

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:99-cv-00590-EGS**

SUMMERS v. CIA  
Assigned to: Judge Emmet G. Sullivan  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/09/1999  
Date Terminated: 07/31/2002  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**ANTHONY SUMMERS**

represented by **James H. Lesar**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**CENTRAL INTELLIGENCE  
AGENCY**

represented by **Judith A. Kidwell**  
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| Date Filed | # | Docket Text |
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| 03/09/1999 | 1 | COMPLAINT filed by plaintiff ANTHONY SUMMERS ; exhibits (18) (bjsp) Modified on 03/11/1999 (Entered: 03/11/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 03/09/1999 |   | SUMMONS (3) issued to federal party(s) federal defendant CIA , and non-parties: U.S. Attorney and U.S. Attorney General. (bjsp) (Entered: 03/11/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 03/23/1999 | 2 | ORDER by Judge Emmet G. Sullivan : denying cross motion for summary judgment [19-1] by ANTHONY SUMMERS in 1:97-cv-01715, denying motion for summary judgment on the grounds that no issue of material of fact exists and that defendants are entitled to judgment as a matter of law [13-1] by CIA, DOJ in 1:97-cv-01715 dispositive motions due 5/22/99 in 1:99-cv-00590, in 1:97-cv-01715 ; response to dispositive motions due 6/14/99 in 1:99-cv-00590, in 1:97-cv-01715 ; reply to dispositive motions due 6/21/99 in 1:99-cv-00590, in 1:97-cv-01715 ; CA 99-590 and CA 97-1715 are consolidated with CA 99-590 being the lead case; CA 97-1715 is dismissed; Allegations in CA 97-1715 shall be set forth in Count 1 in CA 99-590; and the allegations in CA 99-590 shall be set forth in Count II of an amended complaint in CA 99-590 by 4/22/99; (clv) (Entered: 03/23/1999) |
| 04/08/1999 | 3 | ORDER by Judge Emmet G. Sullivan :amending the 3/22/99 order; the correct case under which the allegations from the cases should be set forth is CA 99-590 not CA 99-529; (N) (clv) (Entered: 04/08/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 04/09/1999 |   | ATTORNEY APPEARANCE for federal defendant DOJ in 1:97-cv-01715, federal defendant CIA in 1:97-cv-01715 by Judith A. Kidwell (st) (Entered: 04/12/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 04/09/1999 |   | MOTION (unopposed) filed by federal defendant CIA in 1:97-cv-01715 to extend time to 4/30/99 to answer complaint [1-1] ; (FIAT. Judge Sullivan) (tw) (Entered: 04/21/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 04/19/1999 | 4 | ORDER by Judge Emmet G. Sullivan :granting defendant's motion to file answer by 4/30/99; (N) (clv) (Entered: 04/19/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 04/21/1999 |   | SCHEDULING NOTICE: status hearing set for 10:00 5/5/99 in 1:97-cv-01715, in 1:99-cv-00590 ; before Judge Emmet G. Sullivan . (clv) (Entered: 04/21/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 04/23/1999 | 5 | MOTION filed by plaintiff ANTHONY SUMMERS in 1:97-cv-01715, plaintiff ANTHONY SUMMERS in 1:99-cv-00590 for leave to file amended complaint ; EXHIBIT (amended complaint) (bjsp) (Entered: 04/26/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 04/24/1999 |   | AMENDED COMPLAINT by plaintiff ANTHONY SUMMERS in 1:97-cv-01715 amending complaint [1-1]; exhibits (24) (tw) (Entered: 04/30/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 04/27/1999 | 6 | ORDER by Judge Emmet G. Sullivan : granting motion for leave to file amended complaint [5-1] by ANTHONY SUMMERS, ANTHONY SUMMERS in 1:99-cv-00590, 1:97-cv-01715 (N) (clv) (Entered: 04/27/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 05/05/1999 |   | STATUS HEARING before Judge Emmet G. Sullivan : dispositive motions due 6/30/99 in 1:97-cv-01715, in 1:99-cv-00590 ; response to dispositive motions due 7/14/99 in 1:97-cv-01715, in 1:99-cv-00590 ; reply to dispositive motions due 7/21/99 in 1:97-cv-01715, in 1:99-cv-00590 ; Reporter: Frank Rangus (clv) (Entered: 05/05/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 05/10/1999 |   | ANSWER TO AMENDED COMPLAINT count II [36-1] by federal defendant CIA in 1:97-cv-01715 (tw) (Entered: 05/11/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 06/28/1999 | 7 | NOTICE OF CHANGE OF ADDRESS by James Hiram Lesar in 1:99-cv-00590 representing plaintiff ANTHONY SUMMERS in 1:99-cv-00590. New address: 1 1003 K Street, NW, Suite 204 Washington DC 20001 (202) 393-1921. (tw) (Entered: 06/29/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 06/29/1999 | 8 | JOINT MOTION by plaintiff ANTHONY SUMMERS in 1:97-cv-01715, federal defendant DOJ in 1:97-cv-01715, federal defendant CIA in 1:97-cv-01715, plaintiff ANTHONY SUMMERS in 1:99-cv-00590, federal defendant CIA in 1:99-cv-00590 to extend time to 7/16/99 to file their cross motions for summary judgment in this case (bjsp) (Entered: 07/01/1999)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| 06/30/1999 | 9  | ORDER by Judge Emmet G. Sullivan : granting joint motion to extend time to 7/16/99 to file their cross motions for summary judgment in this case [38-1] by CIA, ANTHONY SUMMERS, CIA, DOJ, ANTHONY SUMMERS response to dispositive motions due by 7/16/99 in 1:97-cv-01715, in 1:99-cv-00590 ; in 1:97-cv-01715, 1:99-cv-00590 (N) (jwd) (Entered: 07/01/1999) |
| 07/23/1999 | 10 | STIPULATION filed and filed by Judge Emmet G. Sullivan . (N) (clv) (Entered: 07/23/1999)                                                                                                                                                                                                                                                                       |
| 07/26/1999 | 16 | MOTION filed by federal defendant CIA in 1:99-cv-00590 for and open America stay. (tw) (Entered: 03/27/2000)                                                                                                                                                                                                                                                   |
| 08/02/1999 | 11 | MOTION filed by plaintiff ANTHONY SUMMERS in 1:97-cv-01715, plaintiff ANTHONY SUMMERS in 1:99-cv-00590 for order to set a schedule for the production of nonexempt information (bjsp) (Entered: 08/03/1999)                                                                                                                                                    |
| 08/18/1999 | 12 | MOTION (UNOPPOSED) filed by federal defendant CIA in 1:97-cv-01715, federal defendant CIA in 1:99-cv-00590 to extend time to 8/27/99 to file a response to plaintiff's motion to set schedule for the production of nonexempt information ; exhibits (2) (bjsp) Modified on 08/19/1999 (Entered: 08/19/1999)                                                   |
| 08/23/1999 | 13 | ORDER by Judge Emmet G. Sullivan : granting motion to extend time to 8/27/99 to file a response to plaintiff's motion to set schedule for the production of nonexempt information [12-1] by CIA, CIA (N) (jwd) (Entered: 08/23/1999)                                                                                                                           |
| 08/27/1999 | 14 | RESPONSE by federal defendant CIA in 1:99-cv-00590 in opposition to motion for order to set a schedule for the production of nonexempt information [11-1] by ANTHONY SUMMERS, ANTHONY SUMMERS . (st) (Entered: 08/30/1999)                                                                                                                                     |
| 12/02/1999 |    | SCHEDULING NOTICE: motion hearing set for 11:00 12/20/99 ; before Judge Emmet G. Sullivan . (clv) (Entered: 12/02/1999)                                                                                                                                                                                                                                        |
| 12/20/1999 |    | STATUS HEARING before Judge Emmet G. Sullivan ;; government motion due 1/31/2000; response due 2/15/2000; reply due 2/29/2000; Reporter: Frank Rangus (clv) (Entered: 12/20/1999)                                                                                                                                                                              |
| 02/01/2000 |    | MOTION (UNOPPOSED) filed by federal defendant DOJ in 1:97-cv-01715 to sever cases 97-1715 from 99-590 (cjp) (Entered: 02/02/2000)                                                                                                                                                                                                                              |
| 02/07/2000 | 15 | ORDER by Judge Emmet G. Sullivan : granting motion to sever cases 97-1715 from 99-590 [42-1] by DOJ in 1:97-cv-01715; case number C.A. 97-1715 is reopened; (N) (clv) (Entered: 02/07/2000)                                                                                                                                                                    |
| 03/31/2000 | 17 | ORDER by Judge Emmet G. Sullivan : denying motion for and open America stay. [16-1] by CIA in 1:99-cv-00590 status hearing set for 10:00 5/16/00 in 1:97-cv-01715, in 1:99-cv-00590 ; (N) (clv) (Entered: 03/31/2000)                                                                                                                                          |
| 05/16/2000 |    | STATUS HEARING before Judge Emmet G. Sullivan : status hearing set for 10:00 9/5/00 ; Reporter: Frank Rangus (clv) (Entered: 05/16/2000)                                                                                                                                                                                                                       |
| 08/01/2000 |    | SUPPLEMENTAL MEMORANDUM by plaintiff ANTHONY SUMMERS in 1:97-cv-01715 to update this court on significant developments in the law pertinent to the issues in this case which have occurred since briefing was completed; attachments (3) (td) Modified on 08/02/2000 (Entered: 08/02/2000)                                                                     |
| 08/01/2000 |    | MOTION (unopposed) filed by plaintiff ANTHONY SUMMERS in 1:97-cv-01715 for leave to file supplemental memorandum one day late ; EXHIBIT (supplemental memorandum) (td) (Entered: 08/03/2000)                                                                                                                                                                   |
| 08/03/2000 | 18 | ORDER by Judge Emmet G. Sullivan : granting motion for leave to file supplemental memorandum one day late [47-1] by ANTHONY SUMMERS in 1:97-cv-01715 (N) (clv) (Entered: 08/03/2000)                                                                                                                                                                           |
| 08/03/2000 |    | SUPPLEMENTAL MEMORANDUM by plaintiff ANTHONY SUMMERS in 1:97-cv-01715 to cross motion for summary judgment; exhibits (2) (tb) (Entered: 08/25/2000)                                                                                                                                                                                                            |
| 08/31/2000 |    | RESPONSE by federal defendant DOJ in 1:97-cv-01715, federal defendant CIA in 1:97-cv-01715 to plaintiff's supplemental memorandum. (dam) (Entered: 09/01/2000)                                                                                                                                                                                                 |

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| 09/05/2000 |           | STATUS HEARING before Judge Emmet G. Sullivan : status hearing set for 10:00 10/6/00 ; Reporter: Frank Rangus (clv) (Entered: 09/05/2000)                                                                                            |
| 09/05/2000 |           | SCHEDULING NOTICE: status hearing set for 10:00 10/6/00 ; before Judge Emmet G. Sullivan . (clv) (Entered: 09/05/2000)                                                                                                               |
| 10/06/2000 |           | STATUS HEARING before Judge Emmet G. Sullivan : status hearing set for 10:00 11/10/00 ; Reporter: Wm. McAllister (clv) (Entered: 10/06/2000)                                                                                         |
| 10/06/2000 |           | SCHEDULING NOTICE: pretrial conference set for 10:00 11/17/00 ; before Judge Emmet G. Sullivan . (clv) (Entered: 10/06/2000)                                                                                                         |
| 11/17/2000 |           | STATUS HEARING before Judge Emmet G. Sullivan : status hearing set for 10:30 12/1/00 ; Reporter: Frank Rangus (clv) (Entered: 11/17/2000)                                                                                            |
| 12/01/2000 |           | STATUS HEARING before Judge Emmet G. Sullivan : status hearing was scheduled for this date; counsel did not appear; date will be rescheduled (clv) (Entered: 12/01/2000)                                                             |
| 12/01/2000 |           | SCHEDULING NOTICE: status hearing set for 10:00 12/20/00 ; before Judge Emmet G. Sullivan . (clv) (Entered: 12/01/2000)                                                                                                              |
| 12/21/2000 |           | SCHEDULING NOTICE: status hearing set for 10:00 1/17/01 ; before Judge Emmet G. Sullivan . (clv) (Entered: 12/21/2000)                                                                                                               |
| 01/17/2001 |           | STATUS HEARING before Judge Emmet G. Sullivan : government's submission due by 2/16/01; response due by 3/2/01; reply due by 3/16/01; counsel to submit order; no court date set; Reporter: Frank Rangus (clv) (Entered: 01/17/2001) |
| 02/16/2001 | 19        | SUBSTITUTION OF COUNSEL for federal defendant CIA in 1:99-cv-00590, substituting Kristin Dadely for Paul Mussenden. (td) (Entered: 02/20/2001)                                                                                       |
| 02/16/2001 | 20        | MOTION filed by federal defendant CIA in 1:99-cv-00590 to extend time to 2/23/01 within which to file its submission. (td) (Entered: 02/20/2001)                                                                                     |
| 02/22/2001 | 21        | ORDER by Judge Emmet G. Sullivan : granting motion to extend time to 2/23/01 within which to file its submission. [20-1] by CIA (N) (clv) (Entered: 02/22/2001)                                                                      |
| 02/23/2001 | 22        | STATUS REPORT by federal defendant CIA in 1:99-cv-00590; declaration (1) (td) (Entered: 02/26/2001)                                                                                                                                  |
| 07/08/2002 | <u>23</u> | ORDER by Judge Emmet G. Sullivan : status hearing set for 9:45 7/24/02 in 1:99-cv-00590, in 1:97-cv-01715 ; (N) (clv) (Entered: 07/08/2002)                                                                                          |
| 07/09/2002 | 24        | SUBSTITUTION OF COUNSEL for federal defendant CIA substituting Robin M. Earnest for attorney Kristin M. Dadey for CIA (rje) (Entered: 07/10/2002)                                                                                    |
| 07/09/2002 | 25        | NOTICE OF CHANGE OF ADDRESS by James Hiram Lesar representing plaintiff ANTHONY SUMMERS New address: 1003 K Street, N.W., Suite 640 Washington, D.C., 20001 202-393-1921. (rje) (Entered: 07/11/2002)                                |
| 07/10/2002 |           | NOTICE OF CHANGE OF ADDRESS by James Hiram Lesar representing plaintiff ANTHONY SUMMERS . New address: 1003 K Street, N.W., Suite 640 Washington, D.C. 20001, 202-393-1921. (rje) (Entered: 07/11/2002)                              |
| 07/24/2002 |           | STATUS HEARING before Judge Emmet G. Sullivan :government to file status report by 7/26/02; Reporter: Frank Rangus (clv) (Entered: 07/24/2002)                                                                                       |
| 07/26/2002 | 26        | STATUS REPORT by federal defendant CIA in 1:99-cv-00590; exhibit (1) (td) (Entered: 07/30/2002)                                                                                                                                      |
| 07/31/2002 | <u>27</u> | ORDER by Judge Emmet G. Sullivan : dismissing this action without prejudice (N) (clv) (Entered: 08/01/2002)                                                                                                                          |
| 08/07/2002 |           | STATEMENT filed by plaintiff ANTHONY SUMMERS in 1:97-cv-01715, regarding: impact of SCHRECKER v. DEPARTMENT OF JUSTICE on this case. (td) (Entered: 08/08/2002)                                                                      |
| 08/21/2002 |           | RESPONSE by federal defendant DOJ in 1:97-cv-01715, federal defendant CIA in 1:97-cv-01715 to statement [53-1]; attachment (1) (td) (Entered: 08/23/2002)                                                                            |

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| 04/02/2003 |  | SCHEDULING NOTICE: status hearing set for 10:00 4/30/03 in 1:97-cv-01715, in 1:99-cv-00590 ; before Judge Emmet G. Sullivan . (clv) (Entered: 04/02/2003) |
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