

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:99-cv-01677-JR**

PELULLO v. DOL
Assigned to: Judge James Robertson
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 06/23/1999
Date Terminated: 09/27/2002
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

LEONARD A. PELULLO

represented by **Jon W. Van Horne**
GREENBERG TRAUERIG, L.L.P.
800 Connecticut Avenue, NW
Suite 500
Washington, DC 20006
(202) 331-3100
Fax: 202-331-3101
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

DEPARTMENT OF LABOR

represented by **Paul S. Padda**
U.S. ATTORNEY'S OFFICE
Civil Division
555 Fourth Street, NW
10th Floor
Washington, DC 20530
(202) 514-9150
Fax: 202-305-0955
TERMINATED: 08/23/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stacy M. Ludwig
U.S. ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
Suite 4108
Washington, DC 20530
(202) 514-7147
Fax: 202-514-8780
TERMINATED: 12/07/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kenneth Leonard Wainstein
CADWALADER, WICKERSHAM
& TAFT, LLP
700 Sixth Street, NW
Washington, DC 20001
(202) 862-2474
Fax: (202) 862-2400
Email: kwainstein@omm.com
TERMINATED: 08/23/2000

Mark E. Nagle
MARRIOTT VACATIONS

WORLDWIDE CORPORATION
Vice Presidents & Assistant General
Counsel
6649 Westwood Boulevard
Orlando, FL 32821
(407) 529-2587
Fax: (407) 206-6420
Email: mark.nagle@mvwc.com
TERMINATED: 08/23/2000

| Date Filed | # | Docket Text |
|------------|-----------|--|
| 06/23/1999 | 1 | COMPLAINT filed by plaintiff LEONARD A. PELULLO; exhibits (10) (jf) (Entered: 06/25/1999) |
| 06/23/1999 | | SUMMONS (3) issued to federal party(s) federal defendant DOL , and non-parties: U.S. Attorney and U.S. Attorney General. (jf) (Entered: 06/25/1999) |
| 07/01/1999 | 2 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 6/23/99 upon federal defendant DOL (lkn) (Entered: 07/06/1999) |
| 07/01/1999 | 3 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 6/23/99 (lkn) (Entered: 07/06/1999) |
| 07/01/1999 | 4 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 6/23/99 (lkn) (Entered: 07/06/1999) |
| 07/22/1999 | 5 | MOTION filed by federal defendant DOL to extend time to October 15, 1999 to answer or otherwise respond to the complaint [1-1] (jf) (Entered: 07/23/1999) |
| 07/22/1999 | 6 | ATTORNEY APPEARANCE for federal defendant DOL by Paul S. Padda (jf) (Entered: 07/23/1999) |
| 07/26/1999 | 7 | ORDER by Judge James Robertson : granting motion to extend time to October 15, 1999 to answer or otherwise respond to the complaint [1-1] [5-1] by DOL ; Answer extended to 10/15/99 for DOL (N) (jeb) (Entered: 07/26/1999) |
| 08/09/1999 | 10 | MOTION filed by plaintiff LEONARD A. PELULLO lifting the stay of all proceedings and for other interim relief ; exhibits (6) (jf) (Entered: 08/11/1999) |
| 08/10/1999 | 8 | ORDER by Judge James Robertson: vacating the order of 7/26/99; denying the other relief sought in plaintiff's emergency motion to lift the stay of all proceedings and for other interim relief; directing the plaintiff to provide his full residence address for the record, in compliance with Local Rule 106(e). (N) (jeb) (Entered: 08/10/1999) |
| 08/10/1999 | 9 | ORDER by Judge James Robertson : for judgment (N) (jeb) (Entered: 08/10/1999) |
| 08/13/1999 | 11 | RESPONSE by plaintiff LEONARD A. PELULLO to order [8-2] dated 08/10/99. (jf) (Entered: 08/16/1999) |
| 08/31/1999 | 12 | ANSWER TO COMPLAINT [1-1] by federal defendant DOL . (lkn) (Entered: 09/01/1999) |
| 09/02/1999 | <u>13</u> | ORDER by Judge James Robertson: dispositive motions or alternatively, a report setting forth the schedule according to which it will complete its production of documents to plaintiff due within 30 days of this order <date not set> ; (N) (jeb) (Entered: 09/02/1999) |
| 09/28/1999 | 14 | MOTION filed by plaintiff LEONARD A. PELULLO to expedite processing of FOIA requests ; exhibits (6) (jf) (Entered: 09/29/1999) |
| 10/01/1999 | 15 | STATUS REPORT by federal defendant DOL to Court's order dated 09/02/99 (jf) (Entered: 10/03/1999) |
| 10/01/1999 | 16 | RESPONSE by federal defendant DOL to motion to expedite processing of FOIA requests [14-1] by LEONARD A. PELULLO (jf) (Entered: 10/03/1999) |

| | | |
|------------|-----------|---|
| 10/05/1999 | 17 | RESPONSE by plaintiff LEONARD A. PELULLO to status report [15-1] by DOL (jf) (Entered: 10/06/1999) |
| 10/05/1999 | 18 | RESPONSE by plaintiff LEONARD A. PELULLO to motion to expedite processing of FOIA requests [14-1] by LEONARD A. PELULLO (jf) (Entered: 10/06/1999) |
| 10/20/1999 | | MOTION HEARING before Judge James Robertson denied motion to expedite processing of FOIA requests [14-1] by LEONARD A. PELULLO; defendant to release documents as they become available and to notify the Court of unreleaseable documents; Reporter: Jackie Wood, Miller Reporting (jeb) (Entered: 10/21/1999) |
| 10/27/1999 | 19 | TRANSCRIPT filed for date(s) of October 20, 1999. Reporter: Jacqueline L. Wood (MILLER) (jf) (Entered: 11/01/1999) |
| 11/01/1999 | 20 | STATUS REPORT by federal defendant DOL (jf) (Entered: 11/03/1999) |
| 11/01/1999 | 21 | MOTION filed by plaintiff LEONARD A. PELULLO for emergency hearing , and for interim relief (jf) (Entered: 11/03/1999) |
| 11/04/1999 | | MOTION HEARING before Judge James Robertson granted motion for emergency hearing [21-1] by LEONARD A. PELULLO, denied motion for interim relief [21-2] by LEONARD A. PELULLO Reporter: Dennis Dinkel (jeb) (Entered: 11/04/1999) |
| 11/05/1999 | 22 | TRANSCRIPT filed for date(s) of November 04, 1999. Reporter: Dennis A. Dinkel (jf) (Entered: 11/08/1999) |
| 11/22/1999 | 26 | MOTION filed by federal defendant DOL to extend time to 11/23/99 to file a motion for summary judgment (jf) (Entered: 11/30/1999) |
| 11/23/1999 | 24 | MOTION filed by federal defendant DOL to extend time to 11/24/99 file a motion for summary judgment (jf) (Entered: 11/29/1999) |
| 11/24/1999 | 23 | MOTION filed by federal defendant DOL to dismiss , or, in the alternative for summary judgment ; Exhibit. (lkn) (Entered: 11/26/1999) |
| 11/29/1999 | <u>25</u> | ORDER by Judge James Robertson : granting motion to extend time to 11/24/99 file a motion for summary judgment [24-1] by DOL extending time to 11/24/99 to answer complaint [1-1] Answer extended to 11/24/99 for DOL (signed nunc pro tunc) (N) (jeb) Modified on 11/29/1999 (Entered: 11/29/1999) |
| 12/08/1999 | 27 | MOTION filed by plaintiff LEONARD A. PELULLO to extend time to 12/15/99 to file opposition to defendant's motion to dismiss, or in the alternative for summary judgment (tb) (Entered: 12/09/1999) |
| 12/13/1999 | <u>28</u> | ORDER by Judge James Robertson : granting motion to extend time to 12/15/99 to file opposition to defendant's motion to dismiss, or in the alternative for summary judgment [27-1] by LEONARD A. PELULLO (N) (jeb) (Entered: 12/13/1999) |
| 12/15/1999 | 29 | MOTION filed by plaintiff LEONARD A. PELULLO to extend time to 12/17/99 to file opposition to defendant's motion to dismiss, or in the alternative for summary judgment (tb) (Entered: 12/16/1999) |
| 12/17/1999 | 31 | RESPONSE by plaintiff LEONARD A. PELULLO in opposition to motion to dismiss [23-1] by DOL, motion for summary judgment [23-2] by DOL . (tb) (Entered: 12/20/1999) |
| 12/20/1999 | <u>30</u> | ORDER by Judge James Robertson : granting motion to extend time to 12/17/99 to file opposition to defendant's motion to dismiss, or in the alternative for summary judgment [29-1] by LEONARD A. PELULLO (N) (jeb) (Entered: 12/20/1999) |
| 12/21/1999 | 32 | MOTION filed by plaintiff LEONARD A. PELULLO for leave to file out of time supplement to opposition to defendant's motion to dismiss, or in the alternative for summary judgment ; EXHIBIT (SUPPLEMENT) (tb) Modified on 12/22/1999 (Entered: 12/22/1999) |
| 01/06/2000 | 33 | MOTION (UNOPPOSED) filed by federal defendant DOL to extend time to 1/14/00 to file reply to motion for summary judgment (tb) (Entered: 01/07/2000) |

| | | |
|------------|-----------|---|
| 01/12/2000 | <u>34</u> | ORDER by Judge James Robertson : granting motion to extend time to 1/14/00 to file reply to motion for summary judgment [33-1] by DOL (N) (jeb) (Entered: 01/12/2000) |
| 01/14/2000 | 35 | MOTION filed by federal defendant DOL to extend time to 1/21/00 to file reply to motion for summary judgment (tb) (Entered: 01/18/2000) |
| 01/21/2000 | 36 | ORDER by Judge James Robertson : granting motion to extend time to 1/21/00 to file reply to motion for summary judgment [35-1] by DOL; reply to motion for summary judgment due by 1/21/00 (N) (jaw) (Entered: 01/21/2000) |
| 01/21/2000 | 37 | MOTION filed by federal defendant DOL to extend time to 1/27/00 to reply to plaintiff's opposition to defendant's motion for summary judgment (tb) (Entered: 01/24/2000) |
| 01/27/2000 | <u>38</u> | ORDER by Judge James Robertson : denying motion to extend time to 1/27/00 to reply to plaintiff's opposition to defendant's motion for summary judgment [37-1] by DOL (N) (jeb) (Entered: 01/27/2000) |
| 05/16/2000 | 39 | MOTION filed by plaintiff LEONARD A. PELULLO for leave to file a Second Supplement to his Opposition to Defendant's Motion to Dismiss or, in the Alternative, for Summary Judgment ; EXHIBIT (SUPPLEMENT) (tth) (Entered: 05/17/2000) |
| 06/06/2000 | 40 | MOTION filed by federal defendant DOL to extend time to 6/13/00 to file a reply to Plaintiff's latest filing in opposition to Defendant's motion for summary judgment (tth) (Entered: 06/08/2000) |
| 06/13/2000 | 41 | RESPONSE by federal defendant DOL to motion for leave to file a Second Supplement to his Opposition to Defendant's Motion to Dismiss or, in the Alternative, for Summary Judgment [39-1] by LEONARD A. PELULLO (tth) (Entered: 06/14/2000) |
| 06/21/2000 | <u>42</u> | ORDER by Judge James Robertson, nunc pro tunc,: granting motion to extend time to 6/13/00 to file a reply to Plaintiff's latest filing in opposition to defendant's motion for summary judgment [40-1] by DOL. (N) (mlp) (Entered: 06/21/2000) |
| 06/23/2000 | <u>43</u> | ORDER by Judge James Robertson : denying as moot motion to dismiss by DOL [23-1]; denying as moot motion for summary judgment by DOL [23-2]; directing the deft has 60 days from date of this order to complete processing FOIA request of pltf, release documents, and file a dispositive motion with respect to these documents (N) (jaw) (Entered: 06/23/2000) |
| 08/22/2000 | 44 | STATUS REPORT by federal defendant DOL (tth) (Entered: 08/23/2000) |
| 08/22/2000 | 45 | MOTION filed by federal defendant DOL for temporary stay of proceedings ; Attachment (1) (tth) (Entered: 08/23/2000) |
| 08/23/2000 | 46 | SUBSTITUTION OF COUNSEL for federal defendant DOL , substituting Stacy M. Ludwig for, attorney Paul S. Padda (jf) (Entered: 08/28/2000) |
| 08/28/2000 | <u>47</u> | ORDER by Judge James Robertson : granting motion for temporary stay of proceedings [45-1] by DOL ; status report due: 9/29/00 for DOL, for LEONARD A. PELULLO advising the court of the proceedings in New Jersey and their effect, if any, upon this FOIA lawsuit. (N) (mlp) (Entered: 08/28/2000) |
| 09/29/2000 | 48 | STATUS REPORT by plaintiff LEONARD A. PELULLO, federal defendant DOL (td) (Entered: 10/02/2000) |
| 12/07/2001 | 49 | SUBSTITUTION OF COUNSEL for federal defendant DOL, Sherri Evans Harris substituting for attorney Stacy M. Ludwig for DOL (ag) (Entered: 12/10/2001) |
| 12/07/2001 | 50 | NOTICE by federal defendant DOL to Court Concerning Mail Service at United States Attorney's Office. (ag) (Entered: 12/10/2001) |
| 08/27/2002 | <u>51</u> | ORDER by Judge James Robertson: to show cause by 9/23/02 why this case should not be dismissed for want of prosecution. (N) (dam) (Entered: 08/27/2002) |
| 09/27/2002 | <u>52</u> | ORDER by Judge James Robertson: no response having been filed by the 9/23/02 deadline established by the Court is is Ordered that this case is hereby dismissed |

| | | |
|--|--|--|
| | | for want of prosecution. (N) (dam) (Entered: 09/27/2002) |
|--|--|--|