

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:99-cv-01094-RMU**

MAKUCH, et al v. FBI, et al  
Assigned to: Judge Ricardo M. Urbina  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/04/1999  
Date Terminated: 05/06/2005  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**BARBARA MAKUCH**

represented by **Mark S. Zaid**  
LAW OFFICE OF MARK S. ZAID, P.C.  
1250 Connecticut Avenue, NW  
Suite 200  
Washington, DC 20036  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**EUGENE MAKUCH**

represented by **Mark S. Zaid**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**STEVE W.**

represented by **Mark S. Zaid**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**FEDERAL BUREAU OF  
INVESTIGATION**

represented by **John E. Smith**  
UNITED STATES DEPARTMENT OF  
JUSTICE  
Civil Division, Federal Programs Branch  
20 Massachusetts Avenue, NW  
Washington, DC 20530  
(202) 514-1275  
Fax: (202) 616-8470  
Email: [john.smith2@usdoj.gov](mailto:john.smith2@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**CENTRAL INTELLIGENCE  
AGENCY**

**Defendant**

**U.S. DEPARTMENT OF JUSTICE**

represented by **John E. Smith**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
05/04/1999	1	COMPLAINT filed by plaintiff BARBARA MAKUCH, plaintiff EUGENE MAKUCH, plaintiff STEVE W. (tw) (Entered: 05/10/1999)
05/04/1999		SUMMONS (3) issued to federal party(s) federal defendant FBI , and non-parties: U.S. Attorney and U.S. Attorney General. (tw) (Entered: 05/10/1999)
05/04/1999	2	MOTION filed by plaintiff BARBARA MAKUCH, plaintiff EUGENE MAKUCH, plaintiff STEVE W. for leave to file their complaint in violation of Local Rule 106(e) ; declaration (UNDER SEAL) (tw) Modified on 05/11/1999 (Entered: 05/10/1999)
05/05/1999	3	ORDER by Judge Ricardo M. Urbina : granting motion for leave to file their complaint in violation of Local Rule 106(e) and further ordered that the declaration of Mark S. Zaid will be placed under seal [2-1] by STEVE W., EUGENE MAKUCH, BARBARA MAKUCH (N) (tw) (Entered: 05/10/1999)
06/03/1999	4	MOTION filed to amend complaint [1-1] by STEVE W., EUGENE MAKUCH, BARBARA MAKUCH ; EXHIBIT (amended complaint) (tw) (Entered: 06/08/1999)
06/03/1999	6	Declaration of Mark S. Zaid (tw) (Entered: 07/01/1999)
06/17/1999	5	ORDER by Judge Ricardo M. Urbina : granting motion to amend complaint [1-1] by STEVE W., EUGENE MAKUCH, BARBARA MAKUCH [4-1]; directing that the declaration of Mark S. Zaid, Esquire, submitted in support of said motion shall be placed under seal; plaintiff Omer Al Ghadi's address for purposes of this acton shall be the address of his counsel; first amended complaint will be deemed filed as of this date; defendant shall have until 7/19/99, to answer or otherwise respond to the first amended complaint.(N) (jwd) (Entered: 06/17/1999)
06/17/1999	10	AMENDED COMPLAINT by plaintiff BARBARA MAKUCH, plaintiff EUGENE MAKUCH, plaintiff STEVE W. adding federal defendant CIA, DOJ, and amending complaint [1-1]; exhibit (1) (tw) (Entered: 07/22/1999)
07/16/1999	7	MOTION filed by federal defendant FBI to strike portions of first amended complaint (st) (Entered: 07/19/1999)
07/19/1999	8	ANSWER TO COMPLAINT [1-1] by federal defendant FBI . (tw) (Entered: 07/21/1999)
07/19/1999	9	MOTION filed by federal defendant FBI to dismiss count four of the complaint in its entirety and count five in part -- the only counts in which these defendants are involved -- for plaintiff Omer Al Ghadis' failure to exhaust his administrative remedies under 5 U.S.C. and 5 U.S.C. 552a [1-1] ; attachments (21) (tw) Modified on 12/07/1999 (Entered: 07/21/1999)
07/29/1999	11	RESPONSE by federal defendant FBI, federal defendant CIA, federal defendant DOJ in opposition to defendant's motion to strike [7-1]; attachment (1) (tw) (Entered: 07/30/1999)
08/02/1999	12	RESPONSE by plaintiff BARBARA MAKUCH, plaintiff EUGENE MAKUCH, plaintiff STEVE W. in opposition to defendants' motion to dismiss [1-1] [9-1]; exhibits (2) (tw) Modified on 08/04/1999 (Entered: 08/04/1999)
08/09/1999	13	REPLY by federal defendant FBI, federal defendant CIA, federal defendant DOJ in support of their motion to strike portions of first amended complaint [7-1] by FBI (bjsp) (Entered: 08/10/1999)
08/12/1999	14	REPLY by federal defendant FBI, federal defendant CIA, federal defendant DOJ in support of defendants motion to dismiss count four of the complaint in its entirety and count five in part the only counts in which these defendants are involved for plaintiff Omer Al Ghadis' failure to exhaust his administrative remedies under 5 U.S.C. and 5 U.S.C. 552a [1-1] [9-1] by FBI ; exhibits (1) (bjsp) (Entered: 08/13/1999)

08/13/1999	15	MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 206(d) filed by plaintiff, federal defendant. (st) (Entered: 08/16/1999)
08/26/1999	<u>16</u>	ORDER by Judge Ricardo M. Urbina : status hearing set for 10:00 12/9/99 (N) (jwd) (Entered: 08/26/1999)
11/19/1999	17	ERRATA by federal defendant FBI, federal defendant CIA, federal defendant DOJ submitting declaration of Debra C. Floyd in support of defendants motion to dismiss (st) (Entered: 11/22/1999)
11/22/1999	20	RESPONSE (OPPOSITIONS) by federal defendant FBI to plaintiff's letter of November 20, 1999. (tw) (Entered: 12/11/1999)
11/22/1999	21	MEMORANDUM by federal defendant FBI in support of defendants' motion to dismiss, July 19,1999 [9-1] (tw) (Entered: 12/11/1999)
12/07/1999	18	ORDER by Judge Ricardo M. Urbina: vacating status hearing scheduled for Thursday, 12/9/99 at 10:00 a.m. and rescheduling status hearing for 9:15 1/25/00 (N) (jwd) (Entered: 12/07/1999)
12/07/1999	19	ORDER by Judge Ricardo M. Urbina : granting without prejudice motion to dismiss count four of the complaint in its entirety and count five in part -- the only counts in which these defendants are involved -- for plaintiff Omer Al-Ghadi's failure to exhaust his administrative remedies under 5 U.S.C. and 5 U.S.C. 552a [1-1] [9-1] by FBI; defendants' motion to dismiss the complaint in part without prejudice is granted; that the claim of plaintiff Omer Al-Ghadi shall and hereby dismissed without prejudice for failure to exhaust administrative remedies (N) (jwd) Modified on 01/05/2000 (Entered: 12/07/1999)
01/05/2000	22	MEMORANDUM OPINION by Judge Ricardo M. Urbina (N) (jwd) (Entered: 01/05/2000)
01/07/2000	23	MEMORANDUM OPINION by Judge Ricardo M. Urbina denying the defendant FBI's motion to strike Paragraphs 9-54 of the amended complaint (N) (jwd) (Entered: 01/07/2000)
01/07/2000	24	ORDER by Judge Ricardo M. Urbina: denying motion to strike paragraphs 9 through 54 of the first amended complaint [7-1] by FBI (N) (jwd) (Entered: 01/07/2000)
01/20/2000	25	MOTION (CONSENT) filed by federal defendant FBI, federal defendant CIA, federal defendant DOJ to extend time to 02/03/00 to answer amended complaint [10-1] (dam) (Entered: 01/21/2000)
01/27/2000	26	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 02/03/00 to answer amended complaint [10-1] [25-1] by DOJ, CIA, FBI ; Answer extended to 2/3/00 for DOJ, for CIA, for FBI (N) (jwd) (Entered: 01/27/2000)
02/02/2000	27	NOTICE OF CHANGE OF ADDRESS by Mark Steven Zaid representing plaintiff BARBARA MAKUCH, plaintiff EUGENE MAKUCH, plaintiff STEVE W. . New address: 1275 K Street, NW Suite 770, Washington DC 20005 (202) 371-6626. (cjp) (Entered: 02/03/2000)
02/04/2000	28	ORDER by Judge Ricardo M. Urbina : status hearing set for 10:30 5/2/00; granting oral motion of defendant for an extension fo time two additional days in which to answer to amended complaint; answer shall be due by 2/7/00 (N) (jwd) (Entered: 02/04/2000)
02/04/2000	29	ANSWER TO AMENDED COMPLAINT [10-1] by federal defendant FBI, federal defendant DOJ (cjp) (Entered: 02/07/2000)
05/03/2000	<u>30</u>	ORDER by Judge Ricardo M. Urbina : order vacating status hearing set for 10:30 5/2/00 and rescheduling status hearing for for 9:30 8/17/00 (N) (jwd) (Entered: 05/03/2000)
10/19/2000		STATUS HEARING before Judge Ricardo M. Urbina : (parties are to informally meet and given until 1/15/01 to work out the issue as to a remaining claim. If it becomes necessary to file a second amended complaint on the remain claim in question, such complaint is to be filed on or before 1/15/01. Reporter: William D.

		McAllister (jwd) (Entered: 10/19/2000)
10/19/2000	<u>31</u>	SCHEDULING ORDER by Judge Ricardo M. Urbina defendant shall complete production of all documents responsive to the plaintiffs' Freedom of Information Act request by 3/1/01; defendants shall produce a Vaughn index setting forth the grounds for each document withheld or redacted by 5/4/01; scheduling an interim status hearing for 10:45 5/10/01;this deadline does not apply to non-documentary materials; at next status hearing the court will set the following dates: 1) deadline for the defendants to complete production of non-documentary material; 2) deadline for the defendants to file a Vaughn index justifying any redactions mad to t he non-documentary material and 3) dates for filing of motions briefs related to the documentary materials. (N) (jwd) (Entered: 10/19/2000)
04/06/2001	32	MOTION filed by federal defendant FBI, federal defendant DOJ to revise scheduling order to produce Vaughn index and to chang interim status hearing time from 10:45 a.m. on 5/10/01 to 9:30 a.m. on 5/25/01 (jwd) Modified on 04/11/2001 (Entered: 04/11/2001)
04/10/2001	<u>33</u>	ORDER by Judge Ricardo M. Urbina : granting motion to revise scheduling order to produce Vaughn index and to change interim status hearing time from 10:45 a.m. on 5/10/01 to 9:30 a.m. on 5/25/01 [32-1] by DOJ, FBI status hearing set for 9:30 5/25/01 (N) (jwd) Modified on 04/11/2001 (Entered: 04/11/2001)
05/03/2001	<u>34</u>	ORDER by Judge Ricardo M. Urbina: vacating status hearing set for 5/25/01 and rescheduling interim status hearing for 11:00 6/14/01 (N) (jwd) Modified on 3/24/2005 (jwd) (Entered: 05/03/2001)
06/08/2001	<u>35</u>	ORDER by Judge Ricardo M. Urbina: vacating status hearing set for 6/14/01 and rescheduling it for 11:30 8/21/01 (N) (jwd) (Entered: 06/08/2001)
09/09/2002	36	NOTICE OF CHANGE OF ADDRESS by Mark Steven Zaid representing plaintiff BARBARA MAKUCH, plaintiff EUGENE MAKUCH, plaintiff STEVE W. . New address: Krieger &Zaid (The National Security Law Group), 1133 21st Street, NW, Suite 800 Washington, DC 20036 202-223-4050. (mpt) (Entered: 09/12/2002)
02/11/2003	37	NOTICE OF CHANGE OF ADDRESS by John E. Smith representing federal defendants FBI, CIA, DOJ . New address: U.S. Department Justice, Civil Division, Federal Programs Branch, 20 Masschusetts Avenue, NW., Room 7132, Washington DC 20530 (202)514-1275. (bcs) (Entered: 02/13/2003)
05/06/2005	<u>38</u>	STIPULATION <i>Of Dismissal With Prejudice</i> by FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, U.S. DEPARTMENT OF JUSTICE. (Kelhoffer, Elizabeth) (Entered: 05/06/2005)