

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:98-cv-00306-RWR**

ADV/AUTO SAFETY v. FEDERAL HIGHWAY
Assigned to: Judge Richard W. Roberts
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 02/06/1998
Date Terminated: 01/30/2012
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**ADVOCATES FOR HIGHWAY AND
AUTO SAFETY**

represented by **Henry M. Jasny**
ADVOCATES FOR HIGHWAY & AUTO
SAFETY
750 First Street, NE
Suite 901
Washington, DC 20002
(202) 408-1711
Fax: (202) 408-1699
Email: hjasny@saferoads.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**FEDERAL HIGHWAY
ADMINISTRATION**

represented by **Fred Elmore Haynes**
U.S. ATTORNEY'S OFFICE
555 4th Street, NW
Room E - 4110
Washington, DC 20530
(202) 514-7201
Fax: (202) 514-8780
Email: fred.haynes@usdoj.gov
TERMINATED: 08/20/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kenneth Leonard Wainstein
CADWALADER, WICKERSHAM
& TAFT, LLP
700 Sixth Street, NW
Washington, DC 20001
(202) 862-2474
Fax: (202) 862-2400
Email: kwainstein@omm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marina Utgoff Braswell
U.S. ATTORNEYS OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Room E4818
Washington, DC 20530
(202) 514-7226
Fax: (202) 514-8780
Email: Marina.Braswell@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/06/1998	1	COMPLAINT filed by plaintiff ADV/AUTO SAFETY (blj) (Entered: 02/09/1998)
02/06/1998		SUMMONS (3) issued to federal party(s) federal defendant FEDERAL HIGHWAY , and non-parties: U.S. Attorney and U.S. Attorney General. (blj) (Entered: 02/09/1998)
02/12/1998	2	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon federal defendant FEDERAL HIGHWAY; Return Receipt Card not attached. (tth) (Entered: 02/18/1998)
02/12/1998	3	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General; Return Receipt Card not attached (tth) (Entered: 02/18/1998)
02/13/1998	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney; Return Receipt Card not attached (tth) (Entered: 02/18/1998)
03/12/1998	5	ANSWER TO COMPLAINT [1-1] by federal defendant FEDERAL HIGHWAY . (bjsp) (Entered: 03/13/1998)
03/31/1998	6	SCHEDULING ORDER by Judge John G. Penn: status hearing set for 9:00 a.m. on 4/23/98; Joint Meet and Confer Statement due 4/14/98 . (N) (kmk) (Entered: 04/01/1998)
04/13/1998	7	MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 206(d) filed by plaintiff ADV/AUTO SAFETY, federal defendant FEDERAL HIGHWAY . (tth) (Entered: 04/14/1998)
04/16/1998	8	ORDER by Judge John G. Penn: cross-motions for summary judgment due 5/22/98 ; response to cross-motion for summary judgment due 6/5/98 reply motion for summary judgment due 6/19/98 ; and the initial scheduling hearing set for 9:00 a.m. on 4/23/98 is cancelled. (N) (kmk) (Entered: 04/16/1998)
05/22/1998	9	MOTION filed by plaintiff ADV/AUTO SAFETY for summary judgment ; Declarations (2); Exhibits (19) (tth) (Entered: 05/26/1998)
05/22/1998	10	MOTION filed by federal defendant FEDERAL HIGHWAY for summary judgment ; declaration (1); exhibits (7) (tb) (Entered: 05/26/1998)
06/06/1998	11	MEMORANDUM by plaintiff ADV/AUTO SAFETY in opposition to motion for summary judgment [10-1] by FEDERAL HIGHWAY; declaration (1); exhibits (3) (tb) Modified on 06/09/1998 (Entered: 06/09/1998)
06/06/1998	12	MEMORANDUM by federal defendant FEDERAL HIGHWAY in opposition to motion for summary judgment [9-1] by ADV/AUTO SAFETY; supplemental declaration (1); exhibits (2) (tb) (Entered: 06/09/1998)
06/15/1998	13	MOTION (UNOPPOSED) filed by federal defendant FEDERAL HIGHWAY to extend time to 7/6/98 to file reply briefs (tb) (Entered: 06/16/1998)
06/18/1998	14	ORDER by Judge John G. Penn: granting motion to extend time to 7/6/98 to file reply briefs [13-1] by FEDERAL HIGHWAY; parties must file their cross-reply briefs due by 7/6/98 ; (N) (kmk) (Entered: 06/22/1998)
07/06/1998	15	REPLY by federal defendant FEDERAL HIGHWAY to motion for summary judgment [10-1] by FEDERAL HIGHWAY (tb) (Entered: 07/07/1998)
07/06/1998	16	REPLY by plaintiff ADV/AUTO SAFETY to defendant's memorandum of points and authorities in opposition to plaintiff's motion for summary judgment [9-1] by ADV/AUTO SAFETY (tw) (Entered: 07/07/1998)
07/28/1998	17	SUBSTITUTION OF COUNSEL for federal defendant FEDERAL HIGHWAY , substituting Fred E. Haynes for attorney Marina Utgoff Braswell for FEDERAL HIGHWAY (tb) (Entered: 07/29/1998)

07/29/1998		REASSIGNMENT OF CIVIL CASE from Judge John Garrett Penn to Judge Richard W. Roberts by direction of the Calendar Committee. Emergency matters will continue to be handled by Judge John Garrett Penn until Judge Richard W. Roberts takes the oath of office. (N) (tb) (Entered: 07/30/1998)
08/20/1998	18	SUBSTITUTION OF COUNSEL for federal defendant FEDERAL HIGHWAY , substituting Marina Utgoff Braswell for attorney Fred E. Haynes for FEDERAL HIGHWAY (lkn) (Entered: 08/21/1998)
11/09/2001	19	STATEMENT filed by federal defendant FEDERAL HIGHWAY , regarding: mail service at U.S. Attorney's Office. (tth) (Entered: 11/13/2001)
10/12/2011		Minute Entry; for proceedings held before Judge Richard W. Roberts: Telephone Conference held in chambers on 10/12/2011. (hs) (Entered: 10/12/2011)
10/13/2011	<u>20</u>	MEMORANDUM OPINION denying plaintiff's motion 9 for summary judgment and denying defendant's motion 10 for summary judgment. Signed by Judge Richard W. Roberts on 10/13/2011. (lcrwr1) (Entered: 10/13/2011)
10/13/2011		MINUTE ORDER: For the reasons set forth in the Memorandum Opinion filed this day and with apologies to the parties for the delay, it is hereby ORDERED that plaintiff's Motion for Summary Judgment 9 and defendant's Motion for Summary Judgment 10 be, and hereby are, DENIED without prejudice to refileing them with specific additional evidence reflecting the weight of the public interest, particularly the present relevance of the study's methodology, and the weight of the privacy interest, particularly the scope of the confidentiality promised and the likelihood of threats of harassment or liability to the drivers who took part in the study. It is further ORDERED that the parties confer and file by November 28, 2011 a joint status report and proposed order reflecting a schedule upon which this case should proceed. Signed by Judge Richard W. Roberts on 10/13/2011. (lcrwr1) (Entered: 10/13/2011)
10/13/2011		Set/Reset Deadlines: Joint Status Report due by 11/28/2011. (hs) (Entered: 10/13/2011)
11/28/2011	<u>21</u>	STATUS REPORT , <i>Joint</i> by FEDERAL HIGHWAY ADMINISTRATION. (Braswell, Marina) (Entered: 11/28/2011)
12/02/2011		MINUTE ORDER: In light of the parties' November 28, 2011 joint status report, it is hereby ORDERED that, if this case does not settle by January 12, 2012, the parties file by that date a joint status report and proposed order. Signed by Judge Richard W. Roberts on 12/1/2011. (lcrwr1) (Entered: 12/02/2011)
12/05/2011		Set/Reset Deadlines: Joint Status Report due by 1/12/2012 (hs) (Entered: 12/05/2011)
01/11/2012	<u>22</u>	STATUS REPORT , <i>Joint</i> by FEDERAL HIGHWAY ADMINISTRATION. (Braswell, Marina) (Entered: 01/11/2012)
01/13/2012		MINUTE ORDER: In light of the parties' January 11, 2012 joint status report, it is hereby ORDERED that, if this case does not settle by January 20, 2012, the parties file by that date a joint status report and proposed order. Signed by Judge Richard W. Roberts on 1/13/2012. (lcrwr1) (Entered: 01/13/2012)
01/17/2012		Set/Reset Deadlines: Joint Status Report due by 1/20/2012 (hs) (Entered: 01/17/2012)
01/20/2012	<u>23</u>	STATUS REPORT , <i>Joint</i> by FEDERAL HIGHWAY ADMINISTRATION. (Braswell, Marina) (Entered: 01/20/2012)
01/26/2012		MINUTE ORDER: In light of the parties' January 20, 2012 joint status report, it is hereby ORDERED that, if this case does not settle by January 26, 2012, the parties file by that date a joint status report and proposed order. Signed by Judge Richard W. Roberts on 1/25/2012. (lcrwr1) (Entered: 01/26/2012)
01/26/2012	<u>24</u>	STIPULATION of <i>Settlement and Dismissal</i> by FEDERAL HIGHWAY ADMINISTRATION. (Braswell, Marina) (Entered: 01/26/2012)

01/30/2012	<u>25</u>	ENTRY OF STIPULATION OF SETTLEMENT AND DISMISSAL. Signed by Judge Richard W. Roberts on 1/30/2012. (lcrwr1) (Entered: 01/30/2012)
------------	-----------	---