

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:98-cv-02367-PLF**

CONSUMER'S CHOICE v. EPA
Assigned to: Judge Paul L. Friedman
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 10/02/1998
Date Terminated: 02/21/2001
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**CONSUMER'S CHOICE COUNCIL**

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V.

Defendant**UNITED STATES
ENVIRONMENTAL PROTECTION
AGENCY**

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Date Filed	#	Docket Text
10/02/1998	1	COMPLAINT filed by plaintiff CONSUMER'S CHOICE (ks) (Entered: 10/05/1998)
10/02/1998		SUMMONS (3) issued to federal party(s) federal defendant EPA , and non-parties: U.S. Attorney and U.S. Attorney General. (ks) (Entered: 10/05/1998)
10/26/1998	2	ATTORNEY APPEARANCE for federal defendant EPA by Lydia K. Griggsby (ks) (Entered: 10/27/1998)

10/28/1998	3	MOTION filed by federal defendant EPA to extend time to 11/30/98 to answer complaint [1-1] (st) (Entered: 10/29/1998)
10/30/1998	4	ORDER by Judge Paul L. Friedman : granting motion to extend time to 11/30/98 to respond to the complaint [1-1] [3-1] by EPA; dispositive motion due 11/30/98 (N) (bm) (Entered: 10/30/1998)
11/30/1998	5	MOTION filed by federal defendant EPA to extend time to 3/14/99 to file a dispositive motion ; attachments (2) (tw) Modified on 12/01/1998 (Entered: 12/01/1998)
12/03/1998	6	RESPONSE by plaintiff CONSUMER'S CHOICE in opposition to motion to extend time to 3/14/99 to file a dispositive motion [5-1] by EPA . (bjsp) (Entered: 12/04/1998)
12/14/1998	7	ORDER by Judge Paul L. Friedman : granting motion to extend time to 3/14/99 to file a reply to their dispositive motion [5-1] by EPA; reply to dispositive motions due by 2/12/99 (N) (bm) (Entered: 12/14/1998)
02/11/1999	8	MOTION (CONSENT) filed by federal defendant EPA to extend time to 2/22/99 , and by both parties to set briefing schedule (lkn) (Entered: 02/12/1999)
02/16/1999	9	ORDER by Judge Paul L. Friedman : granting motion to extend time to 2/22/99 [8-1] by EPA; dispositive motions due by 2/22/99; response to dispositive motions due by 3/12/99; reply to dispositive motions due by 3/22/99 (N) (bm) (Entered: 02/16/1999)
02/22/1999	10	MOTION filed by federal defendant EPA for summary judgment upon the grounds that there is no genuine issue of material fact in dispute in this case and the undisputed facts establish that defendant is entitled to judgment as a matter of law ; attachments (5) (tw) (Entered: 02/24/1999)
02/23/1999	11	MOTION filed by federal defendant EPA for leave to file corrected copy of brief EXHIBIT (motion for summary judgment) (bjsp) (Entered: 02/24/1999)
02/25/1999	12	ORDER by Judge Paul L. Friedman : granting motion for leave to file corrected copy of motion for summary [11-1] by EPA (N) (bm) (Entered: 02/26/1999)
02/25/1999	23	MOTION filed by federal defendant EPA for summary judgment ; exhibits (6) (bjsp) (Entered: 07/23/1999)
03/12/1999	13	MOTION filed by plaintiff CONSUMER'S CHOICE for discovery under FED. R. CIV. P. 56(f) (st) (Entered: 03/15/1999)
03/12/1999	14	MEMORANDUM by plaintiff CONSUMER'S CHOICE in opposition to motion for summary judgment upon the grounds that there is no genuine issue of material fact in dispute in this case and the undisputed facts establish that defendant is entitled to judgment as a matter of law [10-1] by EPA (st) (Entered: 03/15/1999)
03/12/1999	15	MEMORANDUM by plaintiff CONSUMER'S CHOICE in support of motion for discovery under FED. R. CIV. P. 56(f) [13-1] by CONSUMER'S CHOICE (st) (Entered: 03/15/1999)
03/17/1999	16	MOTION filed by federal defendant EPA to extend time to 4/16/99 to file its reply to plaintiff's opposition to defendant's motion for summary judgment and opposition to plaintiff's motion for discovery under Rule 56(f) (tth) (Entered: 03/18/1999)
03/18/1999	17	ORDER by Judge Paul L. Friedman : granting motion to extend time to 4/16/99 to file its reply to plaintiff's opposition to defendant's motion for summary judgment and opposition to plaintiff's motion for discovery under Rule 56(f) [16-1] by EPA; defendant's reply to dispositive motions due by 4/16/99; and response to discovery motion due by 4/16/99 (N) (bm) (Entered: 03/18/1999)
04/16/1999	18	REPLY by federal defendant EPA to response to motion for summary judgment upon the grounds that there is no genuine issue of material fact in dispute in this case and the undisputed facts establish that defendant is entitled to judgment as a matter of law [10-1] by EPA (st) (Entered: 04/19/1999)

04/16/1999	19	RESPONSE by federal defendant EPA in opposition to motion for discovery under FED. R. CIV. P. 56(f) [13-1] by CONSUMER'S CHOICE . (st) (Entered: 04/19/1999)
04/21/1999	20	MOTION (CONSENT) filed by plaintiff CONSUMER'S CHOICE to extend time to 5/7/99 to reply to defendant's opposition to plaintiff's motion for discovery (bjsp) (Entered: 04/26/1999)
04/27/1999	21	ORDER by Judge Paul L. Friedman : granting motion to extend time to 5/7/99 to reply to defendant's opposition to plaintiff's motion for discovery [20-1] by CONSUMER'S (N) (bm) (Entered: 04/27/1999)
05/07/1999	22	REPLY by plaintiff CONSUMER'S CHOICE to response to motion for discovery under FED. R. CIV. P. 56(f) [13-1] by CONSUMER'S CHOICE (st) (Entered: 05/10/1999)
12/29/1999	24	MEMORANDUM OPINION by Judge Paul L. Friedman (N) (bm) (Entered: 01/03/2000)
12/29/1999	25	ORDER by Judge Paul L. Friedman : granting in part, motion for summary judgment regarding the records withheld under Exemptions 1 and 5 of the FOIA as well as regarding the adequacy of the searches of all offices other than the Office of the EPA Administrator; denying in part without prejudice with regard to the adequacy of its search of the Office of the EPA Administrator [23-1], denying motion for discovery under FRCP 56(f) [13-1] by CONSUMER'S CHOICE; defendant shall provide the Court with supplemental affidavits or declarations demonstrating that it conducted an adequate search of the Office of the EPA Administrator for records responsive to plaintiff's FOIA request due 2/29/00 ; plaintiff's response to supplemental affidavits or declarations due 3/20/00 (N) (bm) (Entered: 01/03/2000)
03/07/2000	26	MOTION filed by federal defendant EPA for leave supplemental declaration ; EXHIBIT (SUPPLEMENTAL DECLARATION) (tb) (Entered: 03/08/2000)
03/14/2000	27	ORDER by Judge Paul L. Friedman : granting motion for leave supplemental declaration in support of defendant's motion for summary judgment [26-1] by EPA (N) (bm) (Entered: 03/14/2000)
03/14/2000	28	SUPPLEMENTAL MEMORANDUM RE: declaration of Elizabeth A. Wonkovich regarding adequacy of search for records by federal defendant EPA to motion for summary judgment [23-1] by EPA; attachment (tb) (Entered: 03/14/2000)
03/20/2000	30	SUBSTITUTION OF COUNSEL for plaintiff CONSUMER'S CHOICE , substituting Michael Edward Tankersley for attorney Colette G. Matzzie for CONSUMER'S CHOICE (tb) (Entered: 03/21/2000)
03/20/2000	31	MOTION (CONSENT) filed by plaintiff CONSUMER'S CHOICE to extend time to 4/3/00 to respond to defendant's supplemental declaration and renewed motion for summary judgment (tb) (Entered: 03/21/2000)
03/21/2000	29	ORDER by Judge Paul L. Friedman: granting plaintiff's motion for extension of time to 4/3/00 to respond to defendant's supplemental declaration and renewed motion for summary judgment. (N) (bm) (Entered: 03/21/2000)
03/31/2000	32	MOTION (CONSENT) filed by plaintiff CONSUMER'S CHOICE to extend time to 4/17/00 to respond to defendant's supplemental declaration and renewed motion for summary judgment (tb) (Entered: 04/04/2000)
04/04/2000	33	ORDER by Judge Paul L. Friedman : granting motion to extend time to 4/17/00 to respond to defendant's supplemental declaration and renewed motion for summary judgment [32-1] by CONSUMER'S CHOICE (N) (bm) (Entered: 04/04/2000)
04/17/2000	34	CROSS MOTIONS by plaintiff CONSUMER'S CHOICE for summary judgment upon the ground that defendant's search was inadequate and plaintiff is entitled to summary judgment , and, in the alternative for discovery under Federal Rule Civil Procedure 56(f). (tw) (Entered: 04/19/2000)
05/01/2000	35	MOTION (consent) filed by federal defendant EPA to extend time to 5/11/00 to file ist response to plaintiff's cross-motion for summary judgment and renewed

		motion for discovery. (tw) (Entered: 05/02/2000)
05/02/2000	36	ORDER by Judge Paul L. Friedman : granting motion to extend time to 5/11/00 to file response to plaintiff's cross-motion for summary judgment and renewed motion for discovery [35-1] by EPA; plaintiff's response to cross motion for summary judgment due 5/11/00; response to renewed motion for discovery due by 5/11/00 (N) (bm) (Entered: 05/03/2000)
05/11/2000	37	RESPONSE by federal defendant EPA in opposition to plaintiff's motion for summary judgment [34-1] by and renewed motion for discovery under Federal Rule Civil Procedure 56(f) [34-2]; attachments (2) (tw) (Entered: 05/12/2000)
05/22/2000	38	REPLY by plaintiff CONSUMER'S CHOICE to defendant's opposition to plaintiff's motion for summary judgment upon [34-1] , and renewed motion for discovery under Federal Rule [34-2]. (tw) (Entered: 05/23/2000)
07/14/2000	39	STIPULATION filed and fiated by Judge Paul L. Friedman . withdrawing plaintiff's cross-motion for summary judmgnent and renewed motion for discovery without prejudice; withdrawing defendant's renewed motion for summary judgment without prejudice; this stipulation is binding upon all parties. (N) (bm) (Entered: 07/14/2000)
01/11/2001	40	STATUS REPORT by plaintiff CONSUMER'S CHOICE, federal defendant EPA (aet) (Entered: 01/16/2001)
01/16/2001	<u>41</u>	ORDER by Judge Paul L. Friedman: granting motion and staying the briefing of cross-motions for summary judgment until 2/16/01; if warranted, the parties shall file their joint stipulation of dismissal and settlement agreement in this action by 2/16/01. (N) (bm) (Entered: 01/16/2001)
02/21/2001	<u>42</u>	STIPULATION OF SETTLEMENT AND DISMISSAL of case by plaintiff CONSUMER'S CHOICE, federal defendant EPA; setting forth terms of settlement; dismissing this action with prejudice; so ordered (fiat) J. Friedman (N) (bm) (Entered: 02/21/2001)