

CLOSED,MEDIATION,TYPE-I

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:99-cv-02673-GK**

WISCONSIN PROJECT v. DOC  
Assigned to: Judge Gladys Kessler  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/08/1999  
Date Terminated: 09/04/2001  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**WISCONSIN PROJECT ON  
NUCLEAR ARMS CONTROL**

represented by **Alan B. Morrison**  
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**TERMINATED: 08/10/2000**  
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V.

**Defendant**

**DEPARTMENT OF COMMERCE**

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Date Filed	#	Docket Text
10/08/1999	1	COMPLAINT filed by plaintiff WISCONSIN PROJECT (tth) (Entered: 10/12/1999)
10/08/1999		SUMMONS (3) issued to federal party(s) federal defendant DOC, and non-parties: U.S. Attorney and U.S. Attorney General. (tth) (Entered: 10/12/1999)
10/08/1999	2	RULE 109 Certificate of disclosure of corporate affiliations and financial interests by plaintiff WISCONSIN PROJECT (tth) (Entered: 10/12/1999)
10/19/1999	3	ATTORNEY APPEARANCE for federal defendant DOC by Jane M. Lyons (bjsp) (Entered: 10/20/1999)
11/15/1999	4	ANSWER TO COMPLAINT [1-1] by federal defendant DOC . (tw) (Entered: 11/17/1999)
12/03/1999	5	MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 16 filed by federal defendant DOC . (ks) (Entered: 12/06/1999)
12/15/1999	6	INITIAL SCHEDULING ORDER by Judge Gladys Kessler status hearing set for 9:45 1/20/00 (N) (pob) Modified on 12/16/1999 (Entered: 12/16/1999)
12/20/1999		STATUS HEARING before Judge Gladys Kessler: discovery closes 4/10/00; dispositive motions due 5/10/00; pretrial conference set for 4:15 7/13/00 Reporter: Susan Tyner (pob) (Entered: 12/20/1999)
12/20/1999	7	SCHEDULING ORDER by Judge Gladys Kessler Case assigned to the Standard track (track two); referring case for mediation; Mediation to be concluded by 5/1/00; discovery closes 4/10/00; dispositive motions due 5/10/00; pretrial conference set for 4:15 7/13/00; witness list due 1/10/00; (N) (pob) (Entered: 12/20/1999)
12/21/1999	8	ORDER by Judge Gladys Kessler: cross motions due 1/28/00 response to cross motions due 2/18/00; reply to cross motions due 3/6/00; motion for summary judgment due 1/7/00; response to motion for summary judgment due 1/28/00; reply motion for summary judgment due 2/18/00; vacating initial scheduling conference date of 1/20/00; Case assigned to the Fast track (track one). (N) (pob) (Entered: 12/21/1999)
01/03/2000	9	MOTION (CONSENT) filed by federal defendant DOC to extend time to 1/7/00 for summary judgment (tth) (Entered: 01/04/2000)
01/04/2000	10	ORDER by Judge Gladys Kessler: granting motion to extend time to 1/7/00 for summary judgment [9-1] by DOC; cross motions due by 2/18/00; response to cross motions due by 3/10/00; reply to cross motions due by 3/27/00; motion for summary judgment due by 1/28/00; response to motion for summary judgment due 2/18/00; reply to motion for summary judgment due by 3/10/00 (N) (pob) (Entered: 01/05/2000)
01/27/2000	11	MOTION (CONSENTED) filed by federal defendant DOC to extend time for filing its motion for summary judgment (tth) (Entered: 01/28/2000)
02/01/2000	12	ORDER by Judge Gladys Kessler: granting motion to extend time for filing its motion for summary judgment [11-1] by DOC cross motions due by 2/25/00; response to cross motions due by 3/15/00; reply to cross motions due by 3/31/00; motion for summary judgment due by 2/4/00; response to motion for summary judgment due 2/25/00; reply to motion for summary judgment due by 3/15/00 (N) (pob) (Entered: 02/01/2000)
02/04/2000	13	MOTION filed by federal defendant DOC for summary judgment ; exhibits (4) (jf) (Entered: 02/08/2000)
02/22/2000	14	CROSS MOTIONS by plaintiff WISCONSIN PROJECT for summary judgment ; Attachments (4); Exhibits (2) (tth) (Entered: 02/23/2000)

03/15/2000	15	MOTION (CONSENT) filed by federal defendant DOC to extend time filing of opposition to plaintiff's motion for summary judgment and reply in support of defendant's motion for summary judgment (jf) (Entered: 03/16/2000)
03/17/2000	16	ORDER by Judge Gladys Kessler: granting motion to extend time filing of opposition to plaintiff's motion for summary judgment and reply in support of defendant's motion for summary judgment [15-1] by DOC reply to cross motions due by 3/21/00; response to motion for summary judgment due 3/21/00 (N) (pob) (Entered: 03/17/2000)
03/21/2000	17	RESPONSE by federal defendant DOC in opposition to cross motion for summary judgment [14-1] by WISCONSIN PROJECT; Exhibits (2). (tth) (Entered: 03/22/2000)
03/30/2000	18	MOTION (CONSENT) filed by plaintiff WISCONSIN PROJECT to extend time to 4/14/00 to file a reply in support of pending cross-motion for summary judgment (jf) (Entered: 03/31/2000)
03/31/2000	20	MOTION (CONSENTED) filed by federal defendant DOC for leave to file out of time a Response to Plaintiff's Counter-Statement of Material Facts As to Which There is No Genuine Issue, and Second Supplemental Declaration of Eileen Albanese ; EXHIBIT (RESPONSE, DECLARATION) (tth) (Entered: 04/03/2000)
04/03/2000	19	ORDER by Judge Gladys Kessler : granting motion to extend time to 4/14/00 to file a reply in support of pending cross-motion for summary judgment [18-1] by WISCONSIN PROJECT (N) (pob) (Entered: 04/03/2000)
04/04/2000	21	ORDER by Judge Gladys Kessler: granting motion for leave to file out of time a Response to Plaintiff's Counter-Statement of Material Facts As to Which There is No Genuine Issue, and Second Supplemental Declaration of Eileen Albanese [20-1] by DOC (N) (pob) (Entered: 04/04/2000)
04/04/2000	22	RESPONSE by federal defendant DOC to plaintiff's counter-statement of material facts as to which there is no genuine issue [14-1] by WISCONSIN PROJECT; Second Supplemental Declaration (1). (tth) (Entered: 04/11/2000)
04/14/2000	23	REPLY by plaintiff WISCONSIN PROJECT to response to cross motion for summary judgment [14-1] by WISCONSIN PROJECT; Supplemental Declaration of Gary Milhollin; Exhibit. (pob) Modified on 04/19/2000 (Entered: 04/19/2000)
05/10/2000	24	ERRATA by plaintiff WISCONSIN PROJECT the original supplemental declaration of Gary Milhollin dated 4/14/00 to replace the facsimile copy attached to plaintiff's reply in support of its cross motion for summary judgment file on 4/14/00 (adc) (Entered: 05/12/2000)
07/25/2000	25	NOTICE OF SUPPLEMENTAL AUTHORITY by federal defendant DOC in Times Publishing Company v. Department of Commerce, Case No. 99-2100-CIV-T-26B (Md. Fla. June 28,2000) (dam) (Entered: 07/26/2000)
08/10/2000	26	NOTICE OF WITHDRAWAL of attorney Alison Van Horn for WISCONSIN PROJECT. (tth) (Entered: 08/16/2000)
11/30/2000	27	MOTION filed by plaintiff WI PROJECT, federal defendant DOC for further briefing of the recently passed Export Administration Modification and Clarificaiton Act, Pub. L.XX, -Stat.-(November 13,2000). (td) (Entered: 12/05/2000)
12/05/2000	<u>28</u>	ORDER by Judge Gladys Kessler: granting motion for further briefing of the recently passed Export Administration Modification and Clarificaiton Act, Pub. L.XX, -Stat.-(November 13,2000) [27-1] by DOC, WI PROJECTI defendant to file its brief by 12/14/00; plaintiff to file its response by 1/3/01; defendant's reply due one week of plaintiff's response. (N) (pob) (Entered: 12/05/2000)
12/14/2000	29	SUPPLEMENTAL MEMORANDUM by federal defendant DOC to cross motion for summary judgment [14-1] by WI PROJECT (tb) (Entered: 12/15/2000)
01/03/2001	30	SUPPLEMENTAL MEMORANDUM by plaintiff WI PROJECT to cross motion for summary judgment [14-1] by WI PROJECT (tb) (Entered: 01/08/2001)

01/09/2001	31	MOTION (consented) filed by federal defendant DOC to extend time to 1/22/01 to respond to plaintiff's supplemental brief of 1/3/01. (td) (Entered: 01/11/2001)
01/11/2001	33	NOTICE OF SUPPLEMENTAL AUTHORITY RE: Times Publishing Co. v. Depart of Commerce, 2001 WL 10394 (1th Cir. Fla) by federal defendant DOC (tb) (Entered: 01/19/2001)
01/16/2001	<u>32</u>	ORDER by Judge Gladys Kessler : granting motion to extend time to 1/22/01 to respond to plaintiff's supplemental brief of 1/3/01. [31-1] by DOC (N) (pob) (Entered: 01/16/2001)
01/22/2001	34	REPLY by federal defendant DOC to supplemental memorandum [30-1] by WI PROJECT regarding the impact of the Export Administration Modification and Clarification Act (cdw) Modified on 01/24/2001 (Entered: 01/23/2001)
09/04/2001	<u>35</u>	MEMORANDUM OPINION by Judge Gladys Kessler (N) (dam) (Entered: 09/04/2001)
09/04/2001	<u>36</u>	ORDER by Judge Gladys Kessler: denying cross motion for summary judgment [14-1] by WI PROJECT, granting motion for summary judgment [13-1] by DOC; this case is dismissed. (N) (dam) (Entered: 09/04/2001)
10/03/2001	37	NOTICE OF APPEAL by plaintiff WI PROJECT from order [36-1] , entered on: 9/4/01; \$105.00 filing fee paid; Copies mailed to plaintiff and defendant (cjp) (Entered: 10/10/2001)
10/10/2001		TRANSMITTED PRELIMINARY RECORD on appeal [37-1] by WI PROJECT to U.S. Court of Appeals (cjp) (Entered: 10/10/2001)
10/11/2001		USCA # 01-5356 assigned for appeal [37-1] by WI PROJECT (cdw) (Entered: 10/12/2001)
07/02/2003	38	CERTIFIED COPY of judgment filed in USCA dated 1/31/03, on appeal [37-1] , affirming the judgment of USDC . USCA # 01-5356 (cp) (Entered: 07/08/2003)