

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:93-cv-01647-TPJ**

CEI WASHINGTON BUR., et al v. HEALTH CARE  
FIN/ADM., et al  
Assigned to: Judge Thomas Penfield Jackson  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 08/10/1993  
Date Terminated: 10/18/1996  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**CEI WASHINGTON BUREAU, INC.**

represented by **Michael G. Kovaka**  
COOLEY, LLP  
5225 Pooks Hill Road  
Suite 401N  
Bethesda, MD 20814  
(202) 246-334  
Email: [mkovaka@cooley.com](mailto:mkovaka@cooley.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Jonathan D. Hart**  
NATIONAL PUBLIC RADIO, INC.  
1111 North Capitol Street, NE  
Washington, DC 20002  
(202) 513-2044  
Fax: (202) 513-3329  
Email: [jhart@dowlohn.com](mailto:jhart@dowlohn.com)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**ELLIOT G. JASPIN**

represented by **Michael G. Kovaka**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Jonathan D. Hart**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**HEALTH CARE FINANCING  
ADMINISTRATION**

represented by **Edith S. Marshall**  
HMS  
13333 H Street, NW  
Suite 600 West  
Washington, DC 20005  
(202) 448-2027  
Fax: (202) 448-2032  
Email: [edith.marshall@hms.com](mailto:edith.marshall@hms.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**DEPARTMENT OF HEALTH &  
HUMAN SERVICES**

V.

**Intervenor Defendant****AMERICAN MEDICAL  
ASSOCIATION**represented by **Mark Edmonde Haddad**  
SIDLEY & AUSTIN, LLP  
555 West Fifth Street  
Los Angeles, CA 90013  
(213) 896-6604  
Fax: (213) 896-6600  
Email: [mhaddad@sidley.com](mailto:mhaddad@sidley.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
08/10/1993	1	COMPLAINT filed; attachments (3) (kmk) (Entered: 08/20/1993)
08/10/1993	2	RULE 109 Certificate of disclosure of corporate affiliations and financial interests by plaintiff(s) CEI WASHINGTON BUR., plaintiff(s) ELLIOT G. JASPIN (kmk) (Entered: 08/20/1993)
08/10/1993		SUMMONS issued non-parties: U.S. Attorney and U.S. Attorney General. (kmk) (Entered: 08/20/1993)
08/19/1993	3	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney on 8/10/93 (kmk) (Entered: 08/20/1993)
08/19/1993	4	RETURN OF SERVICE/AFFIDAVIT executed upon defendant HEALTH CARE FIN/ADM. on 8/11/93 (kmk) (Entered: 08/20/1993)
08/19/1993	5	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney General on 8/13/93 (kmk) (Entered: 08/20/1993)
08/20/1993		SUMMONS issued for defendant HEALTH CARE FIN/ADM. (kmk) (Entered: 08/20/1993)
09/09/1993	6	ATTORNEY APPEARANCE for defendant HEALTH CARE FIN/ADM. by Edith Sophia Marshall (kmk) (Entered: 09/13/1993)
09/09/1993	7	MOTION filed by defendant HEALTH CARE FIN/ADM. to extend time to 9/10/93 to respond to plaintiffs' complaint (kmk) (Entered: 09/13/1993)
09/10/1993	8	ANSWER for defendant HEALTH CARE FIN/ADM. (kmk) (Entered: 09/13/1993)
09/10/1993		CALENDARED (kmk) (Entered: 09/13/1993)
09/15/1993	9	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 9/10/93 to respond to plaintiffs' complaint [7-1] by HEALTH CARE FIN/ADM. answer due 9/10/93 (N) (cjp) (Entered: 09/17/1993)
09/17/1993	10	MOTION filed by plaintiff(s) CEI WASHINGTON BUR., plaintiff(s) ELLIOT G. JASPIN for vaughn index (kmk) (Entered: 09/20/1993)
09/30/1993	11	MOTION filed by plaintiffs CEI WASHINGTON BUR., ELLIOT G. JASPIN for leave to file to amend to the complaint ; EXHIBIT (Amended Complaint) (pob) (Entered: 10/01/1993)
10/01/1993	12	MOTION filed by defendant HEALTH CARE FIN/ADM. to extend time to 10/8/93 within which to oppose plaintiffs' motion for vaughn index (pob) (Entered: 10/04/1993)
10/05/1993	13	ORDER by Judge Thomas P. Jackson: granting motion for leave to file to amend to the complaint [11-1] by ELLIOT G. JASPIN, CEI WASHINGTON BUR. (N) (pob) (Entered: 10/07/1993)
10/05/1993	14	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 10/8/93 within which to oppose plaintiffs' motion for vaughn index [12-1] by HEALTH

		CARE FIN/ADM. (N) (pob) (Entered: 10/07/1993)
10/05/1993	15	AMENDED COMPLAINT by plaintiff(s) CEI WASHINGTON BUR., plaintiff(s) ELLIOT G. JASPIN adding DEPT. HEALTH & HUMAN (pob) (Entered: 10/07/1993)
10/08/1993	16	RESPONSE by defendant HEALTH CARE FIN/ADM., defendant DEPT. HEALTH & HUMAN in opposition to motion for vaughn index [10-1] by ELLIOT G. JASPIN, CEI WASHINGTON BUR. . ; attachment (1) (kmk) (Entered: 10/12/1993)
10/12/1993		SUMMONS issued to federal party(s) defendant DEPT. HEALTH & HUMAN SERVICES–Richard M. Friedman , and non–parties: U.S. Attorney. (kmk) (Entered: 10/14/1993)
10/18/1993		STATUS HEARING before Judge Thomas P. Jackson : status hearing set for 9:30 12/16/93 ;defendant to file motion for summary judgment within 30 days. Reporter: Marilyn Young (rew) (Entered: 10/18/1993)
10/26/1993	17	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney on 10/13/93 (kmk) (Entered: 10/27/1993)
10/26/1993	18	RETURN OF SERVICE/AFFIDAVIT executed upon defendant DEPT. HEALTH & HUMAN on 10/18/93 (kmk) (Entered: 10/27/1993)
11/17/1993	19	MOTION filed by defendant HEALTH CARE FIN/ADM., defendant DEPT. HEALTH & HUMAN to extend time to 11/29/93 within which to file a dispositive motion (pob) (Entered: 11/18/1993)
11/19/1993	20	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 11/29/93 within which to file a dispositive motion [19-1] by DEPT. HEALTH & HUMAN, HEALTH CARE FIN/ADM. (N) (rew) (Entered: 11/19/1993)
11/29/1993	21	MOTION filed by defendant HEALTH CARE FIN/ADM., defendant DEPT. HEALTH & HUMAN to dismiss , , or in the alternative for summary judgment ; attachments (clv) (Entered: 11/30/1993)
12/09/1993	22	MOTION filed by plaintiff(s) CEI WASHINGTON BUR. to extend time to 12/20/93 oppose defendants' motion to dismiss or in the alternative for summary judgment (kmk) (Entered: 12/10/1993)
12/13/1993	23	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 12/20/93 oppose defendants' motion to dismiss or in the alternative for summary judgment [22-1] by CEI WASHINGTON BUR. (N) (rew) (Entered: 12/14/1993)
12/20/1993	24	CROSS MOTIONS by plaintiff(s) CEI WASHINGTON BUR., plaintiff(s) ELLIOT G. JASPIN for summary judgment ; attachments (clv) (Entered: 12/21/1993)
01/04/1994	25	MOTION filed by defendant HEALTH CARE FIN/ADM., defendant DEPT. HEALTH & HUMAN to extend time to 1/14/94 to reply to plaintiffs' opposition to defendants' motion for summary judgment (kmk) Modified on 01/27/1994 (Entered: 01/05/1994)
01/04/1994	26	RESPONSE by defendant HEALTH CARE FIN/ADM., defendant DEPT. HEALTH & HUMAN in opposition to cross motion for summary judgment [24-1] by ELLIOT G. JASPIN, CEI WASHINGTON BUR. . (kmk) (Entered: 01/05/1994)
01/05/1994	27	ORDER by Judge Thomas P. Jackson granting defendants motion for enlargement of time to 1-14-94 to file a memorandum of points and authorities in reply to plaintiffs opposition to defendants motion for summary judgment and in opposition to plaintiffs cross-motion for summary judgment. (N) (rew) (Entered: 01/07/1994)
01/14/1994	28	MOTION filed by defendant HEALTH CARE FIN/ADM., defendant DEPT. HEALTH & HUMAN to extend time to 1/18/94 to reply to plaintiff's opposition to defendants' motion for summary judgment. (kmk) (Entered: 01/21/1994)
01/14/1994	29	RESPONSE by defendant HEALTH CARE FIN/ADM., defendant DEPT. HEALTH & HUMAN in opposition to plaintiff's cross motion for summary judgment [24-1] by ELLIOT G. JASPIN, CEI WASHINGTON BUR. . (kmk) (Entered: 01/21/1994)

01/21/1994	32	RESPONSE by defendant HEALTH CARE FIN/ADM., defendant DEPT. HEALTH & HUMAN in opposition to motion for summary judgment [21-2] by DEPT. HEALTH & HUMAN, HEALTH CARE FIN/ADM. . (kmk) (Entered: 02/03/1994)
01/21/1994	33	REPLY by defendant HEALTH CARE FIN/ADM., defendant DEPT. HEALTH & HUMAN in support of motion to dismiss , [21-1] by DEPT. HEALTH & HUMAN, HEALTH CARE FIN/ADM.; exhibit (1) (kmk) (Entered: 02/03/1994)
01/26/1994	30	ORDER by Judge Thomas P. Jackson : granting motion to extend time,nunc pro tunc, to 1/18/94 to reply to plaintiff's opposition to defendants' motion for summary judgment. [28-1] by DEPT. HEALTH & HUMAN, HEALTH CARE FIN/ADM. (N) (rew) (Entered: 01/27/1994)
01/31/1994	31	MOTION (unopposed) filed by plaintiff(s) CEI WASHINGTON BUR., plaintiff(s) ELLIOT G. JASPIN to extend time to 2/4/94 to file a reply memorandum (kmk) (Entered: 02/01/1994)
02/02/1994	34	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 2/4/94 to file a reply memorandum [31-1] by ELLIOT G. JASPIN, CEI WASHINGTON BUR. (N) (rew) (Entered: 02/03/1994)
02/04/1994	35	REPLY by plaintiff(s) CEI WASHINGTON BUR., plaintiff(s) ELLIOT G. JASPIN to response to cross motion for summary judgment [24-1] by ELLIOT G. JASPIN, CEI WASHINGTON BUR.; attachments (2) (clv) (Entered: 02/07/1994)
02/10/1994	36	SUPPLEMENTARY MEMORANDUM by defendant (clv) (Entered: 02/14/1994)
02/24/1994		MOTION HEARING before Judge Thomas P. Jackson , cross-motions for summary judgment heard and granted in part, status hearing set for 9:30 3/2/94 ; Reporter: Marilyn Young (rew) (Entered: 02/24/1994)
03/02/1994		STATUS HEARING before Judge Thomas P. Jackson : status hearing set for 9:30 4/18/94 ; Reporter: Marilyn Young (rew) (Entered: 03/02/1994)
03/02/1994	37	ORDER by Judge Thomas P. Jackson : denying cross motion for summary judgment [24-1], solely with respect to plaintiffs claim of entitlement to a fee waiver, by ELLIOT G. JASPIN, CEI WASHINGTON BUR., granting motion for summary judgment [21-2] by DEPT. HEALTH & HUMAN, HEALTH CARE FIN/ADM., with instructions and orders to counsel. (N) (rew) (Entered: 03/02/1994)
03/18/1994	38	TRANSCRIPT of proceedings filed for date of 2/24/94. Reporter: M. Young (clv) (Entered: 03/21/1994)
03/18/1994	39	TRANSCRIPT of proceedings filed for date of 3/2/94. Reporter: M. Young (clv) (Entered: 03/21/1994)
04/18/1994		STATUS HEARING before Judge Thomas P. Jackson : status hearing set for 9:30 5/18/94 ; Reporter: Marilyn Young (rew) (Entered: 04/19/1994)
06/14/1994		SCHEDULING NOTICE: status hearing set for 9:30 7/8/94 (pob) (Entered: 06/15/1994)
09/20/1994		SCHEDULING NOTICE: status hearing set for 9:30 9/15/94 ; (rew) (Entered: 09/20/1994)
12/09/1994		SCHEDULING NOTICE: status hearing set for 2/28/95 ; (rew) (Entered: 12/09/1994)
02/28/1995		SCHEDULING NOTICE: status hearing set for 9:30 4/5/95 ; (rew) (Entered: 02/28/1995)
04/04/1995	40	STATUS REPORT by defendant HEALTH CARE FIN/ADM., defendant DEPT. HEALTH & HUMAN (tth) (Entered: 04/05/1995)
04/05/1995		STATUS HEARING before Judge Thomas P. Jackson : plaintiff to supplement dispositive motion within 30 days and defendant has 30 days to reply. Reporter: P. Merana (rew) (Entered: 04/05/1995)
04/21/1995	41	TRANSCRIPT of Proceedings before Judge Thomas P. Jackson filed for date(s) of April 5, 1995. Reporter: Phyllis Merana (tth) (Entered: 04/24/1995)

05/03/1995	42	MOTION (Unopposed) filed by plaintiff CEI WASHINGTON BUR., plaintiff ELLIOT G. JASPIN to extend time to 5/19/95 within which to file a motion for partial summary judgment (pob) (Entered: 05/04/1995)
05/04/1995	43	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 5/19/95 within which to file a motion for partial summary judgment [42-1] by ELLIOT G. JASPIN, CEI WASHINGTON BUR. motion for summary judgment due by 5/19/95 ; (N) (rew) (Entered: 05/05/1995)
05/19/1995	44	MOTION filed by plaintiff CEI WASHINGTON BUR., plaintiff ELLIOT G. JASPIN for partial summary judgment ; exhibits (19); declaration (1); affidavits (2). (tth) (Entered: 05/22/1995)
06/19/1995	45	MOTION filed by defendant to extend time to 7/3/95 to file opposition to the motion for partial summary judgment (clv) (Entered: 06/20/1995)
06/19/1995	46	SUPPLEMENTAL MEMORANDUM to motion for summary judgment [21-2] by DEPT. HEALTH & HUMAN, HEALTH CARE FIN/ADM. (clv) (Entered: 06/20/1995)
06/20/1995	47	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 7/3/95 to file opposition to the motion for partial summary judgment [45-1] by DEPT. HEALTH & HUMAN, HEALTH CARE FIN/ADM. response to motion for summary judgment due 7/3/95 ; (N) (rew) (Entered: 06/20/1995)
07/03/1995	48	MOTION filed by plaintiff CEI WASHINGTON BUR., plaintiff ELLIOT G. JASPIN to extend time to 7/7/95 to file their opposition to plaintiffs' motion for partial summary judgment, and defendants' supplemental memorandum in support of their motion for summary judgment. (tth) (Entered: 07/05/1995)
07/06/1995	49	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 7/7/95 to file their opposition to plaintiffs' motion for partial summary judgment, and defendants' supplemental memorandum in support of their motion for summary judgment. [48-1] by ELLIOT G. JASPIN, CEI WASHINGTON BUR. response to motion for summary judgment due 7/7/95 ; (N) (rew) (Entered: 07/07/1995)
07/07/1995	50	RESPONSE by defendants HEALTH CARE FIN/ADM., and DEPT. HEALTH & HUMAN to Plaintiffs' Statement of Marterial Facts as to Which There is No Genuine Issue [44-1] by ELLIOT G. JASPIN, CEI WASHINGTON BUR.; attachments (3). (tth) (Entered: 07/10/1995)
07/07/1995	51	MEMORANDUM by defendants HEALTH CARE FIN/ADM., and DEPT. HEALTH & HUMAN in opposition to motion for partial summary judgment [44-1] by ELLIOT G. JASPIN, CEI WASHINGTON BUR. (tth) (Entered: 07/10/1995)
07/07/1995	52	MEMORANDUM by defendants HEALTH CARE FIN/ADM. and DEPT. HEALTH & HUMAN in support of their motion to dismiss, [21-1]. (tth) (Entered: 07/10/1995)
07/12/1995	53	MOTION (UNOPPOSED) filed by plaintiff CEI WASHINGTON BUR., plaintiff ELLIOT G. JASPIN to extend time to 8/7/95 to file a reply memorandum in support of their motion for partial summary judgment (dam) Modified on 07/14/1995 (Entered: 07/13/1995)
07/18/1995	54	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 8/7/95 to file a reply memorandum in support of their motion for partial summary judgment [53-1] by ELLIOT G. JASPIN, CEI WASHINGTON BUR. (N) (rew) (Entered: 07/18/1995)
08/07/1995	55	REPLY by plaintiffs CEI WASHINGTON BUR. and ELLIOT G. JASPIN in support of their motion for partial summary judgment; [44-1]; oral argument requested; affidavit (1). (tth) (Entered: 08/08/1995)
08/30/1995	56	NOTICE OF PUBLICATION by plaintiff CEI WASHINGTON BUR., plaintiff ELLIOT G. JASPIN; exhibits (5). (tth) (Entered: 08/31/1995)
09/15/1995	57	MOTION filed for AMERICAN MED. ASSN. to intervene ; exhbits (2). (tth) (Entered: 09/18/1995)
11/07/1995	58	ORDER by Judge Thomas P. Jackson : granting motion for AMERICAN MED. ASSN. to intervene [57-1] (N) (rew) (Entered: 11/07/1995)

02/13/1996	59	NOTICE OF CHANGE OF ADDRESS by Jonathan David Hart representing plaintiff CEI WASH. BUREAU, plaintiff ELLIOT JASPIN. New address: Dow, Lohnes & Albertson, A Professional Limited Liability Company, 1200 New Hampshire Avenue, NW Washington, DC 20036-6802 (202) 776-2000. (tth) (Entered: 02/14/1996)
02/23/1996	60	NOTICE OF CHANGE OF ADDRESS by Michael Kovaka representing plaintiff CEI WASH. BUREAU, plaintiff ELLIOT G. JASPIN. New address: Dow, Lohnes & Albertson, A Professional Limited Liability Company, 1200 New Hampshire Avenue, N.W., Washington, DC 20036-6802, (202) 776-2000. (tth) (Entered: 02/26/1996)
10/01/1996		SCHEDULING NOTICE: motion hearing set for 10:00 11/22/96 ; before Judge Thomas P. Jackson . (rew) (Entered: 10/01/1996)
10/18/1996	61	STIPULATION filed and fiated by Judge Thomas P. Jackson of voluntary dismissal without prejudice. (N) (rew) (Entered: 10/18/1996)