

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:00-cv-01847-CKK**

PUBLIC CITIZEN HEAL. v. NIH  
Assigned to: Judge Colleen Kollar-Kotelly  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 07/31/2000  
Date Terminated: 03/12/2002  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**PUBLIC CITIZEN HEALTH  
RESEARCH GROUP**

represented by **Alan B. Morrison**  
GEORGE WASHINGTON UNIVERSITY  
LAW SCHOOL  
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*LEAD ATTORNEY*  
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**Allison Marcy Zieve**  
PUBLIC CITIZEN LITIGATION GROUP  
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V.

**Defendant**

**NATIONAL INSTITUTES OF  
HEALTH**

represented by **Cynthia Harrison Anderson**  
DEPARTMENT OF JUSTICE  
Office of Information & Privacy  
1310 G Street, NW  
Suite 570  
Washington, DC 20530  
(202) 305-2137  
Fax: 202-514-1009  
Email: [cindy.anderson@usdoj.gov](mailto:cindy.anderson@usdoj.gov)  
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V.

**Intervenor Defendant**

**JOHNSON & JOHNSON**

represented by **Bruce Stuart Manheim, Jr.**  
ROPES & GRAY, LLP  
Corporate/Life Sciences  
One Metro Center, 700 12th Street, NW  
Suite 900  
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*LEAD ATTORNEY*

## ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/31/2000	1	COMPLAINT filed by plaintiff PUBLIC CITIZEN HEAL. (dam) (Entered: 08/02/2000)
07/31/2000		SUMMONS (3) issued to federal party(s) federal defendant NIH, and non-parties: U.S. Attorney and U.S. Attorney General. (dam) (Entered: 08/02/2000)
07/31/2000	2	LCvR 26.1 Certificate of disclosure of corporate affiliations and financial interests by plaintiff PUBLIC CITIZEN HEAL. (dam) (Entered: 08/02/2000)
08/07/2000	3	ATTORNEY APPEARANCE for federal defendant NIH by Cynthia Harrison Anderson (tb) (Entered: 08/08/2000)
08/30/2000	4	ANSWER TO COMPLAINT [1-1] by federal defendant NIH . (bm) (Entered: 08/31/2000)
09/19/2000	5	ATTORNEY APPEARANCE for plaintiff PUBLIC CITIZEN HEAL. by Allison M. Zieve (bm) (Entered: 09/20/2000)
09/19/2000	6	MOTION filed by plaintiff PUBLIC CITIZEN HEAL. for Justin P. Smith to appear pro hac vice ( PUBLIC CITIZEN LITIGATION GROUP, 1600 20th Street, NW, Washington, 20009, (202) 588-1000) (bm) (Entered: 09/20/2000)
09/19/2000	7	MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 16 filed by plaintiff PUBLIC CITIZEN HEAL., federal defendant NIH . (tb) (Entered: 09/21/2000)
10/04/2000	<u>8</u>	ORDER by Judge Colleen Kollar-Kotelly : denying without prejudice motion for Justin P. Smith to appear pro hac vice ( PUBLIC CITIZEN LITIGATION GROUP, 1600 20th Street, NW, Washington, 20009, (202) 588-1000) [6-1] by PUBLIC CITIZEN HEAL. (N) (dot) (Entered: 10/04/2000)
10/12/2000	9	MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 16 filed by plaintiff PUBLIC CITIZEN HEAL., federal defendant NIH . (dam) (Entered: 10/13/2000)
10/12/2000	10	MOTION filed by plaintiff PUBLIC CITIZEN HEAL. for Justin P. Smith to appear pro hac vice ( Public Citizen Litigation Group, 1600 20th Street, N.W., Washington, DC 20009, (202) 588-1000) (dam) (Entered: 10/14/2000)
10/17/2000	<u>11</u>	ORDER by Judge Colleen Kollar-Kotelly : dispositive motions due 11/9/00 ; response to dispositive motions due 12/7/00 ; cross motions due 12/7/00 ; response to cross motions due 1/4/01 ; reply to dispositive motions due 1/4/01 ; reply to cross motions due 1/25/01 ; (N) (dcn) (Entered: 10/17/2000)
11/09/2000	12	MOTION filed by federal defendant NIH for summary judgment ; attachment (1); declarations (2); exhibits (24) (cdw) Modified on 11/14/2000 (Entered: 11/13/2000)
11/09/2000	13	MOTION filed for JOHNSON & JOHNSON to intervene as defendant ; EXHIBITS (motion for summary judgment and answer) (td) Modified on 11/27/2000 (Entered: 11/27/2000)
11/27/2000	<u>14</u>	ORDER by Judge Colleen Kollar-Kotelly : denying motion for Justin P. Smith to appear pro hac vice ( Public Citizen Litigation Group, 1600 20th Street, N.W., Washington, DC 20009, (202) 588-1000) [10-1] by PUBLIC CITIZEN HEAL. (N) (dam) (Entered: 11/28/2000)
11/27/2000	<u>15</u>	ORDER by Judge Colleen Kollar-Kotelly: granting motion for JOHNSON & JOHNSON to intervene as defendant [13-1] (N) (dam) (Entered: 11/28/2000)
11/27/2000	19	ANSWER TO COMPLAINT [1-1] by intervenor-defendant JOHNSON & JOHNSON . (td) (Entered: 12/12/2000)
11/27/2000	20	LCvR 26.1 Certificate of disclosure of corporate affiliations and financial interests by intervenor-defendant JOHNSON & JOHNSON (td) (Entered: 12/12/2000)

11/27/2000	21	MOTION filed by intervenor–defendant JOHNSON &JOHNSON for summary judgment on the ground that there is no genuine issue as to any material fact. ; attachments (2) (td) (Entered: 12/12/2000)
11/30/2000	16	JOINT MOTION by plaintiff PUBLIC CITIZEN HEAL., federal defendant NIH, movant JOHNSON &JOHNSON to extend time to one month the briefing schedule. (hsj) (Entered: 12/05/2000)
12/04/2000	18	ERRATA RE: original declaration of Geoffrey Dellenbaugh as exhibit to motion for summary judgment by movant JOHNSON &JOHNSON; attachment (tb) (Entered: 12/11/2000)
12/07/2000	<u>17</u>	ORDER by Judge Colleen Kollar–Kotelly: granting joint motion to extend time to one month the briefing schedule. [16–1] by JOHNSON &JOHNSON, NIH, PUBLIC CITIZEN HEAL. plaintiff's response to motion for summary judgment and/or cross motion to defendants motion to summary judgment due 1/4/01; defedants opposition and/or reply to motion for summary judgment due by 1/25/01; plaintiff shall file its reply on or before 2/15/01. (N) (dam) (Entered: 12/07/2000)
01/04/2001	22	CROSS MOTIONS by plaintiff PUBLIC CITIZEN HEAL. for summary judgment ; Declaration (2), Exhibit (3), Attachment (12) (hsj) (Entered: 01/05/2001)
01/04/2001	23	RESPONSE by plaintiff PUBLIC CITIZEN HEAL. in opposition to motion for summary judgment on the ground that there is no genuine issue as to any material fact. [21–1] by JOHNSON &JOHNSON, motion for summary judgment [12–1] by NIH.; Declarations (2), Attachment (15) (hsj) Modified on 01/18/2001 (Entered: 01/18/2001)
01/25/2001	24	MEMORANDUM by intervenor–defendant JOHNSON &JOHNSON in opposition to cross motion for summary judgment [22–1] by PUBLIC CITIZEN HEAL. (cdw) (Entered: 01/26/2001)
01/25/2001	25	REPLY by intervenor–defendant JOHNSON &JOHNSON to response in opposition to motion for summary judgment on the ground that there is no genuine issue as to any material fact. [21–1] by JOHNSON &JOHNSON ; declarations (1) (cdw) (Entered: 01/26/2001)
01/25/2001	26	RESPONSE by intervenor–defendant JOHNSON &JOHNSON to plaintiff's statement of undisputed facts in their cross motion for summary judgment [22–1] by PUBLIC CITIZEN HEAL. (cdw) Modified on 01/30/2001 (Entered: 01/26/2001)
01/25/2001	27	RESPONSE by federal defendant NIH to plaintiff's statement of material facts with respect to which there is no genuine issue [22–1] by PUBLIC CITIZEN HEAL.; exhibits (12), declarations (1) (cdw) (Entered: 01/26/2001)
01/25/2001	28	MEMORANDUM by federal defendant NIH in opposition to cross motion for summary judgment [22–1] by PUBLIC CITIZEN HEAL.; exhibits (12), declarations (1) (cdw) (Entered: 01/26/2001)
01/25/2001	29	REPLY by federal defendant NIH to response in opposition to motion for summary judgment [12–1] by NIH; exhibits (12), declarations (1) (cdw) (Entered: 01/26/2001)
01/30/2001	30	ERRATA RE: original signature page of declaration of Dr. Dellenbaugh by intervenor–defendant JOHNSON &JOHNSON; (tb) (Entered: 02/06/2001)
02/15/2001	32	REPLY by plaintiff PUBLIC CITIZEN HEAL. to response in support of cross motion for summary judgment [22–1] by PUBLIC CITIZEN HEAL. (aet) (Entered: 02/20/2001)
02/16/2001	31	ERRATA by plaintiff PUBLIC CITIZEN HEAL. of a declaration of Stephen W. Schondelmeyer, PHD in support of HRG's cross–motion for summary judgment and in opposition to defendant's and intervenor–defendant's motions for summary judgment; declaration (1) (cjp) (Entered: 02/20/2001)
03/07/2001	33	SUPPLEMENTAL MEMORANDUM by plaintiff PUBLIC CITIZEN HEAL. in support of cross motion for summary judgment [22–1] by PUBLIC CITIZEN HEAL; attachment (1) (cjp) (Entered: 03/08/2001)

03/07/2001	34	SUPPLEMENTAL MEMORANDUM by plaintiff PUBLIC CITIZEN HEAL. in opposition to motion for summary judgment on the ground that there is no genuine issue as to any material fact. [21-1] by JOHNSON &JOHNSON, motion for summary judgment [12-1] by NIH (cjp) (Entered: 03/08/2001)
04/27/2001	35	RESPONSE by federal defendant NIH to plaintiff's submission of supplemental authority (cdw) (Entered: 04/30/2001)
12/19/2001	36	NOTICE by federal defendant NIH to Court concerning mail service at DOJ (cdw) (Entered: 12/21/2001)
03/12/2002	<u>37</u>	MEMORANDUM OPINION by Judge Colleen Kollar-Kotelly (N) (dot) (Entered: 03/12/2002)
03/12/2002	<u>38</u>	ORDER by Judge Colleen Kollar-Kotelly : granting motion for summary judgment [12-1] by NIH. Granting motion for summary judgment on the ground that there is no genuine issue as to any material fact [21-1] by JOHNSON &JOHNSON. Denying cross motion for summary judgment [22-1] by PUBLIC CITIZEN HEAL. This case be dismissed from the docket of the Court with prejudice. (N) (dot) (Entered: 03/12/2002)