintiff's opposition to defendants' motion for summary judgment (blj) (Entered: 04/11/1995)
04/12/1995	37	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 4/17/95 to respond to plaintiff's motion for sanctions, motion to strike, and plaintiff's opposition to defendants' motion for summary judgment [36-1] by defendants (N) (dot) (Entered: 04/12/1995)
04/17/1995	39	REPLY by defendants' DEPT. OF TREASURY, ATF, NATL. FIREARMS BR., WAYNE P. MORAN, KAYE PICKUS, ROBERT L. PRITCHETT to plaintiff's response in opposition to defendants' dispositive motion [29-1] by JOSE A. PONS; attachments . (blj) (Entered: 04/20/1995)
04/17/1995	40	RESPONSE by defendants' DEPT. OF TREASURY, ATF, NATL. FIREARMS BR., WAYNE P. MORAN, KAYE PICKUS, ROBERT L. PRITCHETT in opposition to motion to strike [1-1] . [20-1] [38-1] by JOSE A. PONS, motion for sanctions; attachments [28-1] by JOSE A. PONS . (blj) (Entered: 04/20/1995)
04/19/1995	42	ORDER by Judge Thomas F. Hogan : denying motion for sanctions [21-1] by JOSE A. PONS (N) (dot) (Entered: 04/25/1995)
04/19/1995	43	ORDER by Judge Thomas F. Hogan : denying motion for sanctions against the defendants and their counsel for interposing papers for an improper purpose [28-1] by JOSE A. PONS (N) (dot) (Entered: 04/25/1995)
04/19/1995	44	ORDER by Judge Thomas F. Hogan : denying motion to strike motion to dismiss, or in the alternative for summary judgment and defendant's Pritchett and Moran declarations [1-1] . [20-1] [38-1] by JOSE A. PONS (N) (dot) (Entered: 04/25/1995)
04/21/1995	41	RESPONSE (OPPOSITIONS) by plaintiff JOSE A. PONS to defendants' continuing motions for enlargement of time [36-1], [34-1], [31-1], [30-1], [18-1], [16-1], [14-1] [11-1] (blj) (Entered: 04/24/1995)
05/04/1995	45	MOTION filed by plaintiff JOSE A. PONS for sanctions pursuant to Federal Rules of civil procedure, Rule 11. (blj) (Entered: 05/05/1995)
05/10/1995	46	MEMORANDUM by defendants in opposition to third motion for sanctions pursuant to Federal Rules of civil procedure, Rule 11. [45-1] by JOSE A. PONS (ks) (Entered: 05/11/1995)
05/23/1995	47	NOTICE OF APPEAL by plaintiff JOSE A. PONS from order [43-1] , entered on: 4/19/95. IFP; no fee paid, copy mailed to William M. Nebeker (blj) (Entered: 05/24/1995)
05/24/1995		TRANSMITTED PRELIMINARY RECORD on appeal [47-1] by JOSE A. PONS to U.S. Court of Appeals (blj) (Entered: 05/24/1995)
06/01/1995		USCA # 95-5157 assigned for appeal [47-1] by JOSE A. PONS (blj) (Entered: 06/02/1995)

07/31/1995	48	MOTION filed by defendants for protective order (bm) (Entered: 08/01/1995)
08/07/1995	49	MOTION filed by defendant for protective order and memorandum in support thereof ; attachment (blj) (Entered: 08/08/1995)
08/07/1995	50	MOTION filed by defendant to extend time to respond to plaintiff's requests for admissions (blj) (Entered: 08/08/1995)
08/21/1995	51	RESPONSE (OPPOSITIONS) by plaintiff JOSE A. PONS to motion for protective order [49-1] by defendants (blj) (Entered: 08/22/1995)
06/07/1996	52	CERTIFIED COPY of order filed in USCA dated 4/8/96, on appeal [47-1] , dismissing appeal . USCA # 95-5157 (cjp) (Entered: 06/07/1996)
04/21/1998	53	MEMORANDUM OPINION by Judge Thomas F. Hogan (N) (gew) (Entered: 04/22/1998)
04/21/1998	54	ORDER by Judge Thomas F. Hogan : denying motion for protective order [48-1] by defendant, denying motion for sanctions pursuant to Federal Rules of civil procedure, Rule 11. [45-1] by JOSE A. PONS, granting motion to dismiss complaint [1-1] . [20-1] by defendant, granting motion for summary judgment [20-2] by defendant; this is hereby dismissed. (N) (gew) (Entered: 04/22/1998)