

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:94-cv-00162-SS**

KENNECOTT UTAH v. EPA
Assigned to: Stanley Sporkin
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 01/31/1994
Date Terminated: 09/25/1995
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

KENNECOTT UTAH COPPER CORPORATION
a Delaware corporation

represented by **Robert George Hayes**
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V.

Defendant

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

represented by **Lawrence D. Rosenberg**
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Date Filed	#	Docket Text
01/31/1994	1	COMPLAINT filed; Exhibits (9) (kk) (Entered: 02/02/1994)
01/31/1994	2	RULE 109 Certificate of disclosure of corporate affiliations and financial interests by plaintiff KENNECOTT UTAH (kk) (Entered: 02/02/1994)
01/31/1994		SUMMONSES (3) issued to federal party defendant EPA and non-parties: U.S. Attorney and U.S. Attorney General. (kk) (Entered: 02/02/1994)
03/02/1994	3	ANSWER TO THE COMPLAINT [1-1] by defendant EPA; Exhibit (kk) (Entered: 03/03/1994)

10/12/1994		SCHEDULING NOTICE: status hearing set for 10:00 10/18/94 ; (lin) (Entered: 10/12/1994)
10/18/1994	4	JOINT MEET AND CONFER REPORT PURSUANT TO L.R. 206(d) filed by plaintiff KENNECOTT UTAH and defendant EPA (kk) (Entered: 10/19/1994)
10/18/1994		STATUS HEARING before Judge Stanley Sporkin : status hearing set for 10:00 12/6/94 ; Reporter: Byrne (lin) (Entered: 10/24/1994)
12/02/1994	5	VAUGHN AFFIDAVIT of Terry Keidan by defendant EPA (mlp) (Entered: 12/05/1994)
12/02/1994	6	VAUGHN AFFIDAVIT of Eva Hoffman by defendant EPA; exhibits (5) (mlp) (Entered: 12/05/1994)
12/02/1994	7	VAUGHN AFFIDAVIT of Gregory G. Oberley by defendant EPA; exhibit (1) (mlp) (Entered: 12/05/1994)
12/05/1994	8	RULE 26(a)(1) DISCLOSURE STATEMENT filed by plaintiff KENNECOTT UTAH (mlp) (Entered: 12/06/1994)
12/05/1994	9	NOTICE OF FILING by defendant EPA of certificate of service on vaughn affidavits (ks) (Entered: 12/06/1994)
01/03/1995	10	MOTION (CONSENT) filed by plaintiff KENNECOTT UTAH for leave to file an amended complaint EXHIBIT (amended complaint) (cjp) Modified on 01/05/1995 (Entered: 01/05/1995)
01/05/1995		STATUS HEARING before Judge Stanley Sporkin : motion hearing set for 10:00 5/3/95 ; Reporter: B. Byrne (lin) (Entered: 01/06/1995)
01/13/1995	11	MOTION (UNOPPOSED) filed by defendant EPA to extend time to 1/24/95 to respond to plaintiff's amended complaint (cjp) (Entered: 01/21/1995)
01/24/1995	12	ORDER by Judge Stanley Sporkin : granting motion to extend time to 1/24/95 to respond to plaintiff's amended complaint [11-1] by EPA (N) (lin) (Entered: 01/26/1995)
01/24/1995	13	ANSWER TO PLAINTIFF'S AMENDED COMPLAINT by defendant EPA; Exhibits (8) (Fiat) SPORKIN, J. (Note: Leave to file plaintiff's amended complaint has not been granted yet) (kk) (Entered: 02/19/1995)
04/04/1995	14	CONSENT MOTION filed by plaintiff KENNECOTT UTAH for scheduling order (kk) (Entered: 04/05/1995)
04/04/1995	15	MOTION filed by plaintiff KENNECOTT UTAH for Beth S. Ginsberg (BOGLE & GATES, 1299 Pennsylvania Avenue, N.W., Suite 875, Washington, DC 20004, (202) 293-3600) to appear pro hac vice (kk) (Entered: 04/05/1995)
04/11/1995	16	NOTICE OF FILING by defendant EPA of amended vaughn affidavits of Terry Keidan, Eva Hoffman and Gregory Oberly (kk) (Entered: 04/12/1995)
04/11/1995	17	MOTION filed by plaintiff KENNECOTT UTAH for summary judgment ; exhibits (24) ; affidavit 2) (bjsp) (Entered: 04/18/1995)
04/18/1995	18	CROSS MOTION by defendant EPA for summary judgment (kk) (Entered: 04/19/1995)
04/18/1995	19	UNOPPOSED MOTION filed by defendant EPA to file a memorandum in opposition to plaintiff's motion for summary judgment and in support of defendant's cross-motion for summary judgment in excess of 45 pages ; EXHIBIT (MEMORANDUM IN OPPOSITION TO KENNECOTT'S MOTION FOR SUMMARY JUDGMENT AND IN SUPPORT OF EPA'S CROSS-MOTION FOR SUMMARY JUDGMENT) (kk) (Entered: 04/19/1995)
04/18/1995	20	ORDER by Judge Stanley Sporkin : granting motion for Beth S. Ginsberg (BOGLE & GATES, 1299 Pennsylvania Avenue, N.W., Suite 875, Washington, DC 20004, (202) 293-3600) to appear pro hac vice [15-1] by KENNECOTT UTAH (N) (lin) (Entered: 04/19/1995)

04/19/1995	21	NOTICE OF FILING by defendant EPA of additional slip opinion cited in defendant's memorandum in opposition to plaintiff's motion for summary judgment, and in support of defendant's cross-motion for summary judgment (kk) (Entered: 04/20/1995)
04/20/1995	22	SCHEDULING ORDER by Judge Stanley Sporkin granting motion for scheduling order [14-1] by KENNECOTT UTAH motion for summary judgment by KENNECOTT due 4/11/95 ; response by EPA due 4/18/95; and reply by KENNECOTT due 4/25/95 ; cross motion for summary judgment by EPA due 4/18/95 ; response by KENNECOTT due 4/25/95 ; and reply by EPA due 4/28/95 (N) (jaw) (Entered: 04/21/1995)
04/25/1995	23	REPLY by plaintiff KENNECOTT UTAH in support of their motion for summary judgment [17-1]; supplemental declaration (1) (bjsp) (Entered: 04/25/1995)
04/25/1995	24	RESPONSE by plaintiff KENNECOTT UTAH in opposition to cross motion for summary judgment [18-1] by EPA .; supplemental declaration (1) (bjsp) (Entered: 04/25/1995)
04/26/1995	25	ORDER by Judge Stanley Sporkin : granting motion to file a memorandum in opposition to plaintiff's motion for summary judgment and in support of defendant's cross-motion for summary judgment in excess of 45 pages [19-1] by EPA (N) (lin) (Entered: 04/27/1995)
04/26/1995	27	MEMORANDUM by defendant EPA in opposition to motion for summary judgment [17-1] by plaintiff KENNECOTT UTAH; Exhibits (4) (kk) (Entered: 05/01/1995)
04/26/1995	28	MEMORANDUM by defendant EPA in support of its cross-motion for summary judgment [18-1]; Exhibits (4) (kk) (Entered: 05/01/1995)
04/28/1995	26	UNOPPOSED MOTION filed by defendant EPA to file a reply memorandum in excess of the twenty-five page limitation ; EXHIBIT (REPLY MEMORANDUM IN SUPPORT OF EPA'S CROSS-MOTION FOR SUMMARY JUDGMENT) (kk) (Entered: 05/01/1995)
05/09/1995		CASE REFERRED to Mag. Judge Deborah A. Robinson for settlement negotiations (mbd) (Entered: 05/10/1995)
05/09/1995		MOTION HEARING before Judge Stanley Sporkin Reporter: B. Byrne (lin) (Entered: 05/11/1995)
05/16/1995	29	MEMORANDUM AND ORDER re referral of case to Magistrate Judge Robinson by Judge Stanley Sporkin : (lin) (Entered: 05/17/1995)
05/22/1995		STATUS HEARING before Mag. Judge Deborah A. Robinson : Reporter: ERO (bh) (Entered: 05/22/1995)
06/20/1995	30	REPORT AND RECOMMENDATION of Mag. Judge Deborah A. Robinson (N) (bh) Modified on 06/28/1995 (Entered: 06/20/1995)
06/20/1995		CASE referral ended Mag. Judge Deborah A. Robinson (pao) (Entered: 07/31/1995)
06/27/1995	31	OBJECTIONS by plaintiff KENNECOTT UTAH to Magistrate Robinson's report & recommendation [30-1] (bjsp) (Entered: 06/28/1995)
06/27/1995	32	MOTION filed by plaintiff KENNECOTT UTAH for reconsideration of Magistrate Robinson's recommendations in this case [30-1] (bjsp) Modified on 06/28/1995 (Entered: 06/28/1995)
06/28/1995	33	ORDER directing parties to file any opposition to report and recommendation of Magistrate Judge Robinson within 15 days by Judge Stanley Sporkin : (N) (lin) (Entered: 07/05/1995)
07/10/1995	34	MEMORANDUM in response to KENNECOTT'S objections to Magistrate Judge Robinson's recommendations and motion for reconsideration (bjsp) (Entered: 07/11/1995)
07/18/1995	35	REPLY by plaintiff KENNECOTT UTAH in support of their objections to Magistrate Robinson's recommendations [31-1] (bjsp) (Entered: 07/19/1995)

07/28/1995		MOTION HEARING before Judge Stanley Sporkin taken under advisement by EPA cross motion for summary judgment [18-1] Reporter: B. Byrne (lin) (Entered: 07/31/1995)
09/01/1995	36	NOTICE OF FILING by defendant EPA to the Court pursuant to Judge Sporkin's request at oral argument on 7/28/95 of copies of confidentiality provisions contained in the standard contract signed by EPA contractors engaged in site analysis for EPA and contained in the Hazard Ranking System Work Assignments. (bjsp) (Entered: 09/05/1995)
09/11/1995	37	MEMORANDUM AND ORDER by Judge Stanley Sporkin : granting motion for summary judgment [18-1] by EPA; denying motion of plaintiff for attorney fees. (N) (lin) (Entered: 09/12/1995)
09/21/1995	38	MOTION filed by plaintiff KENNECOTT UTAH for reconsideration of order [37-1] pursuant to rule 60 (b) ; exhibits (4) (tw) (Entered: 09/22/1995)
10/02/1995	39	MOTION (UNOPPOSED) filed by defendant EPA to extend time to 10/16/95 to file response to Kennecott's motion to reconsider decision pursuant to Rule 60(b) (tw) Modified on 10/03/1995 (Entered: 10/03/1995)
10/03/1995	40	ORDER by Judge Stanley Sporkin : granting motion to extend time to 10/16/95 to file response to Kennecott's motion to reconsider decision pursuant to Rule 60(b) [39-1] by EPA response to motion(s) due by 10/16/95 ; (N) (lin) (Entered: 10/05/1995)
10/16/1995	41	(UNOPPOSED) MOTION filed by defendant EPA to extend time to 10/18/95 to file response to Kennecott's motion to reconsider decision pursuant to rule 60 (b) (tw) Modified on 10/17/1995 (Entered: 10/17/1995)
10/18/1995	42	MEMORANDUM by defendant EPA in opposition to Kennecott's motion for reconsideration of order [37-1] pursuant to rule 60 (b) [38-1]; exhibits (2) (tw) (Entered: 10/19/1995)
10/18/1995	43	ORDER by Judge Stanley Sporkin : granting motion to extend time to 10/18/95 to file response to Kennecott's motion to reconsider decision pursuant to rule 60 (b) [41-1] by EPA response to motion(s) due by 10/18/95 ; (N) (lin) (Entered: 10/24/1995)
10/25/1995	44	ORDER denying motion of plaintiff for reconsideration by Judge Stanley Sporkin : (N) (lin) (Entered: 10/25/1995)
10/25/1995	45	REPLY by plaintiff KENNECOTT UTAH regarding motion for reconsideration of Magistrate Robinson's recommendations in this case [30-1] [32-1] (tw) (Entered: 10/26/1995)