

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:97-cv-01715-EGS**

SUMMERS v. DOJ, et al
Assigned to: Judge Emmet G. Sullivan
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 07/30/1997
Date Terminated: 05/24/2007
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

ANTHONY SUMMERS

represented by **James H. Lesar**
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V.

Defendant

U.S. DEPARTMENT OF JUSTICE

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Defendant

**CENTRAL INTELLIGENCE
AGENCY**

represented by **Judith A. Kidwell**
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Mary Lou Leary
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Date Filed	#	Docket Text
07/30/1997	1	COMPLAINT filed by plaintiff ANTHONY SUMMERS; exhibits (7). (jaw) (Entered: 07/31/1997)
07/30/1997		SUMMONS (4) issued to federal party(s) defendant DOJ, defendant CIA , and non-parties: U.S. Attorney and U.S. Attorney General. (jaw) (Entered: 07/31/1997)
08/14/1997	2	ATTORNEY APPEARANCE for defendant DOJ, defendant CIA by Thomas Joseph McIntyre Jr. (tw) (Entered: 08/15/1997)
08/14/1997	3	MOTION filed by defendant DOJ, defendant CIA unopposed to extend time to 9/26/97 within which to file defendants' answer. (tw) (Entered: 08/15/1997)
08/15/1997	4	ORDER by Judge Emmet G. Sullivan : granting motion unopposed to extend time to 9/26/97 within which to file defendants' answer. [3-1] by CIA, DOJ (N) (jwd) (Entered: 08/18/1997)
09/26/1997	5	ANSWER TO COMPLAINT [1-1] by defendant DOJ, defendant CIA . (bjsp) (Entered: 09/29/1997)
09/30/1997		SCHEDULING NOTICE: Initial Status Conference set for 10:00 10/24/97 . Meet Confer Statement due 10/22/97 . before Judge Emmet G. Sullivan . (clv) (Entered: 09/30/1997)
10/23/1997	6	MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 206(d) filed by plaintiff ANTHONY SUMMERS, defendant DOJ, defendant CIA . (tw) (Entered: 10/24/1997)
10/24/1997		Initial Status Conference before Judge Emmet G. Sullivan : Status hearing set for 10:00 1/6/98; counsel to submit order; Reporter: Frank Rangus (clv) (Entered: 10/24/1997)
11/12/1997	7	SUBSTITUTION OF COUNSEL for defendant DOJ, defendant CIA , substituting Janice Galli McLeod for attorney Thomas Joseph McIntyre Jr. for CIA, attorney Thomas Joseph McIntyre Jr. for DOJ (bjsp) (Entered: 11/13/1997)

01/06/1998		SCHEDULING NOTICE: status hearing set for 10:00 1/14/98 ; before Judge Emmet G. Sullivan . (clv) (Entered: 01/08/1998)
01/14/1998		STATUS HEARING before Judge Emmet G. Sullivan : Vaughn Index due within 30 days; briefing schedule due by 2/27/98; counsel to submit order; no court dates set; Reporter: Frank Rangus (clv) (Entered: 01/14/1998)
01/22/1998	8	NOTICE OF FILING by defendant DOJ, defendant CIA of proposed order as requested by the Court at the status conference held on January 14, 1998. (tw) (Entered: 01/26/1998)
01/27/1998	9	ORDER by Judge Emmet G. Sullivan : plaintiff shall examine the documents released to him by defendants by 2/18/98; joint briefing schedule due by 2/27/98; (N) (clv) (Entered: 01/27/1998)
03/05/1998	10	ORDER by Judge Emmet G. Sullivan : motion for summary judgment due 6/1/98 ; response to motion for summary judgment due 6/19/98 reply motion for summary judgment due 7/3/98 ; surreply due by 7/10/98; (N) (clv) (Entered: 03/06/1998)
05/29/1998	11	MOTION (UNOPPOSED) filed by defendant DOJ, defendant CIA to extend time to 6/9/98 within which to file defendants' motion for summary judgment. (tw) (Entered: 06/01/1998)
06/03/1998	12	ORDER by Judge Emmet G. Sullivan : granting motion to extend time to 6/9/98 within which to file defendants' motion for summary judgment. [11-1] by CIA, DOJ; plaintiffs response to motion for summary judgment; and cross motion due 6/30/98 ; defendant's reply to motion for summary judgment or opposition to plaintiff's cross motion due by 7/14/98 ;; plaintiff's reply to defendant's opposition to cross motion due by 7/21/98 (N) (clv) (Entered: 06/03/1998)
06/09/1998	13	MOTION filed by defendant DOJ, defendant CIA for summary judgment on the grounds that no issue of material of fact exists and that defendants are entitled to judgment as a matter of law ; declarations (2); exhibits (8) (tw) (Entered: 06/10/1998)
06/29/1998	14	MOTION (UNOPPOSED) filed by plaintiff ANTHONY SUMMERS to extend time to 8/3/98 within which to respond to defendants' motion for summary judgment. (tw) (Entered: 07/01/1998)
06/30/1998	15	ORDER by Judge Emmet G. Sullivan : granting motion to extend time to 8/3/98 within which to respond to defendants' motion for summary judgment. [14-1] by ANTHONY SUMMERS response to motion for summary judgment due 8/3/98 ; reply to motion for summary judgment due by 8/24/98 ; (N) (clv) (Entered: 07/01/1998)
07/02/1998	16	ERRATA by plaintiff ANTHONY SUMMERS notice of filing of corrected certificate of service. (tw) (Entered: 07/08/1998)
08/10/1998	17	MOTION (UNOPPOSED) filed by plaintiff ANTHONY SUMMERS for leave to file response to defendant's motion for summary judgment ; EXHIBIT (memo in support of plaintiff's cross motion and in opposition to defendants motion for summary judgment) (tw) (Entered: 08/11/1998)
08/10/1998	19	CROSS MOTIONS by plaintiff ANTHONY SUMMERS for summary judgment (tw) (Entered: 09/02/1998)
08/12/1998	18	ORDER by Judge Emmet G. Sullivan : granting motion for leave to file response to defendant's motion for summary judgment [17-1] by ANTHONY SUMMERS and their reply, if any, to plaintiff's opposition to defendant's motion for summary judgment, shall be due on or before 8/31/98 (N) (clv) (Entered: 08/12/1998)
08/12/1998	20	MEMORANDUM by plaintiff ANTHONY SUMMERS in support of cross motion for summary judgment [19-1]; declarations (1 original and 1 copy); attachments (10) (tw) (Entered: 09/02/1998)
08/12/1998	21	RESPONSE by plaintiff ANTHONY SUMMERS in opposition to defendant's motion for summary judgment [13-1]; declarations (1 copy and 1 original); attachments (10) (tw) (Entered: 09/02/1998)

08/31/1998	22	MEMORANDUM by federal defendant DOJ, federal defendant CIA in opposition to "plaintiff's cross-motion for summary judgment and in opposition to defendants' motion for summary judgment" [19-1],[20-1],[21-1]; declaration (1) (tw) Modified on 09/02/1998 (Entered: 09/02/1998)
09/11/1998	24	MOTION filed by plaintiff ANTHONY SUMMERS to extend time to 9/17/98 to respond to defendant's opposition to plaintiff's cross-motion for summary judgment. (tw) (Entered: 09/17/1998)
09/16/1998	23	ORDER by Judge Emmet G. Sullivan : granting plaintiff's motion for extension of time to 9/17/98 to file opposition to the cross motion for summary judgment; (N) (clv) (Entered: 09/16/1998)
10/07/1998	25	MOTION (UNOPPOSED) filed by plaintiff ANTHONY SUMMERS for leave to file reply to defendant's opposition to plaintiff's cross-motion for summary judgment ; EXHIBIT (reply) (tw) (Entered: 10/08/1998)
10/09/1998	26	ORDER by Judge Emmet G. Sullivan : granting motion for leave to file reply to defendant's opposition to plaintiff's cross-motion for summary judgment [25-1] by ANTHONY SUMMERS (N) (clv) (Entered: 10/09/1998)
10/09/1998	28	REPLY by plaintiff ANTHONY SUMMERS to defendant's opposition to plaintiff's cross motion for summary judgment [19-1] by ANTHONY SUMMERS (tw) (Entered: 11/09/1998)
10/30/1998	27	STATEMENT filed by federal defendant DOJ, federal defendant CIA , regarding: Report to the Court; attachments (2_ . (JMF) (Entered: 11/02/1998)
11/24/1998	29	REPORT TO THE COURT by federal defendant DOJ, federal defendant CIA ; declarations (1) (bjsp) (Entered: 11/25/1998)
03/23/1999		ALL DOCKET ENTRIES AS OF THIS DATE WILL BE FOUND IN THE LEAD CASE. (clv) (Entered: 03/23/1999)
03/23/1999	30	ORDER by Judge Emmet G. Sullivan : denying cross motion for summary judgment [19-1] by ANTHONY SUMMERS in 1:97-cv-01715, denying motion for summary judgment on the grounds that no issue of material of fact exists and that defendants are entitled to judgment as a matter of law [13-1] by CIA, DOJ in 1:97-cv-01715 dispositive motions due 5/22/99 in 1:99-cv-00590, in 1:97-cv-01715 ; response to dispositive motions due 6/14/99 in 1:99-cv-00590, in 1:97-cv-01715 ; reply to dispositive motions due 6/21/99 in 1:99-cv-00590, in 1:97-cv-01715 ; CA 99-590 and CA 97-1715 are consolidated with CA 99-590 being the lead case; CA 97-1715 is dismissed; Allegations in CA 97-1715 shall be set forth in Count 1 in CA 99-590; and the alletagions in CA 99-590 shall be set forth in Count II of an amended complaint in CA 99-590 by 4/22/99; (clv) (Entered: 03/23/1999)
04/08/1999	31	ORDER by Judge Emmet G. Sullivan :amending the 3/22/99 order; the correct case under which the allegations from the cases should be set forth is CA 99-590 not CA 99-529; (N) (clv) (Entered: 04/08/1999)
04/09/1999	32	ATTORNEY APPEARANCE for federal defendant DOJ in 1:97-cv-01715, federal defendant CIA in 1:97-cv-01715 by Judith A. Kidwell (st) (Entered: 04/12/1999)
04/09/1999	33	MOTION (unopposed) filed by federal defendant CIA in 1:97-cv-01715 to extend time to 4/30/99 to answer complaint [1-1] ; (FIAT. Judge Sullivan) (tw) (Entered: 04/21/1999)
04/21/1999		SCHEDULING NOTICE: status hearing set for 10:00 5/5/99 in 1:97-cv-01715, in 1:99-cv-00590 ; before Judge Emmet G. Sullivan . (clv) (Entered: 04/21/1999)
04/23/1999	34	MOTION filed by plaintiff ANTHONY SUMMERS in 1:97-cv-01715, plaintiff ANTHONY SUMMERS in 1:99-cv-00590 for leave to file amended complaint ; EXHIBIT (amended complaint) (bjsp) (Entered: 04/26/1999)
04/24/1999	36	AMENDED COMPLAINT by plaintiff ANTHONY SUMMERS in 1:97-cv-01715 amending complaint [1-1]; exhibits (24) (tw) (Entered: 04/30/1999)

04/27/1999	35	ORDER by Judge Emmet G. Sullivan : granting motion for leave to file amended complaint [5-1] by ANTHONY SUMMERS, ANTHONY SUMMERS in 1:99-cv-00590, 1:97-cv-01715 (N) (clv) (Entered: 04/27/1999)
05/05/1999		STATUS HEARING before Judge Emmet G. Sullivan : dispositive motions due 6/30/99 in 1:97-cv-01715, in 1:99-cv-00590 ; response to dispositive motions due 7/14/99 in 1:97-cv-01715, in 1:99-cv-00590 ; reply to dispositive motions due 7/21/99 in 1:97-cv-01715, in 1:99-cv-00590 ; Reporter: Frank Rangus (clv) (Entered: 05/05/1999)
05/10/1999	37	ANSWER TO AMENDED COMPLAINT count II [36-1] by federal defendant CIA in 1:97-cv-01715 (tw) (Entered: 05/11/1999)
06/29/1999	38	JOINT MOTION by plaintiff ANTHONY SUMMERS in 1:97-cv-01715, federal defendant DOJ in 1:97-cv-01715, federal defendant CIA in 1:97-cv-01715, plaintiff ANTHONY SUMMERS in 1:99-cv-00590, federal defendant CIA in 1:99-cv-00590 to extend time to 7/16/99 to file their cross motions for summary judgment in this case (bjsp) (Entered: 07/01/1999)
06/30/1999	39	ORDER by Judge Emmet G. Sullivan : granting joint motion to extend time to 7/16/99 to file their cross motions for summary judgment in this case [38-1] by CIA, ANTHONY SUMMERS, CIA, DOJ, ANTHONY SUMMERS response to dispositive motions due by 7/16/99 in 1:97-cv-01715, in 1:99-cv-00590 ; in 1:97-cv-01715, 1:99-cv-00590 (N) (jwd) (Entered: 07/01/1999)
07/26/1999		MOTION filed by federal defendant CIA in 1:99-cv-00590 for and open America stay. (tw) (Entered: 03/27/2000)
08/02/1999	40	MOTION filed by plaintiff ANTHONY SUMMERS in 1:97-cv-01715, plaintiff ANTHONY SUMMERS in 1:99-cv-00590 for order to set a schedule for the production of nonexempt information (bjsp) (Entered: 08/03/1999)
08/18/1999	41	MOTION (UNOPPOSED) filed by federal defendant CIA in 1:97-cv-01715, federal defendant CIA in 1:99-cv-00590 to extend time to 8/27/99 to file a response to plaintiff's motion to set schedule for the production of nonexempt information ; exhibits (2) (bjsp) Modified on 08/19/1999 (Entered: 08/19/1999)
08/27/1999		RESPONSE by federal defendant CIA in 1:99-cv-00590 in opposition to motion for order to set a schedule for the production of nonexempt information [11-1] by ANTHONY SUMMERS, ANTHONY SUMMERS . (st) (Entered: 08/30/1999)
02/01/2000	42	MOTION (UNOPPOSED) filed by federal defendant DOJ in 1:97-cv-01715 to sever cases 97-1715 from 99-590 (cjp) (Entered: 02/02/2000)
02/07/2000	43	ORDER by Judge Emmet G. Sullivan : granting motion to sever cases 97-1715 from 99-590 [42-1] by DOJ in 1:97-cv-01715; case number C.A. 97-1715 is reopened; (N) (clv) (Entered: 02/07/2000)
02/07/2000		Case Reopened (clv) (Entered: 02/07/2000)
03/31/2000	44	ORDER by Judge Emmet G. Sullivan : denying motion for and open America stay. [16-1] by CIA in 1:99-cv-00590 status hearing set for 10:00 5/16/00 in 1:97-cv-01715, in 1:99-cv-00590 ; (N) (clv) (Entered: 03/31/2000)
05/16/2000		STATUS HEARING before Judge Emmet G. Sullivan : supplemental pleadings due by 7/31/00; responses due by 8/31/00; counsel to submit order; Reporter: Frank Rangus (clv) (Entered: 05/16/2000)
05/25/2000	45	ORDER by Judge Emmet G. Sullivan : dispositive motions due 7/31/00 ; reply to dispositive motions due 8/31/00 ; (N) (clv) (Entered: 05/25/2000)
07/31/2000	46	SUPPLEMENTAL MEMORANDUM by federal defendants DOJ and CIA in 1:97-cv-01715 in support of motion for summary judgment; attachments (4) BULKY PLEADING (bm) (Entered: 08/02/2000)
08/01/2000	47	MOTION (unopposed) filed by plaintiff ANTHONY SUMMERS in 1:97-cv-01715 for leave to file supplemental memorandum one day late ; EXHIBIT (supplemental memorandum) (td) (Entered: 08/03/2000)

08/03/2000	48	ORDER by Judge Emmet G. Sullivan : granting motion for leave to file supplemental memorandum one day late [47-1] by ANTHONY SUMMERS in 1:97-cv-01715 (N) (clv) (Entered: 08/03/2000)
08/03/2000	49	SUPPLEMENTAL MEMORANDUM by plaintiff ANTHONY SUMMERS in 1:97-cv-01715 to cross motion for summary judgment; exhibits (2) (tb) (Entered: 08/25/2000)
08/31/2000	50	RESPONSE by federal defendant DOJ in 1:97-cv-01715, federal defendant CIA in 1:97-cv-01715 to plaintiff's supplemental memorandum. (dam) (Entered: 09/01/2000)
02/16/2001		SUBSTITUTION OF COUNSEL for federal defendant CIA in 1:99-cv-00590, substituting Kristin Dadely for Paul Mussenden. (td) (Entered: 02/20/2001)
02/16/2001		MOTION filed by federal defendant CIA in 1:99-cv-00590 to extend time to 2/23/01 within which to file its submission. (td) (Entered: 02/20/2001)
02/23/2001		STATUS REPORT by federal defendant CIA in 1:99-cv-00590; declaration (1) (td) (Entered: 02/26/2001)
07/08/2002	51	ORDER by Judge Emmet G. Sullivan : status hearing set for 9:45 7/24/02 in 1:99-cv-00590, in 1:97-cv-01715 ; (N) (clv) (Entered: 07/08/2002)
07/09/2002		SUBSTITUTION OF COUNSEL for federal defendant CIA substituting Robin M. Earnest for attorney Kristin M. Dadey for CIA (rje) (Entered: 07/10/2002)
07/09/2002		NOTICE OF CHANGE OF ADDRESS by James Hiram Lesar representing plaintiff ANTHONY SUMMERS New address: 1003 K Street, N.W., Suite 640 Washington, D.C., 20001 202-393-1921. (rje) (Entered: 07/11/2002)
07/10/2002	52	NOTICE OF CHANGE OF ADDRESS by James Hiram Lesar representing plaintiff ANTHONY SUMMERS . New address: 1003 K Street, N.W., Suite 640 Washington, D.C. 20001, 202-393-1921. (rje) (Entered: 07/11/2002)
07/24/2002		STATUS HEARING before Judge Emmet G. Sullivan :defendant's submission due by 8/7/02; government response due by 8/21/02; defendant's reply due by 8/23/02; Reporter: Frank Rangus (clv) (Entered: 07/24/2002)
07/26/2002		STATUS REPORT by federal defendant CIA in 1:99-cv-00590; exhibit (1) (td) (Entered: 07/30/2002)
08/07/2002	53	STATEMENT filed by plaintiff ANTHONY SUMMERS in 1:97-cv-01715, regarding: impact of SCHRECKER v. DEPARTMENT OF JUSTICE on this case. (td) (Entered: 08/08/2002)
08/21/2002	54	RESPONSE by federal defendant DOJ in 1:97-cv-01715, federal defendant CIA in 1:97-cv-01715 to statement [53-1]; attachment (1) (td) (Entered: 08/23/2002)
04/02/2003		SCHEDULING NOTICE: status hearing set for 10:00 4/30/03 in 1:97-cv-01715, in 1:99-cv-00590 ; before Judge Emmet G. Sullivan . (clv) (Entered: 04/02/2003)
04/15/2003	<u>55</u>	ORDER by Judge Emmet G. Sullivan : status hearing set for 10:00 5/7/03 ; (N) (clv) (Entered: 04/15/2003)
05/07/2003		STATUS HEARING before Judge Emmet G. Sullivan : counsel to submit order; no further court dates set at this time; Reporter: Frank Rangus (clv) (Entered: 05/07/2003)
05/15/2003	<u>56</u>	ORDER by Judge Emmet G. Sullivan : parties joint report due by 7/7/03; setting forth further instruction to counsel; (N) (clv) (Entered: 05/15/2003)
07/03/2003	57	JOINT REPORT TO THE COURT by plaintiff in 1:97-cv-01715, and federal defendants in 1:97-cv-01715; attachments (4) (bm) (Entered: 07/08/2003)
02/08/2006	<u>58</u>	NOTICE of Change of Address by Janice Galli McLeod (McLeod, Janice) (Entered: 02/08/2006)
05/24/2007	<u>59</u>	ORDER AND JUDGMENT granting 46 defendants' renewed motion for summary judgment and denying 49 plaintiff's renewed motion for summary judgment. See

		accompanying Memorandum Opinion. Signed by Judge Emmet G. Sullivan on May 24, 2007. (lcegs1) (Entered: 05/24/2007)
05/24/2007	<u>60</u>	MEMORANDUM OPINION. Signed by Judge Emmet G. Sullivan on May 24, 2007. (lcegs1) (Entered: 05/24/2007)