

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:93-cv-02086-PLF**

CUCCI v. DEA, et al  
Assigned to: Judge Paul L. Friedman  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/08/1993  
Date Terminated: 12/27/1994  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**VICTOR CUCCI**

represented by **Bernard Fensterwald , III**  
1611 North Kent Street  
Suite 800  
Arlington, VA 22209  
(703) 599-4791  
Fax: 703-421-6141  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**DRUG ENFORCEMENT  
ADMINISTRATION**

represented by **Suzanne Claire Nyland**  
U.S. ATTORNEY'S OFFICE  
Judiciary Center Building  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 252-6751  
Email: [suzanne.c.nyland@usdoj.gov](mailto:suzanne.c.nyland@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**FEDERAL BUREAU OF  
INVESTIGATION**

represented by **Suzanne Claire Nyland**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**US MARSHAL SERVICE**

represented by **Suzanne Claire Nyland**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. DEPARTMENT OF JUSTICE**

represented by **Suzanne Claire Nyland**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**EXECUTIVE OFFICE FOR UNITED  
STATES ATTORNEY**

represented by **Suzanne Claire Nyland**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

## US CUSTOMS SERVICE

represented by **Suzanne Claire Nyland**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/08/1993	1	COMPLAINT filed; exhibits (8). (bm) (Entered: 10/12/1993)
10/08/1993		SUMMONS (8) issued to federal parties defendants DEA, FBI, U.S. MARSHAL SERVICE, DOJ, EXEC OFC OF US ATTY, U.S. CUSTOMS SERVICE , and non-parties: U.S. Attorney and U.S. Attorney General. (bm) (Entered: 10/12/1993)
11/05/1993	2	PETITION by plaintiff VICTOR CUCCI for temporary restraining order , and for preliminary injunction , and for expedited treatment ; Exhibits (2) (ks) (Entered: 11/08/1993)
11/10/1993		MOTION HEARING for TEMPORARY RESTRAINING ORDER before Judge Thomas F. Hogan HEARD AND DENIED. Reporter: Anneliese Thomson (gew) (Entered: 11/12/1993)
11/12/1993	3	MOTION filed by defendants to extend time to 11/15/93 within which to answer, move or otherwise respond to the complaint (bm) (Entered: 11/15/1993)
11/12/1993	4	ORDER by Judge Thomas F. Hogan : PRELIMINARY INJUNCTION HEARING SET FOR 12/22/93 at 10:00 am (N) (gew) (Entered: 11/15/1993)
11/15/1993	5	ANSWER for defendants DEA, FBI, DOJ, U.S. MARSHAL SERVICE, U.S. CUSTOMS SERVICE to the complaint. (bm) (Entered: 11/16/1993)
11/15/1993	6	MOTION filed by defendant EXEC OFC OF US ATTY to dismiss for lack of subject matter jurisdiction ; exhibits (4). (bm) (Entered: 11/16/1993)
11/16/1993	7	ORDER by Judge Thomas F. Hogan : granting defendants' motion to extend time to 11/15/93 within which to answer, move or otherwise respond to the complaint [3-1] (N) (jjc) (Entered: 11/16/1993)
12/01/1993	8	RESPONSE by plaintiff VICTOR CUCCI in opposition to motion to dismiss for lack of subject matter jurisdiction [6-1] by EXEC OFC OF US ATTY; Exhibits (2) (ks) (Entered: 12/02/1993)
12/06/1993	9	REPLY by defendants to response to motion to dismiss for lack of subject matter jurisdiction [6-1] by EXEC OFC OF US ATTY (ks) (Entered: 12/07/1993)
12/06/1993	10	NOTICE OF FILING by plaintiff VICTOR CUCCI re: reply to defendant's motion to dismiss (ks) (Entered: 12/07/1993)
12/23/1993		STATUS HEARING before Judge Thomas F. Hogan : Reporter: Anneliese Thomson (gew) (Entered: 12/23/1993)
01/03/1994	11	STIPULATED ORDER by Judge Thomas F. Hogan : defendants dispositive motions pertaining to a Vaughn index due by 3/15/94 , and case is stayed as to DEA, FBI, U.S. MARSHAL SERVICE, DOJ, U.S. CUSTOMS SERVICE until 2/1/94 (N) (ks) (Entered: 01/05/1994)
01/21/1994	12	ORDER by Judge Thomas F. Hogan : granting motion to dismiss [6-1] by EXEC OFC OF US ATTY status hearing set for 9:15 4/5/94 ; (N) (ks) (Entered: 01/24/1994)
03/15/1994	13	MOTION filed by defendants to extend time to 3/22/94 to file a dispositive motion related to Vaughn indices in this Freedom of Information Act case (ks) (Entered: 03/16/1994)
03/16/1994	14	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 3/22/94 to file a dispositive motion related to Vaughn indices in this Freedom of Information Act case [13-1] (N) (ks) (Entered: 03/17/1994)
04/06/1994	15	ORDER by Judge Thomas F. Hogan : defendant's dispositive motions due 6/1/94 ; response to dispositive motions due 6/21/94 ; reply to dispositive motions due 7/1/94 ; status hearing set for 9:30 7/18/94 ; (N) (ks) (Entered: 04/06/1994)

06/01/1994	16	MOTION filed by defendants to extend time to 6/2/94 to file their motion for summary judgment (ks) (Entered: 06/02/1994)
06/02/1994	17	MOTION filed by defendants for summary judgment ; Exhibits (6) (Bulky) (ks) (Entered: 06/03/1994)
06/03/1994	18	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 6/2/94 to file motion for summary judgment [16-1] by defendants (N) (bm) (Entered: 06/03/1994)
06/23/1994	19	MOTION filed by plaintiff VICTOR CUCCI to strike certain portions of the Affidavit of Karen A. Kuhn filed with defendant's motion for summary judgment [17-1] (ks) (Entered: 06/24/1994)
06/23/1994	20	RESPONSE by plaintiff VICTOR CUCCI in opposition to motion for summary judgment [17-1] by defendants. (ks) (Entered: 06/24/1994)
06/23/1994	21	CROSS MOTIONS by plaintiff VICTOR CUCCI for summary judgment ; Exhibits (4); Declaration (1) (ks) (Entered: 06/24/1994)
06/30/1994	22	MOTION filed by defendant to extend time to 7/15/94 to file their reply to plaintiff's opposition to defendants' motion for summary judgment. (tth) (Entered: 07/01/1994)
07/01/1994	23	REASSIGNMENT OF CIVIL CASE from Judge Hogan to Judge Paul L. Friedman by direction of the Calendar Committee. Emergency matters will continue to be handled by Judge Hogan until Judge Friedman takes the oath of office. (N) (bm) (Entered: 07/05/1994)
07/07/1994	24	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 7/15/94 to file their reply to plaintiff's opposition to defendants' motion for summary judgment, opposition to plaintiff's motion to strike and reply to opposition to defendants' cross-motion for summary judgment. [22-1] by defendants (N) (bm) (Entered: 07/07/1994)
07/15/1994	25	MOTION filed by defendants to extend time to 7/19/94 to file their reply to plaintiff's opposition to defendants' motion for summary judgment and their opposition to plaintiff's motion to strike and plaintiff's cross-motion for summary judgment (ks) (Entered: 07/18/1994)
07/19/1994	26	MOTION filed by defendants to extend time to 8/2/94 to file their reply to their motion for summary judgment and opposition to plaintiff's cross-motion for summary judgment (ks) (Entered: 07/20/1994)
07/19/1994	27	RESPONSE by defendants in opposition to motion to strike certain portions of the Affidavit of Karen A. Kuhn filed with defendant's motion for summary judgment [17-1] [19-1] by VICTOR CUCCI; Exhibit (1) (ks) (Entered: 07/20/1994)
07/20/1994	28	ORDER by Judge THOMAS F. HOGAN : granting motion to extend time to 7/19/94 to file their reply to plaintiff's opposition to defendants' motion for summary judgment and their opposition to plaintiff's motion to strike and plaintiff's cross-motion for summary judgment [25-1] by defendantsssss (N) (gew) (Entered: 07/21/1994)
07/22/1994	29	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 8/2/94 to file their reply to their motion for summary judgment and opposition to plaintiff's cross-motion for summary judgment [26-1] by defendants (N) (ks) (Entered: 07/25/1994)
08/02/1994	30	RESPONSE by defendants in opposition to cross motion for summary judgment [21-1] by VICTOR CUCCI; exhibits (7). (tth) Modified on 08/03/1994 (Entered: 08/03/1994)
08/02/1994	31	REPLY by defendants to response to motion for summary judgment [17-1] by defendants; exhibits (7). (tth) (Entered: 08/03/1994)
08/17/1994	32	MOTION filed by plaintiff VICTOR CUCCI to extend time to 8/26/94 to file his final reply to the motion for summary judgment (ks) (Entered: 08/18/1994)
08/19/1994	33	ORDER by Judge Paul L. Friedman : granting motion to extend time to 8/26/94 to file his final reply to the motion for summary judgment [32-1] by VICTOR CUCCI (N) (ks) (Entered: 08/19/1994)

08/26/1994	34	REPLY by plaintiff VICTOR CUCCI to response to cross motion for summary judgment [21-1] by VICTOR CUCCI, motion to strike certain portions of the Affidavit of Karen A. Kuhn filed with defendant's motion for summary judgment [17-1] [19-1] by VICTOR CUCCI; attachment (1). (tth) (Entered: 08/29/1994)
10/18/1994		SCHEDULING NOTICE: motion hearing set for 9:00 11/7/94 (bm) (Entered: 10/18/1994)
10/18/1994		STATUS CONFERENCE before Judge Paul L. Friedman : motion hearing set for 9:00 11/7/94 Reporter: Santa Zizzo (bm) (Entered: 10/19/1994)
10/19/1994	35	ORDER by Judge Paul L. Friedman: confirming motion hearing set at the 10/18/94 status conference. (N) (bm) (Entered: 10/19/1994)
11/07/1994		MOTION HEARING before Judge Paul L. Friedman by VICTOR CUCCI cross motion for summary judgment [21-1] taken under advisement; by VICTOR CUCCI motion to strike certain portions of the Affidavit of Karen A. Kuhn filed with defendant's motion for summary judgment [17-1] [19-1] taken under advisement; by defendant's motion for summary judgment [17-1] taken under advisement; if the Court has not ruled on the above motions by 11/30/94, the parties shall file a joint motion suggesting an alternative schedule. Reporter: Santa Zizzo (bm) (Entered: 11/07/1994)
12/27/1994	36	OPINION by Judge Paul L. Friedman (N) (ks) (Entered: 12/27/1994)
12/27/1994	37	ORDER by Judge Paul L. Friedman : denying cross motion for summary judgment [21-1] by VICTOR CUCCI, denying motion to strike certain portions of the Affidavit of Karen A. Kuhn filed with defendant's motion for summary judgment [17-1] [19-1] by VICTOR CUCCI, granting motion for summary judgment [17-1] by defendant's dismissing case with prejudice; judgment is entered in defendant's favor (N) (ks) (Entered: 12/27/1994)