

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:98-cv-02614**

HUGHES SPACE & COMM v. NATIONAL AERONAUTICS
Assigned to: Donald C. Pogue
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 10/28/1998
Date Terminated: 01/03/2005
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**HUGHES SPACE
& COMMUNICATIONS COMPANY**

represented by **Jerald Shropshire Howe , Jr.**
4007 Bradley Lane
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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V.

Defendant

**NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION**

represented by **Melanie Ann Pustay**
U.S. DEPARTMENT OF JUSTICE
Office of Information Policy
New York Avenue Building
Suite 11050
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Date Filed	#	Docket Text
10/28/1998	1	COMPLAINT filed by plaintiff HUGHES SPACE & COMM; exhibit (1) (tb) (Entered: 10/29/1998)
10/28/1998		SUMMONS (3) issued to federal party(s) federal defendant NATIONAL AERONAUTICS , and non-parties: U.S. Attorney and U.S. Attorney General. (tb) Modified on 10/29/1998 (Entered: 10/29/1998)
10/28/1998	2	RULE 109 Certificate of disclosure of corporate affiliations and financial interests by plaintiff HUGHES SPACE & COMM (tb) (Entered: 10/29/1998)
10/28/1998	3	MOTION filed by plaintiff HUGHES SPACE & COMM for temporary restraining order , or, in the alternative for preliminary injunction (tb) (Entered: 10/29/1998)
10/28/1998	4	MOTION filed by plaintiff HUGHES SPACE & COMM for certification of a sealed administrative record , and for a protective order (tb) (Entered: 10/29/1998)

11/03/1998	5	PROTECTIVE ORDER by Judge Thomas P. Jackson granting motion for a protective order [4-2] by HUGHES SPACE &COMM ; setting forth procedures for handling confidential material; allowing designated material to be filed under seal. (N) (rew) (Entered: 11/05/1998)
12/09/1998	6	MOTION (CONSENT) filed by federal defendant NATIONAL AERONAUTICS to set briefing schedule (tb) (Entered: 12/10/1998)
12/10/1998	7	ORDER by Judge Thomas P. Jackson directing defendant to file Motion for summary judgment and administrative record by 12/18/98 , plaintiff to file opposition and cross motion to motion for summary jgmt by 1/22/99 , and defendant to reply and opposition by 2/12/99 , and plaintiff to reply by 3-5-99. (N) (rew) (Entered: 12/11/1998)
12/18/1998	8	ADMINISTRATIVE RECORD by federal defendant NATIONAL AERONAUTICS; one volume; (FILED UNDER SEAL) (tb) Modified on 02/05/1999 (Entered: 12/22/1998)
12/18/1998	9	MOTION filed by federal defendant NATIONAL AERONAUTICS for summary judgment ; (FILED UNDER SEAL) (tb) (Entered: 12/22/1998)
01/22/1999	10	JOINT MOTION by plaintiff HUGHES SPACE &COMM, federal defendant NATIONAL AERONAUTICS to modify briefing schedule (tb) (Entered: 01/25/1999)
01/25/1999	11	ORDER by Judge Thomas P. Jackson : granting joint motion to modify briefing schedule [10-1] by NATIONAL AERONAUTICS, HUGHES SPACE &COMM, plaintiff to file opposition and cross motion to defendants motion for summary judgment by 1-29-99, and defendant to reply in support and opposition by 2/26/99, and plaintiff to reply in support by 3-23-99, motion for cross-summary judgment due 1/29/99 ; response to motion for summary judgment due 2/26/99 reply motion for summary judgment due 3/23/99 ; (N) (rew) (Entered: 01/26/1999)
01/29/1999	12	CROSS MOTIONS by plaintiff HUGHES SPACE &COMM for summary judgment ; exhibit (1); (FILED UNDER SEAL) (tb) Modified on 02/01/1999 (Entered: 02/01/1999)
01/29/1999	13	RESPONSE (OPPOSITIONS) by plaintiff HUGHES SPACE &COMM to motion for summary judgment [9-1] by NATIONAL AERONAUTICS; (FILED UNDER SEAL) (tb) Modified on 02/01/1999 (Entered: 02/01/1999)
01/29/1999	14	MOTION filed by plaintiff HUGHES SPACE &COMM to supplement the certified administrative record ; exhibits (4); (FILED UNDER SEAL) (tb) (Entered: 02/01/1999)
02/26/1999	15	MEMORANDUM by federal defendant NATIONAL AERONAUTICS in opposition to motion to supplement the certified administrative record [14-1] by HUGHES SPACE &COMM; exhibit (1); (FILED UNDER SEAL) (tb) (Entered: 03/01/1999)
02/26/1999	16	MEMORANDUM by federal defendant NATIONAL AERONAUTICS in opposition to cross motion for summary judgment [12-1] by HUGHES SPACE &COMM; exhibit (1); (FILED UNDER SEAL) (tb) Modified on 03/01/1999 (Entered: 03/01/1999)
02/26/1999	17	REPLY by federal defendant NATIONAL AERONAUTICS to response to motion for summary judgment [9-1] by NATIONAL AERONAUTICS; (FILED UNDER SEAL) (tb) (Entered: 03/01/1999)
03/24/1999	18	MEMORANDUM (reply) by plaintiff HUGHES SPACE &COMM in support of cross motion for summary judgment [12-1] by HUGHES SPACE &COMM; attachment (1). [FILED UNDER SEAL IN ROOM 1800] (kmk) Modified on 03/26/1999 (Entered: 03/26/1999)
03/24/1999	19	MEMORANDUM (reply) by plaintiff HUGHES SPACE &COMM in support of motion to supplement the certified administrative record [14-1] by HUGHES SPACE &COMM [FILED UNDER SEAL IN ROOM 1800] (kmk) (Entered: 03/26/1999)

07/13/1999	20	NOTICE OF SUPPLEMENTAL AUTHORITY by plaintiff HUGHES SPACE &COMM of the recent decision by the United States Court of Appeals for the District of Columbia Circuit in McDonnell Douglas Corp. v. NASA, No. 98-5251 (D.C. Cir. June 25, 1999); Attachment (1); (FILED UNDER SEAL) (tth) (Entered: 07/16/1999)
07/27/1999	21	NOTICE OF FILING by plaintiff HUGHES SPACE &COMM to the Court RE: final rule recently issued by NASA entitled "Availability of Agency Records"; attachments (bjsp) (Entered: 07/28/1999)
08/27/1999	22	NOTICE OF SUPPLEMENTAL AUTHORITY by federal defendant NATIONAL AERONAUTICS submitting decision for U.S Court of Appeals McDonnell Douglas v. NASA (st) Modified on 08/30/1999 (Entered: 08/30/1999)
09/10/1999	23	RESPONSE by federal defendant NATIONAL AERONAUTICS to file notice NASA's newly published final rule revising its FOIA regulations [21-1] by HUGHES SPACE &COMM (st) (Entered: 09/13/1999)
09/16/1999	24	ORDER by Judge Thomas P. Jackson : denying as moot motion for temporary restraining order [3-1] by HUGHES SPACE &COMM, denying as moot motion for preliminary injunction [3-2] by HUGHES SPACE &COMM (N) (rew) (Entered: 09/22/1999)
02/07/2000	25	RESPONSE by federal defendant NATIONAL AERONAUTICS to notice of filing of supplemental authority dated 7/13/99 [20-1] by HUGHES SPACE &COMM; attachment (1) (FILED UNDER SEAL) (cjp) Modified on 02/08/2000 (Entered: 02/08/2000)
05/04/2001	26	NOTICE OF FILING RE: letter from Loral Space Systems by federal defendant NASA; attachment (tb) (Entered: 05/07/2001)
06/11/2001	27	NOTICE OF SUPPLEMENTAL AUTHORITY by plaintiff HUGHES SPACE &COMM of the recent decision by the United States Court of Appeals for the District of Columbia Circuit in Center for Auto Safety v. Nat'l. Highway Traffic Safety Administrative. (kmk) (Entered: 06/14/2001)
07/03/2001	28	REPLY by plaintiff HUGHES SPACE &COMM to file notice of filing [26-1] by NASA (cas) (Entered: 07/06/2001)
09/27/2001	29	NOTICE OF SUPPLEMENTAL AUTHORITY by plaintiff HUGHES SPACE &COMM in MCI Worldcom, Inc. v. GSA, Civil Action Nos. 00-914 &00-915 (D.D.C. Sept. 7, 2001); Attachment (1) (tth) (Entered: 09/28/2001)
10/19/2001	30	RESPONSE (OPPOSITIONS) by federal defendant NASA to notice of supplemental authority [29-1] by HUGHES SPACE &COMM (nmr) (Entered: 10/22/2001)
01/07/2002	31	STATEMENT filed by federal defendant NASA, regarding: mail service at the Department of Justice. (nmr) (Entered: 01/08/2002)
09/17/2002	32	NOTICE OF SUPPLEMENTAL AUTHORITY by federal defendant NASA (rje) (Entered: 09/18/2002)
09/16/2004		Case Reassigned to Judge: Unassigned. Judge Thomas Penfield Jackson no longer assigned to the case. You will be notified when this case has been formally reassigned. (wes,) (Entered: 09/16/2004)
11/18/2004		Case Reassigned to Judge Donald C. Pogue of the U.S.Court of International Trade. Judge Unassigned no longer assigned to the case. (Burgess, Joe) (Entered: 11/18/2004)
11/22/2004	<u>33</u>	NOTICE of Appearance by Peter Lauck Wellington on behalf of HUGHES SPACE &COMMUNICATIONS COMPANY (Wellington, Peter) (Entered: 11/22/2004)
12/10/2004	<u>34</u>	NOTICE of Withdrawal of Appearance of Jerald Howe by HUGHES SPACE &COMMUNICATIONS COMPANY (Wellington, Peter) (Entered: 12/10/2004)

12/10/2004	<u>35</u>	SUPPLEMENTAL MEMORANDUM <i>per Court's November 22 and 29, 2004 Letters</i> filed by HUGHES SPACE & COMMUNICATIONS COMPANY. (Attachments: # <u>1</u>)(Wellington, Peter) (Entered: 12/10/2004)
12/10/2004	<u>36</u>	RESPONSE to <i>Request of the Court for Supplemental Authority</i> filed by NATIONAL AERONAUTICS AND SPACE ADMINISTRATION. (Pustay, Melanie) (Entered: 12/10/2004)
12/13/2004	<u>37</u>	RESPONSE to " <i>Plaintiff's Supplemental Submission</i> " filed by NATIONAL AERONAUTICS AND SPACE ADMINISTRATION. (Attachments: # <u>1</u> Text of Proposed Order)(Pustay, Melanie) (Entered: 12/13/2004)
01/03/2005	<u>38</u>	ORDER DISMISSING CASE without prejudice to either party; directing that neither Plaintiff HUGHES nor Defendant NASA has made any concession by agreeing to the dismissal. Signed by Judge Donald C. Pogue on 1/3/05. (Burgess, Joe) (Entered: 01/03/2005)