

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:98-cv-02210-TFH**

MELIUS v. NATL INDIAN GAMING
Assigned to: Judge Thomas F. Hogan
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 09/16/1998
Date Terminated: 09/14/2001
Jury Demand: Plaintiff
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

GARY ALAN MELIUS

represented by **Joseph Robert Membrino , Jr.**
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V.

Defendant

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Date Filed	#	Docket Text
09/16/1998	1	COMPLAINT filed by plaintiff GARY ALAN MELIUS; jury demand (lkn) (Entered: 09/17/1998)
09/16/1998		SUMMONS (3) issued to federal party(s) federal defendant NATL INDIAN GAMING , and non-parties: U.S. Attorney and U.S. Attorney General. (lkn) (Entered: 09/17/1998)
10/16/1998	2	MOTION (UNOPPOSED) filed by federal defendant NATL INDIAN GAMING to extend time to 11/30/98 to respond to the FOIA count in plaintiff's first cause of action (lkn) (Entered: 10/19/1998)
10/23/1998	3	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 11/30/98 to respond to the FOIA count in plaintiff's first cause of action [2-1] by NATL INDIAN GAMING (N) (scm) (Entered: 10/27/1998)
11/30/1998	4	ANSWER TO COMPLAINT [1-1] by federal defendant NATL INDIAN GAMING . (tw) (Entered: 12/01/1998)
12/18/1998	6	MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 206(d) filed by plaintiff GARY ALAN MELIUS, federal defendant NATL INDIAN GAMING . (jf) (Entered: 12/22/1998)
12/21/1998	5	MOTION filed by federal defendant NATL INDIAN GAMING for summary judgment , and for judgment on the pleadings ; Declarations (2), exhibits (6). (lkn) (Entered: 12/22/1998)
12/30/1998	7	MOTION (UNOPPOSED) filed by federal defendant NATL INDIAN GAMING to amend its statement of material facts filed in support of its motion for summary judgment, dated December 21, 1998 :EXHIBIT (Statement of material facts). (lkn) (Entered: 01/04/1999)
02/10/1999	8	SCHEDULING ORDER by Judge Thomas F. Hogan directing plaintiff to submit his opposition and/or Cross Motion to the defendant's pending motion by 2/22/99 ; defendant's response to motion due 3/11/99 ; plaintiff's reply to motion due 3/22/99 ; , Case assigned to the Standard track (track two); directing that discovery be stayed until further order of the Court. (N) (gew) (Entered: 02/10/1999)
02/18/1999	9	MOTION (UNOPPOSED) filed by plaintiff GARY ALAN MELIUS to extend time to 3/8/99 to file a responsive pleading to defendant's motion for summary judgment and for judgment on pleadings (jf) (Entered: 02/19/1999)
02/23/1999	10	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 3/8/99 to file a responsive pleading to defendant's motion for summary judgment and for judgment on pleadings [9-1] by GARY ALAN MELIUS (N) (gew) (Entered: 02/23/1999)
03/08/1999	11	MEMORANDUM by plaintiff GARY ALAN MELIUS in opposition to motion for summary judgment [5-1] and for judgment on the pleadings [5-2] by NATL INDIAN GAMING; exhibits (72) (jf) (Entered: 03/09/1999)
03/10/1999	12	MOTION (UNOPPOSED) filed by federal defendant NATL INDIAN GAMING to extend time to 3/30/99 to file reply to plaintiff's opposition (tb) (Entered: 03/11/1999)

03/10/1999	13	ERRATA RE: filing the original declaration of Dexter Lehtinen, copy was filed with plaintiff's opposition to defendant's motion for summary judgment on 03/08/99 by plaintiff GARY ALAN MELIUS (tb) (Entered: 03/11/1999)
03/12/1999	14	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 3/30/99 to file reply to plaintiff's opposition [12-1] by NATL INDIAN GAMING (N) (gew) (Entered: 03/12/1999)
03/30/1999	15	MOTION (UNOPPOSED) filed by federal defendant NATL INDIAN GAMING for leave to file an amended declaration of Jean McLaughlin :EXHBIT (Amended declaration). (lkn) (Entered: 03/31/1999)
03/30/1999	16	REPLY by federal defendant NATL INDIAN GAMING in support of motion for summary judgment [5-1] by NATL INDIAN GAMING, motion for judgment on the pleadings [5-2] by NATL INDIAN GAMING (lkn) (Entered: 03/31/1999)
03/30/1999	17	MOTION filed by federal defendant NATL INDIAN GAMING to strike plaintiff's statement of material facts as to which there are genuine issues (lkn) (Entered: 03/31/1999)
04/12/1999	18	MOTION (UNOPPOSED) filed by plaintiff GARY ALAN MELIUS to extend time to 4/20/99 to file responsive pleading to defendant's motion to strike (lkn) (Entered: 04/13/1999)
04/20/1999	19	RESPONSE by plaintiff GARY ALAN MELIUS in opposition to motion to strike plaintiff's statement of material facts as to which there are genuine issues [17-1] by NATL INDIAN GAMING. (tb) (Entered: 04/21/1999)
04/20/1999	20	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 4/20/99 to file responsive pleading to defendant's motion to strike [18-1] by GARY ALAN MELIUS (N) (gew) (Entered: 04/21/1999)
04/22/1999	21	SURREPLY by plaintiff GARY ALAN MELIUS to motion for summary judgment [5-1] by NATL INDIAN GAMING, motion for judgment on the pleadings [5-2] by NATL INDIAN GAMING; Exhibits (2). (lkn) (Entered: 04/29/1999)
04/22/1999	24	MOTION filed by plaintiff GARY ALAN MELIUS to strike declaration and amended declaration of Jean McLaughlin (lkn) (Entered: 05/24/1999)
04/30/1999	22	REPLY by federal defendant NATL INDIAN GAMING in support of motion to strike plaintiff's statement of material facts as to which there are genuine issues [17-1] (jf) (Entered: 05/03/1999)
05/07/1999	23	MOTION filed by federal defendant NATL INDIAN GAMING for leave to file opposition to plaintiff's motion to strike declaration and amended declaration of Jean McLaughlin ; EXHIBIT (opposition) (jf) (Entered: 05/10/1999)
05/14/1999	25	REPLY by plaintiff GARY ALAN MELIUS to defendant's opposition to motion to strike declaration and amended declaration of Jean McLaughlin [24-1] by GARY ALAN MELIUS; Exhibits (2). (lkn) (Entered: 05/24/1999)
05/24/1999	26	ORDER by Judge Thomas F. Hogan : motion hearing set for 10:00 7/28/99 ; (N) (gew) (Entered: 05/26/1999)
06/17/1999	27	ORDER by Judge Thomas F. Hogan : granting defendant's motion for Leave to File Outside of Time, nunc pro tunc 05/07/99. (N) (gew) (Entered: 06/17/1999)
08/13/1999		MOTION HEARING before Judge Thomas F. Hogan; directing plaintiff to file a more concise brief within 10 days and the Government to respond in 10 days. Reporter: Patricia J. Yerkes (gew) (Entered: 08/13/1999)
08/18/1999	28	MOTION (UNOPPOSED) filed by plaintiff GARY ALAN MELIUS to extend time to 9/7/99 to file response to defendant's release of additional documentation (tb) (Entered: 08/19/1999)
08/20/1999	29	ORDER by Judge Colleen Kollar-Kotelly for Judge Thomas F. Hogan: granting unopposed motion to extend time to 9/7/99 to file response to defendant's release of additional documentation [28-1] by GARY ALAN MELIUS. (N) (mlp) (Entered: 08/20/1999)

09/07/1999	32	MOTION filed by plaintiff GARY ALAN MELIUS for leave to amend the complaint ; Attachment:EXHIBIT (Amended complaint) (lkn) (Entered: 09/22/1999)
09/08/1999	30	MEMORANDUM by plaintiff GARY ALAN MELIUS regarding defendant's August 12, 1999, record disclosures; Exhibits (2). (lkn) (Entered: 09/09/1999)
09/20/1999	31	RESPONSE by federal defendant NATL INDIAN GAMING to plaintiff's memorandum regarding defendant's August 13, 1999, record disclosures [30-1] by GARY ALAN MELIUS (jf) (Entered: 09/21/1999)
09/20/1999	33	RESPONSE by federal defendant NATL INDIAN GAMING in opposition to motion for leave to amend the complaint [32-1] by GARY ALAN MELIUS . (lkn) (Entered: 09/22/1999)
09/20/1999	34	MOTION (UNOPPOSED) filed by federal defendant NATL INDIAN GAMING for leave to file exhibit under seal :EXHIBIT (LODGED UNDER SEAL) (lkn) (Entered: 09/22/1999)
09/23/1999	35	ORDER by Judge Thomas F. Hogan : granting motion of deft. to file under seal (N) (jaw) (Entered: 09/24/1999)
09/24/1999	36	MOTION (UNOPPOSED) filed by plaintiff GARY ALAN MELIUS to extend time to 10/8/99 to file a response to defendant's opposition to plaintiff's motion for leave to amend complaint and the related defendant's response to plaintiff's 08/13/99 record of disclosures (jf) (Entered: 09/27/1999)
10/04/1999	<u>38</u>	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 10/8/99 to file a response to defendant's opposition to plaintiff's motion for leave to amend complaint and the related defendant's response to plaintiff's 08/13/99 record of disclosures [36-1] by GARY ALAN MELIUS (N) (jeb) (Entered: 10/06/1999)
10/05/1999	37	TRANSCRIPT filed for date(s) of 08/13/99. Reporter: Patricia J. Yerkes (lkn) (Entered: 10/06/1999)
10/08/1999	39	REPLY by plaintiff GARY ALAN MELIUS to defendant's opposition to motion for leave to amend the complaint [32-1] by GARY ALAN MELIUS (lkn) (Entered: 10/12/1999)
11/03/1999	<u>40</u>	MEMORANDUM OPINION by Judge Thomas F. Hogan (N) (gew) (Entered: 11/05/1999)
11/03/1999	41	ORDER by Judge Thomas F. Hogan : denying motion for leave to amend the complaint [32-1] by GARY ALAN MELIUS, denying motion to strike declaration and amended declaration of Jean McLaughlin [24-1] by GARY ALAN MELIUS, denying motion to strike plaintiff's statement of material facts as to which there are genuine issues [17-1] by NATL INDIAN GAMING, granting in part, denying in part motion for summary judgment; granting summary judgment as to Count I but denied in respect to Count VI [5-1], granting motion for judgment on the pleadings [5-2] by NATL INDIAN GAMING; granting judgment for defendant on the pleadings as to Count II but denied as to Counts III - V, VII and VIII; granting defendant's motion to dismiss Counts IX - XIa for lack of subject matter jurisdiction; directing the parties to meet and confer and submit a report to this Court in 15 days of the date of this Order on the status of this case. (N) (gew) (Entered: 11/05/1999)
11/19/1999	42	JOINT MOTION by plaintiff GARY ALAN MELIUS, federal defendant NATL INDIAN GAMING to extend time to file Meet and Confer Statement to 12/03/99. (lkn) (Entered: 11/22/1999)
11/23/1999	<u>43</u>	ORDER by Judge Thomas F. Hogan : granting joint motion to extend time to file Meet and Confer Statement to 12/03/99. [42-1] by NATL INDIAN GAMING, GARY ALAN MELIUS Meet Confer Statement due date extended to 12/3/99 (N) (jaw) (Entered: 11/23/1999)
12/03/1999	44	STATUS REPORT by plaintiff GARY ALAN MELIUS, federal defendant NATL INDIAN GAMING (tw) (Entered: 12/06/1999)

12/06/1999	45	MOTION filed by plaintiff GARY ALAN MELIUS for Rule 54(b) entry of final judgment (tw) (Entered: 12/07/1999)
12/20/1999	46	RESPONSE by federal defendant NATL INDIAN GAMING in opposition to motion for Rule 54(b) entry of final judgment [45-1] by GARY ALAN MELIUS . (jf) (Entered: 01/02/2000)
12/29/1999	47	MOTION (Unopposed) filed by plaintiff GARY ALAN MELIUS to extend time to 1/5/00 in which to file a responsive pleading (adc) (Entered: 01/03/2000)
01/05/2000	<u>48</u>	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 1/5/00 in which to file a responsive [47-1] by GARY ALAN MELIUS; responsive pleading due by 1/5/00 (N) (jaw) (Entered: 01/06/2000)
01/05/2000	49	REPLY by plaintiff GARY ALAN MELIUS to defendant's opposition to plaintiff's motion for Rule 54(b) entry of final judgment [45-1]. (tw) (Entered: 01/07/2000)
01/27/2000	50	ORDER by Judge Thomas F. Hogan : denying motion to extend time to 1/5/00 in which to file a responsive pleading [47-1] by GARY ALAN MELIUS (N) (gew) (Entered: 02/01/2000)
02/03/2000	51	NOTICE OF CHANGE OF ADDRESS by Mark Steven Zaid representing plaintiff GARY ALAN MELIUS . New address: 1275 K Street, NW Suite 770 Washington DC 20005 (202) 371-6626. (tw) (Entered: 02/09/2000)
05/22/2000	52	MOTION (EXPEDITED) filed by federal defendant NATL INDIAN GAMING to compel plaintiff to fully respond to defendant's first set of interrogatories and requests for production of documents ; exhibits (4) (bjsp) (Entered: 05/22/2000)
05/25/2000	<u>53</u>	ORDER by Judge Thomas F. Hogan : referring this case to Magistrate Judge Facciola for resolution of defendant's expedited motion to compel. (N) (gew) (Entered: 05/25/2000)
05/30/2000	54	JOINT MOTION by plaintiff GARY ALAN MELIUS, federal defendant NATL INDIAN GAMING for protective order to protect the confidentiality of certain material to be produced in discovery and/or information that contain trade secrets, are proprietary or otherwise reflect confidential business or financial information (bjsp) Modified on 05/31/2000 (Entered: 05/31/2000)
06/01/2000		CASE REFERRED to Magistrate Judge John M. Facciola for resolution of expedited motion to compel (cjp) (Entered: 06/02/2000)
06/01/2000	<u>55</u>	PROTECTIVE ORDER by Judge Thomas F. Hogan ; setting forth procedures for handling confidential material; allowing designated material to be filed under seal. (N) (gew) (Entered: 06/05/2000)
06/02/2000	56	MEMORANDUM by plaintiff GARY ALAN MELIUS in opposition to motion to compel plaintiff to fully respond to defendant's first set of interrogatories and requests for production of documents [52-1] by NATL INDIAN GAMING ; exhibits (79) (bjsp) (Entered: 06/06/2000)
06/02/2000	57	MOTION filed by plaintiff GARY ALAN MELIUS for oral argument on motion defendant's motion to compel (bjsp) (Entered: 06/06/2000)
06/14/2000	58	REPLY by federal defendant NATL INDIAN GAMING in support of their motion to compel plaintiff to fully respond to defendant's first set of interrogatories and requests for production of documents [52-1] (cjp) (Entered: 06/15/2000)
06/29/2000	59	JOINT MOTION by plaintiff GARY ALAN MELIUS, federal defendant NATL INDIAN GAMING for extension of discovery period to 9/24/00 (bjsp) (Entered: 06/30/2000)
06/30/2000	<u>60</u>	ORDER by Judge Thomas F. Hogan : granting joint motion for extension of discovery period to 9/24/00 [59-1] by NATL INDIAN GAMING, GARY ALAN MELIUS; discovery now closes 9/24/00 (N) (jf) (Entered: 07/03/2000)
07/21/2000	<u>61</u>	MEMORANDUM AND ORDER by Magistrate Judge John M. Facciola : granting in part, denying in part motion to compel plaintiff to fully respond to defendant's first set of interrogatories and requests for production of documents [52-1] (N) (ldc) (Entered: 07/21/2000)

08/25/2000	62	JOINT MOTION by plaintiff GARY ALAN MELIUS, federal defendant NATL INDIAN GAMING to extend time for filing discovery to 11/30/00 (bjsp) (Entered: 08/28/2000)
09/01/2000	<u>63</u>	ORDER by Judge Thomas F. Hogan: granting joint motion to extend time for filing discovery to 11/30/00 [62-1] by NATL INDIAN GAMING, GARY ALAN MELIUS. (N) (mlp) (Entered: 09/01/2000)
10/03/2000	64	ATTORNEY APPEARANCE for federal defendant NATL INDIAN GAMING by James D. Todd (bjsp) (Entered: 10/04/2000)
10/10/2000	<u>65</u>	ORDER by Magistrate Judge John M. Facciola: expanding the number of depositions the defendant can take up to fifteen. (N) (jeb) (Entered: 10/10/2000)
11/07/2000	66	JOINT MOTION by plaintiff GARY ALAN MELIUS, federal defendant NATL INDIAN GAMING to extend time for filing discovery to 12/20/00 to fully complete discovery in this case (cas) (Entered: 11/08/2000)
11/17/2000	67	JOINT MOTION by plaintiff GARY ALAN MELIUS, federal defendant NATL INDIAN GAMING to stay (jdm) (Entered: 11/20/2000)
12/19/2000	68	JOINT MOTION by plaintiff GARY ALAN MELIUS, federal defendant NATL INDIAN GAMING to stay this matter, including all discovery deadlines, for an additional 30-days pending the conclusion of settlement negotiations (jdm) (Entered: 12/20/2000)
12/20/2000	<u>69</u>	ORDER by Judge Thomas F. Hogan : granting joint motion to stay this matter, including all discovery deadlines, until 01/17/01, for an additional 30-days pending the conclusion of settlement negotiations [68-1] by NATL INDIAN GAMING, GARY ALAN MELIUS (N) (gew) (Entered: 12/28/2000)
01/17/2001	70	MOTION (UNOPPOSED) filed by federal defendant NATL INDIAN GAMING to stay as to federal defendant NATL INDIAN GAMING (cas) (Entered: 01/18/2001)
01/19/2001	<u>71</u>	ORDER by Judge Thomas F. Hogan : granting motion to stay as to federal defendant NATL INDIAN GAMING [70-1] by NATL INDIAN GAMING; further ordered, including discovery deadlines, will be stayed, to and including 02/18/01. (N) (jf) (Entered: 01/22/2001)
02/21/2001	72	JOINT MOTION by plaintiff GARY ALAN MELIUS, federal defendant NATL INDIAN GAMING to stay (jdm) (Entered: 02/22/2001)
02/28/2001	<u>73</u>	ORDER by Magistrate Judge John M. Facciola : granting joint motion to stay [72-1] by NATL INDIAN GAMING, GARY ALAN MELIUS discovery closes 3/21/01 ; (N) (ldc) (Entered: 03/01/2001)
03/21/2001	74	MOTION (UNOPPOSED) filed by federal defendant NATL INDIAN GAMING for scheduling order ; Exhibits (5). (jdm) (Entered: 03/22/2001)
03/22/2001	<u>75</u>	SCHEDULING ORDER by Judge Thomas F. Hogan granting motion for scheduling order [74-1] by NATL INDIAN GAMING discovery closes 7/19/01; further ordered, that motions for summary judgment will be due 30 days after the close of discovery (N) (jf) (Entered: 03/23/2001)
03/22/2001	76	NOTICE OF WITHDRAWAL of attorney Mark Steven Zaid for GARY ALAN MELIUS. (jdm) (Entered: 03/23/2001)
05/23/2001	77	MOTION filed by attorney of plaintiff GARY ALAN MELIUS to withdraw Joseph Robert Membrino Jr., and his firm, Hall, Estill, Hardwick, Gable, and Nelson, P.C. as attorney for GARY ALAN (ag) (Entered: 05/24/2001)
06/29/2001	78	STIPULATION OF DISMISSAL of case by plaintiff GARY ALAN MELIUS, federal defendant NATL INDIAN GAMING pursuant to FRCP 41(a)(ii) to dismissal with prejudice and each party shall bear its own costs, except as provided by separate agreement (cjp) (Entered: 07/03/2001)
07/24/2001		CASE referral ended Magistrate Judge John M. Facciola (ldc) (Entered: 07/25/2001)