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CLOSED, TYPE-I

### **U.S. District Court** District of Columbia (Washington, DC) CIVIL DOCKET FOR CASE #: 1:92-cv-02514-JHG

NARDUCCI v. FBI

Assigned to: Joyce Hens Green

Demand: \$0

Cause: 05:552 Freedom of Information Act

Date Filed: 11/06/1992 Date Terminated: 08/19/1996

Jury Demand: None

Nature of Suit: 895 Freedom of

Information Act

Jurisdiction: U.S. Government Defendant

**Plaintiff** 

FRANK NARDUCCI, JR.

represented by FRANK NARDUCCI, JR.

8301 State Road

Philadelphia, PA 19136

PRO SE

V.

**Defendant** 

FEDERAL BUREAU OF INVESTIGATION

represented by Darya Geetter

U.S. ATTORNEY'S OFFICE **Judiciary Center Building** 555 Fourth Street, NW Room 10-104 Washington, DC 20530  $(202)\ 514-7151$ 

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Patricia Daniells Carter** 

U.S. ATTORNEY'S OFFICE Judiciary Center Building 555 Fourth Street, NW Washington, DC 20530 (202) 514 - 7228TERMINATED: 09/16/1994

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Sherri Evans Harris** 

FREDDIE MAC Legal Division 8200 Jones Branch Drive M.S. 202

McLean, VA 22102 (703) 903–2680

TERMINATED: 11/01/1995

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/06/1992	1	COMPLAINT filed (kk) (Entered: 11/10/1992)
11/06/1992	2	MOTION filed by plaintiff FRANK NARDUCCI JR. for service of summons and complaint by the U.S. Marshal (kk) (Entered: 11/10/1992)
11/19/1992	3	ORDER by Judge George H. Revercomb: directing thath the Clerk of Court shall issue a summons in this action address to the United States Attorney for D.C. and shall deliver the summons and complaints to the U.S. Marshal for D. C. for personal service.

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		(N) (jwd) (Entered: 11/19/1992)
11/27/1992		SUMMONS issued for the U.S. Attorney (kk) (Entered: 11/30/1992)
12/15/1992	4	RETURN OF SERVICE of summons and complaint executed as to the U.S. Attorney (accepted by Crystal R. Garris, Secretary) on 12/10/92 by Marshal's Service (kk) (Entered: 12/16/1992)
12/18/1992	5	RETURN OF SERVICE of summons and complaint executed upon defendant FBI (signature of recipient illegible) on 12/4/92 by certified mail and upon the U.S. Attorney General (accepted by Cornelius M. Leonard) on 12/7/92 by certified mail (kk) (Entered: 12/21/1992)
01/11/1993	6	ANSWER to the complaint for defendant FBI (kk) (Entered: 01/12/1993)
01/11/1993		CALENDARED (kk) (Entered: 01/12/1993)
01/12/1993		SCHEDULING NOTICE: status hearing set for 9:15 3/22/93; (jwd) (Entered: 01/12/1993)
02/12/1993	7	MOTION filed by plaintiff FRANK NARDUCCI JR. for partial summary judgment; Exhibits (4) (kk) (Entered: 02/16/1993)
02/12/1993	8	MEMORANDUM by plaintiff FRANK NARDUCCI JR. in support of his motion for partial summary judgment [7–1] (kk) (Entered: 02/16/1993)
02/12/1993	9	MOTION filed by plaintiff FRANK NARDUCCI JR. for vaughn index (kk) (Entered: 02/16/1993)
02/18/1993	10	MOTION filed by defendant FBI for a stay of proceedings against the FBI; Declaration, Exhibits (17) (kk) (Entered: 02/19/1993)
03/01/1993	11	RESPONSE by plaintiff FRANK NARDUCCI JR. to motion by defendant FBI for a stay of proceedings against the FBI [10–1] (kk) (Entered: 03/01/1993)
03/01/1993	12	REPLY by plaintiff FRANK NARDUCCI JR. to response by defendant FBI to plaintiff's motion for partial summary judgment [7–1] (kk) (Entered: 03/01/1993)
03/22/1993		STATUS HEARING before Judge George H. Revercomb: denied without prejudice motion for a stay of proceedings against the FBI [10–1] by FBI Reporter: Bill McAllister (jwd) (Entered: 03/22/1993)
03/23/1993	13	ORDER by Judge George H. Revercomb: denying motion of defendant for stay; holding in abeyance motions of plaintiff for partial summary judgment and for a Varughn index pending the transfer of this case to Judge Joyce Hens Green; that a copy of the transcript of the March 22 status hearing be mailed together with this Order to the plaintiff. (N) (jwd) (Entered: 03/23/1993)
03/23/1993	14	TRANSCRIPT of status hearing before Judge Revercomb filed for date of 3/22/93. Reporter: W. McAllister (kk) (Entered: 03/23/1993)
03/26/1993		CASE REASSIGNED from Judge Revercomb to Judge Joyce H. Green (kk) (Entered: 03/29/1993)
05/03/1993	15	ORDER by Judge Joyce H. Green: denying motion for vaughn index [9–1] by FRANK NARDUCCI JR.; granting motion for partial summary judgment [7–1] by FRANK NARDUCCI JR.; pltf. to inform the Court by 5/20/93 when his new state trial will commence; and directing that the Court will not issue an order advising deft. when processing must be completed until the Court is in receipt of additional information regarding the criminal proceedings. (N) (jaw) (Entered: 05/03/1993)
05/04/1993	16	RENEWED MOTION filed by defendant FBI for a stay of proceedings until 5/1/94; Declaration (kk) (Entered: 05/05/1993)
05/21/1993	17	RESPONSE by plaintiff FRANK NARDUCCI, JR. to Court's Order of 5/3/93 [15–1], [15–2]; Declaration, Attachment (kk) (Entered: 05/24/1993)
05/21/1993	18	RESPONSE by plaintiff FRANK NARDUCCI, JR. to renewed motion for a stay of proceedings until 5/1/94 [16–1] by defendant FBI (kk) (Entered: 05/24/1993)

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07/30/1993	19	NOTICE OF FILING by plaintiff FRANK NARDUCCI, JR. of verified statement in support of plaintiff's response to the Court's Order of 5/3/93 [17–1]; Exhibit, Attachment (kk) (Entered: 08/02/1993)
08/20/1993	20	SUPPLEMENTAL MEMORANDUM by defendant FBI in support of its renewed motion for a stay of proceedings until 5/1/94 [16–1]; Attachment (kk) (Entered: 08/23/1993)
08/30/1993	21	REPLY by plaintiff FRANK NARDUCCI, JR. to defendant FBI'S supplemental memorandum in support of its renewed motion for a stay of proceedings until 5/1/94 [20–1] (kk) (Entered: 08/31/1993)
09/08/1993	22	ORDER by Judge Joyce H. Green: denying motion for a stay of proceedings until 5/1/94 [16–1] by FBI; defts. to process all documents by 11/1/93 and immediately turn over to pltf. those to which no exemption is invoked, and to file a Vaughn index as to those for which an exemption is asserted by 11/1/93; pltf. to file a status report every 30–days starting 9/27/93 (N) (jaw) (Entered: 09/09/1993)
09/28/1993	23	MOTION filed by defendant FBI to reconsider Court's Order of 9/8/93 to allow defendant to use the sampling techniques permitted by the Court in CA: 91–2972 (kk) (Entered: 09/29/1993)
09/29/1993	24	STATUS REPORT by plaintiff FRANK NARDUCCI, JR. (kk) (Entered: 09/29/1993)
10/12/1993	25	RESPONSE by plaintiff(s) FRANK NARDUCCI JR. in opposition to motion to reconsider Court's Order of 9/8/93 to allow defendant to use the sampling techniques permitted by the Court in CA: 91–2972 [23–1] by FBI (sm) (Entered: 10/13/1993)
10/29/1993	26	MOTION filed by defendant FBI to extend time to 11/15/93 to produce a Vaughn Index of the documents released to plaintiff pursuant to "Vaughn v. Rosen", and NOTICE of release of information to plaintiff; Attachment (kk) Modified on 11/01/1993 (Entered: 11/01/1993)
10/29/1993	27	STATUS REPORT by plaintiff FRANK NARDUCCI, JR. (kk) (Entered: 11/01/1993)
11/15/1993	28	OBJECTIONS by plaintiff FRANK NARDUCCI, JR. to motion by defendant FBI to extend time to 11/15/93 to produce a Vaughn Index of the documents released to plaintiff pursuant to "Vaughn v. Rosen" [26–1] (kk) (Entered: 11/16/1993)
11/15/1993	29	ORDER by Judge Joyce H. Green: granting motion to extend time to 11/15/93 to produce a Vaughn Index of the documents released to plaintiff pursuant to "Vaughn v. Rosen" [26–1] by FBI (N) (jaw) (Entered: 11/16/1993)
11/15/1993	30	ORDER by Judge Joyce H. Green: granting motion to reconsider Court's Order of 9/8/93 to allow defendant to use the sampling techniques permitted by the Court in CA: 91–2972 [23–1] by FBI (N) (jaw) (Entered: 11/16/1993)
11/15/1993	31	NOTICE OF FILING by defendant FBI of Vaughn Declaration and Index; Declaration, Exhibits (2) (kk) (Entered: 11/16/1993)
11/22/1993	32	MOTION filed by defendant FBI for summary judgment (kk) (Entered: 11/23/1993)
12/02/1993	33	STATUS REPORT by plaintiff FRANK NARDUCCI, JR. (kk) (Entered: 12/03/1993)
12/08/1993	34	MOTION filed by plaintiff FRANK NARDUCCI, JR. to extend time to 1/14/94 to respond to defendant's motion for summary judgment (kk) (Entered: 12/09/1993)
12/20/1993	35	ORDER by Judge Joyce H. Green: granting motion to extend time to 1/14/94 to respond to defendant's motion for judgment [34–1] by FRANK NARDUCCI JR.; response to motion for summary judgment due 1/14/94 (N) (jaw) (Entered: 12/20/1993)
01/03/1994	36	STATUS REPORT by plaintiff(s) FRANK NARDUCCI JR. (sm) (Entered: 01/05/1994)
01/21/1994	37	BRIEF by plaintiff FRANK NARDUCCI, JR. in opposition to motion for summary judgment [32–1] by defendant FBI; Verified Statements (2) (kk) (Entered: 01/25/1994)

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01/27/1994	38	REPLY by defendant FBI to response by plaintiff in opposition to defendant's motion for summary judgment [32–1] (kk) (Entered: 01/28/1994)
01/31/1994	39	STATUS REPORT by plaintiff FRANK NARDUCCI, JR. (kk) (Entered: 02/01/1994)
03/01/1994	40	STATUS REPORT by plaintiff FRANK NARDUCCI, JR. (kk) (Entered: 03/02/1994)
03/31/1994	41	STATUS REPORT by plaintiff(s) FRANK NARDUCCI JR. (sm) (Entered: 04/01/1994)
05/02/1994	42	STATUS REPORT by plaintiff FRANK NARDUCCI, JR. (kk) (Entered: 05/03/1994)
05/06/1994	43	SUPPLEMENTAL AFFIDAVIT (Copy) by plaintiff FRANK NARDUCCI, JR. in support of his memorandum in opposition to defendant's motion for summary judgment [37–1]; Exhibits (3) (kk) (Entered: 05/09/1994)
05/31/1994	44	STATUS REPORT by plaintiff FRANK NARDUCCI, JR. (kk) (Entered: 06/01/1994)
06/01/1994	45	REPLY by defendant FBI to plaintiff's supplemental affidavit in support of his memorandum in opposition to defendant's motion for summary judgment [43–1] (kk) (Entered: 06/02/1994)
06/29/1994	46	STATUS REPORT by plaintiff(s) FRANK NARDUCCI JR. (dbw) (Entered: 06/30/1994)
07/14/1994	47	MEMORANDUM OPINION AND ORDER by Judge Joyce H. Green: granting in part, denying in part motion for summary judgment [32–1]; deft. to conduct "all documents" search requested by pltf by 9/16/94 and submit its renewed motion for summary judgment due 9/16/94 (N) (jaw) (Entered: 07/15/1994)
07/14/1994	48	JUDGMENT by Judge Joyce H. Green in favor of defendant FBI against plaintiff FRANK NARDUCCI JR. (N) (jaw) (Entered: 07/15/1994)
07/29/1994	49	STATUS REPORT by plaintiff FRANK NARDUCCI, JR. (kk) (Entered: 08/01/1994)
08/29/1994	50	STATUS REPORT (Copy) by plaintiff FRANK NARDUCCI, JR. (kk) (Entered: 08/30/1994)
09/16/1994	51	SUBSTITUTION OF COUNSEL for defendant FBI, substituting Sherri Lanette Evans for attorney Patricia Daniells Carter (dbw) (Entered: 09/19/1994)
09/16/1994	52	MOTION filed by defendant FBI to extend time to 10/12/94 in which to renew motion for summary judgment (dbw) (Entered: 09/19/1994)
09/26/1994	53	ORDER by Judge Joyce H. Green: granting motion to extend time to 10/12/94 in which to renew motion for summary judgment [52–1] by FBI; motion for summary judgment due by 10/12/94 (N) (jaw) (Entered: 09/26/1994)
10/03/1994	54	STATUS REPORT (Copy) by plaintiff FRANK NARDUCCI, JR. (kk) (Entered: 10/05/1994)
10/11/1994	55	MOTION filed by plaintiff FRANK NARDUCCI, JR. for contempt; Exhibits (2) (kk) (Entered: 10/13/1994)
10/12/1994	56	RENEWED MOTION filed by defendant FBI for summary judgment; Declaration (kk) (Entered: 10/13/1994)
10/27/1994	57	MOTION filed by plaintiff FRANK NARDUCCI, JR. to extend time to 11/4/94 to respond to defendant's renewed motion for summary judgment (kk) (Entered: 10/28/1994)
10/28/1994	58	MOTION filed by defendant to extend time to 12/6/94 to respond to plaintiff's motion for contempt (ab) (Entered: 10/31/1994)
10/31/1994	59	STATUS REPORT (Copy) by plaintiff FRANK NARDUCCI, JR. (kk) (Entered: 11/03/1994)
11/08/1994	60	ORDER by Judge Joyce H. Green: granting motion nunc pro tunc to extend time to 11/4/94 to respond to defendant's renewed motion summary judgment [57–1] by FRANK NARDUCCI JR.; response to motion for summary judgment due 11/4/94; (N) (jaw) (Entered: 11/08/1994)

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11/08/1994	61	ORDER by Judge Joyce H. Green: granting motion to extend time to 12/6/94 to respond to plaintiff's motion for contempt [58–1] by FBI; response to motion(s) due by 12/6/94 (N) (jaw) (Entered: 11/08/1994)
11/10/1994	62	RESPONSE by plaintiff FRANK NARDUCCI, JR. to renewed motion for summary judgment [56–1] by defendant FBI; Appendix (kk) (Entered: 11/16/1994)
11/18/1994	63	MOTION filed by defendant FBI to extend time to 1/6/95 to reply to plaintiff's opposition to defendants' renewed motion for summary judgment (mlp) (Entered: 11/21/1994)
11/23/1994	64	ORDER by Judge Joyce H. Green: granting motion to extend time to 12/16/94 to reply to plaintiff's opposition to defendants' renewed motion for summary judgment [63–1] by FBI; reply due by 12/16/94 (N) (jaw) (Entered: 11/23/1994)
11/30/1994	65	STATUS REPORT by plaintiff FRANK NARDUCCI JR. (ks) (Entered: 12/01/1994)
12/06/1994	66	RESPONSE by defendant FBI in opposition to motion for contempt [55–1] by FRANK NARDUCCI JR (mlp) (Entered: 12/07/1994)
12/16/1994	67	MOTION filed by defendant FBI to extend time to 12/29/94 to file a reply to plaintiff's opposition to defendant's renewed motion for summary judgment (kk) (Entered: 12/21/1994)
12/19/1994	69	MEMORANDUM (Copy) by plaintiff FRANK NARDUCCI, JR. in reply to defendant's response in opposition to plaintiff's motion for contempt [55–1] (kk) (Entered: 12/26/1994)
12/21/1994	68	ORDER by Judge Joyce H. Green: granting motion to extend time to 12/29/94 to file a reply to plaintiff's opposition to defendant's renewed motion for summary judgment [67–1] by FBI; reply due by 12/29/94 (N) (jaw) (Entered: 12/21/1994)
12/29/1994	70	REPLY by defendant FBI to response by plaintiff in opposition to defendant's motion for summary judgment [56–1] (kk) (Entered: 12/30/1994)
12/30/1994	71	STATUS REPORT by plaintiff FRANK NARDUCCI JR. (cjp) (Entered: 01/05/1995)
01/31/1995	72	STATUS REPORT by plaintiff FRANK NARDUCCI JR. (cjp) (Entered: 02/04/1995)
03/02/1995	73	STATUS REPORT (COPY) by plaintiff FRANK NARDUCCI JR. (cjp) (Entered: 03/04/1995)
03/29/1995	74	STATUS REPORT by plaintiff FRANK NARDUCCI, JR. (kk) Modified on 03/29/1995 (Entered: 03/29/1995)
05/02/1995	75	STATUS REPORT (Copy) by plaintiff FRANK NARDUCCI, JR. (kk) (Entered: 05/03/1995)
06/01/1995	76	STATUS REPORT (Copy) by plaintiff FRANK NARDUCCI, JR. (kk) (Entered: 06/02/1995)
06/28/1995	77	STATUS REPORT by plaintiff FRANK NARDUCCI JR. (bjsp) (Entered: 06/29/1995)
07/28/1995	78	STATUS REPORT by plaintiff FRANK NARDUCCI JR. (bjsp) (Entered: 07/31/1995)
08/29/1995	79	STATUS REPORT by plaintiff FRANK NARDUCCI JR. pursuant to the Court's Order of September 8, 1993. (tw) (Entered: 08/30/1995)
09/22/1995	80	MEMORANDUM OPINION AND ORDER by Judge Joyce H. Green: granting in part, denying in part motion for summary judgment [56–1]; deft's renewed motion for summary judgment due 11/1/95, with opposition & reply to be filed in accordance with the time limits established by FRCP and the Local Rules; denying motion for contempt [55–1] by FRANK NARDUCCI JR. (N) (jaw) (Entered: 09/25/1995)
10/02/1995	81	STATUS REPORT by plaintiff FRANK NARDUCCI JR. pursuant to the Court's Order of September 8, 1993. (tw) (Entered: 10/03/1995)
11/01/1995	82	SUBSTITUTION OF COUNSEL for defendant FBI , substituting Darya Geetter for attorney Sherri Lanette Evans for FBI (tw) (Entered: 11/02/1995)
		attorney Sherri Lanette Evans for FBI (tw) (Entered: 11/02/1995)

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11/01/1995	83	NOTICE OF FILING by defendant FBI of in camera declaration of Robert A. Moran (tw) (Entered: 11/02/1995)
11/01/1995	84	SUPPLEMENTAL MEMORANDUM by defendant FBI in support of order deft's renewed motion for summary judgment due 11/1/95, with opposition & reply to be filed in accordance with the time limits established by FRCP and the Local Rules [80–1], order [80–2]; declaration (1); exhibits (3) (tw) (Entered: 11/02/1995)
11/17/1995	85	MEMORANDUM by plaintiff FRANK NARDUCCI JR. in opposition to defendants' renewed motion for summary judgment [56–1] (tw) (Entered: 11/20/1995)
11/28/1995	86	MOTION filed by defendant FBI to extend time to 12/11/95 in which to reply to plaintiff's opposition to defendants' renewed motion for summary judgment of November 1, 1995 (tw) (Entered: 11/29/1995)
11/29/1995	87	ORDER by Judge Joyce H. Green: granting motion to extend time to 12/11/95 in which to reply to plaintiff's to defendants' renewed motion for summary judgment of November 1, 1995 [86–1] by FBI; reply due by 12/11/95; (N) (jaw) (Entered: 11/29/1995)
12/11/1995	88	MOTION filed by defendant FBI to extend time to 12/12/95 in which to reply to plaintiff's opposition to defendants' renewed motion for summary judgment (tw) (Entered: 12/12/1995)
12/12/1995	89	ORDER by Judge Joyce H. Green: granting motion to extend time to 12/12/95 in which to reply to plaintiff's to defendants' renewed motion for summary judgment [88–1] FBI; reply due 12/12/95 (N) (jaw) (Entered: 12/13/1995)
12/12/1995	90	REPLY by defendant FBI to plaintiff's opposition to defendants' renewed motion for summary judgment [56–1] by FBI; declaration (1) (bjsp) (Entered: 12/13/1995)
12/12/1995	91	RESPONSE by defendant FBI to the Court's 9/22/95 order [80–2] (bjsp) (Entered: 12/13/1995)
02/07/1996	92	NOTICE OF CHANGE OF ADDRESS by FRANK NARDUCCI JR. representing plaintiff FRANK NARDUCCI JR New address: 8301 State Road Philadelphia PA 19136. (tw) (Entered: 02/08/1996)
08/19/1996	93	MEMORANDUM OPINION AND ORDER by Judge Joyce H. Green granting defendant's renewed motion for summary judgment; judgment shall be netered in accordance with a separate judgment issued this date (N) (jwd) (Entered: 08/19/1996)
08/19/1996	94	JUDGMENT by Judge Joyce H. Green in favor of defendant FBI against plaintiff FRANK NARDUCCI JR. (jwd) (Entered: 08/19/1996)