

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:00-cv-00041-EGS**

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

Date Filed: 01/07/2000
Date Terminated: 03/05/2001
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**KNOLL PHARMACEUTICAL
COMPANY**

represented by **Gary L. Veron**
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Plaintiff

BUC & BEARDSLEY

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V.

Defendant

FOOD & DRUG ADMINISTRATION

Defendant**U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES**represented by **Meredith Manning**
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Date Filed	#	Docket Text
01/07/2000	1	COMPLAINT filed by plaintiff KNOLL PHARMACEUTICAL, plaintiff BUC & BEARDSLEY (jeb) (Entered: 01/12/2000)
01/07/2000		SUMMONS (5) issued to federal defendant FDA (twice), federal defendant HHS , and non-parties: U.S. Attorney and U.S. Attorney General. (jeb) (Entered: 01/12/2000)
01/07/2000	2	RULE 109 Certificate of disclosure of corporate affiliations and financial interests by plaintiff KNOLL PHARMACEUTICAL, plaintiff BUC & BEARDSLEY (jeb) (Entered: 01/12/2000)
01/24/2000	3	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 1/18/00 (tw) (Entered: 02/02/2000)

01/24/2000	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 1/11/00 (tw) (Entered: 02/02/2000)
01/24/2000	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 1/11/00 upon federal defendant FDA; served Jane E. Henney. (tw) Modified on 02/02/2000 (Entered: 02/02/2000)
01/24/2000	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 1/11/00 upon federal defendant FDA; served Margaret Jane Porter. (tw) (Entered: 02/02/2000)
01/24/2000	7	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 1/11/00 upon federal defendant HHS (tw) (Entered: 02/02/2000)
02/11/2000	8	ANSWER TO COMPLAINT [1-1] by federal defendant HHS . (tw) (Entered: 02/14/2000)
02/23/2000		SCHEDULING NOTICE: Meet Confer hearing set for 10:00 3/31/00 . Meet Confer Statement due 3/29/00 . before Judge Emmet G. Sullivan . (clv) (Entered: 02/23/2000)
03/09/2000	9	MOTION filed by plaintiff KNOLL PHARMACEUTICAL, plaintiff BUC & BEARDSLEY to reschedule the initial status conference. (tw) (Entered: 03/10/2000)
03/14/2000	10	ORDER by Judge Emmet G. Sullivan : granting motion to reschedule the initial status conference. [9-1] by BUC & BEARDSLEY, KNOLL PHARMACEUTICAL Meet Confer hearing set for 10:00 4/10/00 . (N) (clv) (Entered: 03/15/2000)
03/22/2000	11	MOTION filed by plaintiff KNOLL PHARMACEUTICAL, plaintiff BUC & BEARDSLEY to compel defendant FDA to answer the complaint ; attachment (1) (tw) (Entered: 03/23/2000)
03/29/2000	12	MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 16 filed by plaintiff KNOLL PHARMACEUTICAL, plaintiff BUC & BEARDSLEY, federal defendant FDA, federal defendant HHS . (tb) (Entered: 03/30/2000)
04/04/2000	13	RESPONSE by federal defendant FDA in opposition to plaintiff's motion to compel defendant FDA to answer the complaint [11-1]; attachment (1) (tw) (Entered: 04/05/2000)
04/05/2000	14	MOTION filed by plaintiff KNOLL PHARMACEUTICAL, plaintiff BUC & BEARDSLEY to amend complaint [1-1] by BUC & BEARDSLEY, KNOLL PHARMACEUTICAL ; EXHIBIT (amended complaint) (tw) (Entered: 04/06/2000)
04/05/2000	39	AMENDED COMPLAINT by plaintiff KNOLL PHARMACEUTICAL, plaintiff BUC & BEARDSLEY amending complaint [1-1] . (tb) (Entered: 06/30/2000)
04/10/2000		MEET AND CONFER STATUS HEARING before Judge Emmet G. Sullivan : granted motion to amend complaint [1-1] by BUC & BEARDSLEY, KNOLL PHARMACEUTICAL [14-1] by BUC & BEARDSLEY, KNOLL PHARMACEUTICAL; Vaughn Index due by 6/1/00; Intervenor's Rule 24 Motion due by 6/1/00; plaintiff's counsel to submit order; Reporter: Frank Rangus (clv) (Entered: 04/10/2000)
04/11/2000	15	MOTION filed by plaintiff KNOLL PHARMACEUTICAL, plaintiff BUC & BEARDSLEY for a scheduling order. (tw) (Entered: 04/12/2000)
04/12/2000	16	TRANSCRIPT filed for date(s) of April 10. 2000. Reporter: Frank J. Rangus (tw) (Entered: 04/13/2000)
04/14/2000	17	REPLY by plaintiff KNOLL PHARMACEUTICAL, plaintiff BUC & BEARDSLEY in support of motion to compel defendant FDA to answer the complaint [11-1] (tw) (Entered: 04/18/2000)
04/18/2000	18	ORDER by Judge Emmet G. Sullivan : granting motion for a scheduling order. [15-1] by BUC & BEARDSLEY, KNOLL PHARMACEUTICAL defendant's motion for summary judgment due 7/17/00 ; response to motion for summary judgment and cross motions due 8/14/00 reply and oppositions to motion for

		summary judgment due 9/8/00 ;reply due 9/25/00; setting forth further instructions to counsel; (N) (clv) (Entered: 04/19/2000)
04/19/2000	19	AMENDED ANSWER [1-1] filed by federal defendant FDA, federal defendant HHS (tb) (Entered: 04/20/2000)
04/19/2000	20	NOTICE RE: withdrawal of request for an oral hearing by plaintiff KNOLL PHARMACEUTICAL, plaintiff BUC &BEARDSLEY (tb) (Entered: 04/20/2000)
05/24/2000	21	MOTION filed for JONES PHARMA INC to intervene as a defendant ; EXHIBIT (ANSWER and LCvR 26.1) (tw) (Entered: 05/26/2000)
06/01/2000	22	VAUGHN INDEX by federal defendant FDA, federal defendant HHS (tw) (Entered: 06/02/2000)
06/01/2000	23	MOTION filed for MOVA PHARMACEUTICAL to intervene as a defendant ; EXHIBITS (Answer and LvcR 26.1) (tw) (Entered: 06/02/2000)
06/01/2000	27	MOTION filed for VINTAGE PHARM to intervene ; EXHIBITS (answer, LCvR 26.1 and attorney appearance) (tw) (Entered: 06/19/2000)
06/05/2000	24	NOTICE OF FILING by federal defendant FDA, federal defendant HHS submitting a declaration concerning the FDA's field offices' searches made in response to plaintiffs' Freedom of Information Act. (tw) (Entered: 06/06/2000)
06/12/2000	26	ORDER by Judge Emmet G. Sullivan : granting the moiton of Vintage Pharmaceuticals to intervene in this case; (N) (clv) (Entered: 06/19/2000)
06/12/2000	28	LCvR 26.1 Certificate of disclosure of corporate affiliations and financial interests by intervenor-deft. VINTAGE PHARM (tw) (Entered: 06/19/2000)
06/12/2000	29	ANSWER TO COMPLAINT [1-1] by intervenor-defendant VINTAGE PHARM . (tw) (Entered: 06/19/2000)
06/12/2000	30	ATTORNEY APPEARANCE for intervenor-defendant VINTAGE PHARM by Charles J. Raubichcek. (tw) (Entered: 06/19/2000)
06/15/2000	25	MOTION filed by federal defendant FDA, federal defendant HHS to extend time to 6/29/00 for filing a declaration. (tw) (Entered: 06/16/2000)
06/20/2000	31	ORDER by Judge Emmet G. Sullivan : granting motion to extend time to 6/29/00 for filing a declaration. [25-1] by HHS, FDA (N) (clv) (Entered: 06/21/2000)
06/21/2000	32	ORDER by Judge Emmet G. Sullivan : denying motion to compel defendant FDA to answer the complaint [11-1] by BUC &BEARDSLEY, KNOLL PHARMACEUTICAL (N) (clv) (Entered: 06/21/2000)
06/27/2000	35	JOINT MOTION by plaintiff KNOLL PHARMACEUTICAL, plaintiff BUC &BEARDSLEY, federal defendant FDA, federal defendant HHS to stay or suspend the schedule (dam) (Entered: 06/28/2000)
06/28/2000	33	ORDER by Judge Emmet G. Sullivan : granting motion for MOVA PHARMACEUTICAL to intervene as a defendant [23-1] (N) (clv) (Entered: 06/28/2000)
06/28/2000	34	ORDER by Judge Emmet G. Sullivan : granting motion for JONES PHARMA INC to intervene as a defendant [21-1] (N) (clv) (Entered: 06/28/2000)
06/28/2000	36	ANSWER TO COMPLAINT [1-1] by intervenor-defendant JONES PHARMA INC . (tb) (Entered: 06/29/2000)
06/28/2000	40	ANSWER TO AMENDED COMPLAINT [39-1] by intervenor-defendant MOVA PHARMACEUTICAL (tb) (Entered: 06/30/2000)
06/29/2000	37	ORDER by Judge Emmet G. Sullivan : granting joint motion to stay or suspend the schedule [35-1] by HHS, FDA, BUC &BEARDSLEY, KNOLL PHARMACEUTICAL; parties to submit revised schedule, either jointly or separately by 8/18/00. (N) (pob) (Entered: 06/30/2000)

06/29/2000	38	NOTICE OF FILING by federal defendants FDA, and HHS; two declarations (bm) (Entered: 06/30/2000)
07/13/2000	41	NOTICE by intervenor-defendant VINTAGE PHARM that Frommer Lawrence &Haug LLP are substituted in place of Sidley &Austin. (td) (Entered: 07/14/2000)
08/28/2000	<u>42</u>	STIPULATION filed and fiated by Judge Emmet G. Sullivan limiting the scope of the case. (N) (adc) (Entered: 08/28/2000)
09/01/2000	43	STIPULATION filed and fiated by Judge Emmet G. Sullivan regarding limiting the scope of this case. (N) (jwd) (Entered: 09/01/2000)
11/01/2000	44	VAUGHN INDEX by intervenor-defendant JONES PHARMA INC; exhibit (1) (td) (Entered: 11/06/2000)
11/01/2000	45	VAUGHN INDEX by defendant MOVA PHARMACEUTICAL pursuant to court's order of September 1, 2000. (td) (Entered: 11/06/2000)
11/01/2000	46	VAUGHN INDEX by federal defendant HHS pursuant to court's order of September 1, 2000 (td) (Entered: 11/06/2000)
11/14/2000	47	VAUGHN INDEX by defendant VINTAGE PHARM (td) (Entered: 11/16/2000)
12/18/2000	48	STATUS REPORT by federal defendant FDA, federal defendant HHS (td) (Entered: 12/20/2000)
02/02/2001	49	ENTERED IN ERROR – RULE 26(b)(4) STATEMENT (Amended Designation of Expert Witnesses) filed by plaintiff KNOLL PHARMACEUTICAL, plaintiff BUC &BEARDSLEY; Attachments. (tth) Modified on 03/06/2001 (Entered: 02/06/2001)
03/05/2001	<u>50</u>	STIPULATION filed and fiated by Judge Emmet G. Sullivan regarding voluntary dismissal. (N) (clv) (Entered: 03/05/2001)