

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:00-cv-02457-CKK**

DAVIS v. DOJ, et al
Assigned to: Judge Colleen Kollar-Kotelly
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 10/13/2000
Date Terminated: 08/05/2003
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

TONY ROBERT DAVIS

represented by **TONY ROBERT DAVIS**
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PRO SE

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

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Defendant

**FEDERAL BUREAU OF
INVESTIGATION**
TERMINATED: 11/07/2001

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Date Filed	#	Docket Text
10/13/2000	1	COMPLAINT filed by plaintiff TONY ROBERT DAVIS; attachment (bm) (Entered: 10/17/2000)
10/13/2000		SUMMONS (4) issued to federal party(s) federal defendants DOJ, FBI , and non-parties: U.S. Attorney and U.S. Attorney General. (bm) (Entered: 10/17/2000)
10/13/2000	2	NOTIFICATION OF RELATED CASE: Case related to Case No(s): CA 00-2164 (bm) (Entered: 10/17/2000)
10/13/2000	3	APPLICATION by plaintiff TONY ROBERT DAVIS to proceed in forma pauperis (bm) (Entered: 10/17/2000)
10/13/2000	4	TRUST FUND ACCOUNT filed by plaintiff TONY ROBERT DAVIS (bm) (Entered: 10/17/2000)
10/13/2000	5	MOTION filed by plaintiff TONY ROBERT DAVIS for preliminary order for Vaughn Index (bm) (Entered: 10/17/2000)
10/13/2000	6	ORDER by Judge James Robertson : directing that monthly payments be made from the prisoner account of TONY ROBERT DAVIS . granting motion to proceed in forma pauperis [3-1] by TONY ROBERT DAVIS (N) (bm) (Entered: 10/17/2000)
10/18/2000	7	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 10/18/00 (ks) (Entered: 10/19/2000)
10/24/2000	8	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 10/19/00 (bm) (Entered: 10/25/2000)
10/24/2000	9	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/19/00 upon federal defendant DOJ (bm) (Entered: 10/25/2000)
10/31/2000	10	MEMORANDUM by federal defendant DOJ, federal defendant FBI in opposition to motion for preliminary order for Vaughn Index [5-1] by TONY ROBERT DAVIS; exhibits (1) (cdw) (Entered: 11/01/2000)
10/31/2000	11	ATTORNEY APPEARANCE for federal defendant DOJ, federal defendant FBI by Kenneth D. Chason; exhibits (1) (tb) Modified on 11/01/2000 (Entered: 11/01/2000)
10/31/2000	12	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/24/00 upon federal defendant FBI (tb) (Entered: 11/04/2000)
11/17/2000	13	ANSWER TO COMPLAINT [1-1] by federal defendant DOJ, federal defendant FBI . (hsj) (Entered: 11/21/2000)
11/27/2000	14	REPLY by plaintiff TONY ROBERT DAVIS to response in opposition to motion for preliminary order for Vaughn Index [5-1] by TONY ROBERT DAVIS; exhibits (7) (cdw) (Entered: 11/28/2000)
12/01/2000	15	MOTION filed by federal defendant DOJ, federal defendant FBI to stay discovery ; exhibits (4) (cdw) (Entered: 12/04/2000)
01/04/2001	<u>16</u>	ORDER by Judge Colleen Kollar-Kotelly : granting motion to stay discovery [15-1] by FBI, DOJ; granting motion for preliminary order for Vaughn Index [5-1] by TONY ROBERT DAVIS; plaintiff's motion for summary judgment due

		2/16/01 (N) (dot) (Entered: 01/04/2001)
01/08/2001	17	MOTION filed by plaintiff TONY ROBERT DAVIS for leave to file an amended complaint ; EXHIBIT (Amended Complaint) (cdw) (Entered: 01/10/2001)
01/18/2001	<u>18</u>	ORDER by Judge Colleen Kollar-Kotelly : granting motion for leave to file an amended complaint [17-1] by TONY ROBERT DAVIS (N) (dot) (Entered: 01/18/2001)
01/18/2001	19	AMENDED COMPLAINT by plaintiff TONY ROBERT DAVIS amending complaint [1-1]; declarations (1), attachments (cdw) (Entered: 01/19/2001)
01/25/2001	20	MOTION (second) filed by plaintiff TONY ROBERT DAVIS for leave to amend and supplement his complaint ; EXHIBIT (Second Amended Complaint) (cdw) Modified on 01/30/2001 (Entered: 01/26/2001)
01/26/2001	21	ANSWER TO AMENDED COMPLAINT [19-1] by federal defendant DOJ (cdw) (Entered: 01/29/2001)
02/20/2001	22	MOTION filed by federal defendant DOJ to extend time to 2/20/01 for filing of motion to dismiss or alternatively for summary judgment (cdw) (Entered: 02/21/2001)
02/26/2001	<u>23</u>	ORDER by Judge Colleen Kollar-Kotelly : granting motion nunc pro tunc to extend time to 2/20/01 for filing of motion to dismiss alternatively for summary judgment [22-1] by DOJ (N) (dot) (Entered: 02/26/2001)
03/06/2001	<u>24</u>	ORDER by Judge Colleen Kollar-Kotelly : that plaintiff TONY ROBERT DAVIS respond to the defendant's motion to dismiss, or in the alternative, for summary judgment no later than 3/30/01. If plaintiff does not respond, the Court may grant the motion as conceded. (N) (dot) (Entered: 03/06/2001)
03/30/2001	25	MOTION (SECOND) filed by plaintiff TONY ROBERT DAVIS for leave to amend and supplement his complaint ; EXHIBIT (SECOND AMENDED COMPLAINT) (cdw) (Entered: 04/02/2001)
03/30/2001	26	RESPONSE by plaintiff TONY ROBERT DAVIS to defendant's motion to dismiss, or in the alternative for summary judgment; exhibits (18), declarations (2) (cdw) (Entered: 04/04/2001)
04/05/2001	27	MOTION filed by plaintiff TONY ROBERT DAVIS for expedited processing of FOIA/PA records ; exhibits (1) (cdw) (Entered: 04/06/2001)
04/05/2001	28	REPLY by federal defendant DOJ to response in opposition to its motion to dismiss or alternatively for summary judgment; exhibits (6) (cdw) (Entered: 04/06/2001)
04/06/2001	29	RESPONSE by federal defendant DOJ in opposition to motion for leave to amend and supplement his complaint [25-1] by TONY ROBERT DAVIS; exhibits (3) (cdw) (Entered: 04/09/2001)
04/16/2001	30	RESPONSE by federal defendants DOJ, FBI in opposition to motion for expedited processing of FOIA/PA records [27-1] by TONY ROBERT DAVIS; exhibits (4) (cdw) (Entered: 04/18/2001)
04/27/2001	31	MOTION filed by plaintiff TONY ROBERT DAVIS to extend time to 5/4/01 to respond to defendant's reply to plaintiff's reply to defendant's motion to dismiss or for summary judgment (cdw) (Entered: 04/30/2001)
05/02/2001	33	REPLY by plaintiff TONY ROBERT DAVIS to response in opposition to motion for expedited processing of FOIA/PA records [27-1] by TONY ROBERT DAVIS; exhibits (2) (cdw) (Entered: 05/04/2001)
05/02/2001	34	RESPONSE by federal defendant DOJ to motion to extend time to 5/4/01 to respond to defendant's reply to plaintiff's reply to defendant's motion to dismiss or for summary judgment [31-1] by TONY ROBERT DAVIS (cdw) (Entered: 05/04/2001)

05/03/2001	<u>32</u>	ORDER by Judge Colleen Kollar-Kotelly : denying motion to extend time to 5/4/01 to respond to defendant's reply to plaintiff's reply to defendant's motion to dismiss or for summary judgment [31-1] by TONY ROBERT DAVIS. Ordinarily a sur-reply is not required. If the Court requires further information from plaintiff it will request it. (N) (dot) (Entered: 05/03/2001)
06/12/2001	<u>35</u>	MEMORANDUM OPINION by Judge Colleen Kollar-Kotelly (N) (dot) (Entered: 06/12/2001)
06/12/2001	<u>36</u>	ORDER by Judge Colleen Kollar-Kotelly : denying as moot motion for expedited processing of FOIA/PA records [27-1] by TONY ROBERT DAVIS. Denying motion for leave to amend and supplement his complaint [25-1] by TONY ROBERT DAVIS, denying motion for leave to amend and supplement his complaint [20-1] by TONY ROBERT DAVIS. Granting defendant's motion to dismiss or, in the alternative, for summary judgment. (N) (dot) (Entered: 06/12/2001)
08/06/2001	37	MOTION filed by plaintiff TONY ROBERT DAVIS for leave to file his motion to reopen his complaint and his resubmitted second motion to amend ; EXHIBIT (MOTION TO REOPEN) (cdw) (Entered: 08/08/2001)
08/13/2001	38	MOTION filed by plaintiff TONY ROBERT DAVIS to reurge his first motion for expedited processing (cdw) (Entered: 08/17/2001)
08/22/2001	39	RESPONSE by federal defendant DOJ, federal defendant FBI in opposition to motion to reurge his first motion for expedited processing [38-1] by TONY ROBERT DAVIS; exhibits (1) (cdw) (Entered: 08/23/2001)
08/31/2001	40	NOTICE OF FILING by federal defendant DOJ, federal defendant FBI regarding the incomplete copy of the proposed order filed with it opposition to plaintiff's motion to reurge; attachments (1) (cdw) (Entered: 09/04/2001)
09/19/2001	41	MOTION filed by plaintiff TONY ROBERT DAVIS for enlargement of time to reply to defendant's opposition for expedited processing (cdw) (Entered: 09/20/2001)
09/21/2001	<u>42</u>	ORDER by Judge Colleen Kollar-Kotelly : granting motion for enlargement of time to reply to defendant's opposition for expedited processing [41-1] by TONY ROBERT DAVIS. Reply to motion to reurge his first motion for expedited processing due by 10/4/01. (N) (dot) (Entered: 09/21/2001)
10/10/2001	43	MOTION filed by plaintiff TONY ROBERT DAVIS to extend time by 10 days to reply to defendant's opposition to plaintiff's motion to reurge his first motion for expedited processing (aet) (Entered: 10/11/2001)
10/12/2001	44	MOTION (copy) filed by plaintiff TONY ROBERT DAVIS for stay pending reinstatement of complaint (cdw) Modified on 10/15/2001 (Entered: 10/15/2001)
10/12/2001	45	REPLY (copy) by plaintiff TONY ROBERT DAVIS to response in opposition to motion to reurge his first motion for expedited processing [38-1] by TONY ROBERT DAVIS; attachments (cdw) Modified on 10/15/2001 (Entered: 10/15/2001)
10/15/2001	<u>46</u>	ORDER by Judge Colleen Kollar-Kotelly : granting motion to extend time by 10 days to reply to defendant's opposition to plaintiff's motion to reurge his first motion for expedited processing [43-1] by TONY ROBERT DAVIS; reply in support of motion(s) due by 10/18/01. (N) (dot) (Entered: 10/15/2001)
11/07/2001	<u>47</u>	ORDER by Judge Colleen Kollar-Kotelly : denying as moot motion for stay pending reinstatement of complaint [44-1] by TONY ROBERT DAVIS. Denying motion to reurge his first motion for expedited processing [38-1] by TONY ROBERT DAVIS. Granting motion for leave to file his motion to reopen his complaint and his resubmitted second motion to amend [37-1] by TONY ROBERT DAVIS. Plaintiff's motion to re-open is granted. The Second Amended and Supplemental Complaint for declaratory and injunctive relief, attached as an exhibit to plaintiff's second motion for leave to amend and supplement his complaint, filed March 30, 2001, is deemed filed as of this date, see LCvR 7.1(i). (N) (dot) (Entered: 11/07/2001)

11/07/2001	48	AMENDED COMPLAINT (SECOND and SUPPLMENTAL) for declaratory and injunctive relief by plaintiff TONY ROBERT DAVIS, amending complaint [1-1]; exhibits (9) (cdw) (Entered: 11/09/2001)
11/23/2001	49	ANSWER TO SECOND AMENDED COMPLAINT [48-1] by federal defendant DOJ, federal defendant FBI (cdw) Modified on 11/28/2001 (Entered: 11/28/2001)
12/17/2001	50	NOTICE by federal defendant DOJ to Court concerning mail service at the DOJ (cdw) (Entered: 12/20/2001)
12/17/2001	51	REPORT TO THE COURT filed by federal defendant DOJ regarding the resolution of the case (cdw) (Entered: 12/20/2001)
12/20/2001		Case Reopened (dot) (Entered: 12/20/2001)
01/17/2002	52	MOTION filed by plaintiff TONY ROBERT DAVIS to extend time in which to respond to defendant's report to the Court nunc pro tunc ; EXHIBIT (RESPONSE) (cdw) (Entered: 01/23/2002)
03/07/2002	53	NOTICE OF FILING by plaintiff TONY ROBERT DAVIS regarding motion for extension of time filed on 1/17/02 (cdw) (Entered: 03/13/2002)
03/26/2002	54	REPORT by plaintiff TONY ROBERT DAVIS to the court (bcs) (Entered: 03/27/2002)
04/04/2002	55	SECOND REPORT by federal defendant DOJ to the court (bcs) (Entered: 04/08/2002)
04/09/2002	56	MOTION filed by federal defendant DOJ for partial summary judgment ; attachments (3) (bcs) (Entered: 04/10/2002)
05/06/2002	57	SUBSTITUTION OF COUNSEL for federal defendant DOJ , substituting Brentin Vaughn Evitt for attorney Kenneth D. Chason for DOJ (cdw) (Entered: 05/07/2002)
06/04/2002	58	STATUS REPORT by plaintiff TONY ROBERT DAVIS (aet) (Entered: 06/06/2002)
06/07/2002	59	THIRD REPORT by federal defendant DOJ to the court (bcs) (Entered: 06/10/2002)
08/06/2002	60	MOTION filed by federal defendant DOJ for summary judgment exhibits (45) (aet) (Entered: 08/08/2002)
08/21/2002	<u>61</u>	ORDER by Judge Colleen Kollar-Kotelly :that plaintiff TONY DAVIS respond to defendant's motion for summary judgment no later than 9/13/02. If plaintiff does not respond, the Court may grant the motion as conceded. (N) (dot) (Entered: 08/22/2002)
08/27/2002	<u>62</u>	ORDER by Judge Colleen Kollar-Kotelly : granting motion to extend time in which to respond to defendant's report to the Court nunc pro tunc [52-1] by TONY ROBERT DAVIS. Plaintiff TONY DAVIS shall respond to defendant's motion for partial summary judgment, filed on 4/9/02, no later than 9/13/02. In doing so, plaintiff is advised to review the Court's Order of 8/21/02, for information about responding to a motion for summary judgment. If plaintiff does not respond, the Court may grant the motion as conceded. (N) (dot) (Entered: 08/27/2002)
09/18/2002	63	RESPONSE by plaintiff TONY ROBERT DAVIS to motion for summary judgment [60-1] by DOJ (aet) (Entered: 09/20/2002)
09/24/2002	64	MOTION filed by federal defendant DOJ to extend time to 10/3/02 to file reply to plaintiff's response to defendant's partial motion for summary judgment (cdw) (Entered: 09/26/2002)
09/30/2002	<u>65</u>	ORDER by Judge Colleen Kollar-Kotelly : granting nunc pro tunc motion to extend time to 10/3/02 to file reply to plaintiff's response to defendant's partial motion for summary judgment [64-1] by DOJ (N) (dot) (Entered: 10/01/2002)
10/03/2002	66	REPLY by federal defendant DOJ to plaintiff's response to motion for partial summary judgment [56-1]; attachments (3) (td) (Entered: 10/07/2002)

10/04/2002	68	MOTION filed by plaintiff TONY ROBERT DAVIS to extend time to respond to defendant's motion for summary judgment ; attachment (1) (bm) (Entered: 10/16/2002)
10/10/2002	<u>67</u>	ORDER by Judge Colleen Kollar-Kotelly :granting petitioner's motion for enlargement of time to respond to defendant's motion for summary judgment. Response to motion for summary judgment due 11/1/02 (N) (dot) (Entered: 10/11/2002)
11/06/2002	69	RESPONSE by plaintiff TONY ROBERT DAVIS in opposition to motion for summary judgment [60-1] by DOJ;exhibits (3) . (rje) (Entered: 11/08/2002)
11/06/2002	70	MOTION filed by plaintiff TONY ROBERT DAVIS to continue for 60 days to obtain discovery related to defendant's motion for summary judgment ; exhibits (2) (rje) (Entered: 11/08/2002)
11/18/2002	71	MOTION filed by federal defendant DOJ to extend time to 12/6/02 within which to file opposition to plaintiff's motion for continuance to obtain discovery related to defendant's motion for summary judgment (aet) (Entered: 11/19/2002)
11/19/2002	<u>72</u>	ORDER by Judge Colleen Kollar-Kotelly : granting motion to extend time to 12/6/02 within which to file opposition to plaintiff's motion for continuance to obtain discovery related to defendant's motion for summary judgment [71-1] by DOJ and its reply to plaintiff's response to defendant's partial motion for summary judgment be, and it hereby is, enlarged by fifteen (15) business days, to and including 12/6/02. (N) (dot) (Entered: 11/20/2002)
12/06/2002	73	REPLY by federal defendant DOJ to response in opposition to motion for summary judgment [60-1] by DOJ; attachment (1) (bm) (Entered: 12/11/2002)
12/06/2002	74	RESPONSE by federal defendant DOJ in opposition to motion to continue for 60 days to obtain discovery related to defendant's motion for summary judgment [70-1] by TONY ROBERT DAVIS; attachment (1) (bm) (Entered: 12/11/2002)
12/23/2002	75	MOTION filed by plaintiff TONY ROBERT DAVIS to extend time to 1/20/03 to file a reply to motion for continuance to obtain discovery (bm) (Entered: 12/24/2002)
12/27/2002	<u>76</u>	ORDER by Judge Colleen Kollar-Kotelly : granting motion to extend time to 1/20/03 to file a reply to motion for continuance to obtain discovery [75-1] by TONY ROBERT DAVIS (N) (dot) (Entered: 12/27/2002)
01/16/2003	77	MOTION (SECOND) filed by plaintiff TONY ROBERT DAVIS to extend time by an additional two weeks to reply to defendant's opposition to plaintiff's motion for continuance of discovery (aet) (Entered: 01/17/2003)
01/21/2003	<u>78</u>	ORDER by Judge Colleen Kollar-Kotelly : granting motion to extend time by an additional two weeks to reply to defendant's opposition to plaintiff's motion for continuance of discovery [77-1] by TONY ROBERT DAVIS. Reply to motion due by 2/10/03. (N) (dot) (Entered: 01/22/2003)
02/14/2003	79	REPLY by plaintiff TONY ROBERT DAVIS to response in opposition to motion to continue for 60 days to obtain discovery related to defendant's motion for summary [70-1] and request to strike DOJ's pleadings by TONY ROBERT DAVIS; attachments (2) (bm) Modified on 03/11/2003 (Entered: 02/20/2003)
02/24/2003	81	MOTION filed by federal defendant DOJ to extend time to 3/7/03 within which to respond to motion to strike defendant's pleading (bm) (Entered: 02/26/2003)
02/25/2003	<u>80</u>	ORDER by Judge Colleen Kollar-Kotelly : granting defendant's motion for enlargement of time. The time within which defendant must file its opposition to plaintiff's "response to defendant's opposition to plaintiff's motion for continuance to obtain discovery related to defendant DOJ's motion for summary judgment and request to strike DOJ's pleadings" be, and it hereby is enlarged by nine (9) business days, to and including March 7, 2003. (N) (dot) (Entered: 02/26/2003)
03/07/2003	82	RESPONSE (OPPOSITIONS) by federal defendant DOJ to request to strike DOJ's pleadings [79-1] by TONY ROBERT DAVIS; attachments (2) (aet) Modified on 03/11/2003 (Entered: 03/11/2003)

03/11/2003	<u>83</u>	MEMORANDUM OPINION by Judge Colleen Kollar-Kotelly (N) (dot) (Entered: 03/12/2003)
03/11/2003	<u>84</u>	ORDER by Judge Colleen Kollar-Kotelly : granting in part, denying in part motion for partial summary judgment [56-1]. Granted in part only with respect to the adequacy of defendant's search for records responsive to plaintiff's Freedom of Information Act request for information about himself, and denied in part without prejudice. Defendant may file a renewed motion for summary judgment within 60 days of this Order. (N) (dot) (Entered: 03/12/2003)
03/21/2003	<u>85</u>	MEMORANDUM OPINION by Judge Colleen Kollar-Kotelly (N) (dot) (Entered: 03/21/2003)
03/21/2003	<u>86</u>	ORDER by Judge Colleen Kollar-Kotelly : granting in part, denying in part motion for summary judgment [60-1]. Denying motion to continue for 60 days to obtain discovery related to defendant's motion for summary judgment [70-1] by TONY ROBERT DAVIS. Within 60 days of this Order, defendant shall supplement its declarations, and shall provide sufficient detail explaining its reasons for withholding under Exemption 7(D) information supplied by a "confidential financial source" under an express assurance of confidentiality, and its reasons for withholding information supplied by third parties who provided information to FBI under an implied assurance of confidentiality. If the necessary detail would disclose the very information defendant seeks to withhold, defendant may provide this detail to the Court in an in camera declaration, or may submit unredacted copies of the documents themselves for in camera review. (N) (dot) (Entered: 03/21/2003)
05/12/2003	87	MOTION (RENEWED) filed by federal defendant DOJ for partial summary judgment ; attachment (1); declaration (1) (mpt) (Entered: 05/13/2003)
05/19/2003	<u>88</u>	ORDER by Judge Colleen Kollar-Kotelly : response to renewed motion for summary judgment due 6/19/03, or the Court will treat the motion as conceded and may enter judgment in defendant's favor. (N) (dot) (Entered: 05/19/2003)
05/20/2003	89	MOTION (RENEWED) filed by federal defendant DOJ for summary judgment ; attachments (aet) (Entered: 05/23/2003)
06/05/2003	<u>90</u>	ORDER by Judge Colleen Kollar-Kotelly :plaintiff shall respond to renewed motion for summary judgment by 7/15/03, or the Court will treat the motion as conceded and my enter judgment in defendant's favor. (N) (dot) (Entered: 06/09/2003)
06/27/2003	91	RESPONSE by plaintiff TONY ROBERT DAVIS to motion for summary judgment [89-1] by DOJ (nmr) (Entered: 06/30/2003)
07/07/2003	92	RESPONSE by plaintiff TONY ROBERT DAVIS to motion for summary judgment [89-1] by DOJ (aet) (Entered: 07/08/2003)
07/14/2003	93	REPLY by federal defendant DOJ to response in opposition to motion for summary judgment [89-1] by DOJ (ks) (Entered: 07/15/2003)
07/31/2003	<u>94</u>	MEMORANDUM OPINION by Judge Colleen Kollar-Kotelly (N) (dot) (Entered: 07/31/2003)
07/31/2003	<u>95</u>	ORDER by Judge Colleen Kollar-Kotelly : granting motion for partial summary judgment [87-1] by DOJ. Granting motion for summary judgment [89-1] by DOJ. Judgment shall be entered for defendant. This a final appealable Order. ee Fed. R. App. P. 4(a). (N) (dot) (Entered: 07/31/2003)