

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:99-cv-00274-ESH**

EMERSON v. CIA, et al
Assigned to: Judge Ellen S. Huvelle
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 02/05/1999
Date Terminated: 08/06/2001
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

STEVEN EMERSON

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V.

Defendant

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Defendant

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Defendant

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Date Filed	#	Docket Text
02/05/1999	1	COMPLAINT filed by plaintiff STEVEN EMERSON (lkn) (Entered: 02/09/1999)
02/05/1999		SUMMONS (9) issued to federal party(s) federal defendant CIA, federal defendant DOS, federal defendant DOJ, federal defendant FBI, federal defendant INS, federal

		defendant DEPT OF THE TREASURY, federal defendant DOI , and non-parties: U.S. Attorney and U.S. Attorney General. (lkn) (Entered: 02/09/1999)
03/15/1999	2	MOTION (UNOPPOSED) filed by federal defendant to extend time to 03/25/99 to answer complaint [1-1] (lkn) (Entered: 03/16/1999)
03/17/1999	3	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 03/25/99 to answer complaint [1-1] [2-1] by federal defendant (N) (gew) (Entered: 03/18/1999)
03/25/1999	4	ANSWER TO COMPLAINT [1-1] by federal defendant. (lkn) (Entered: 03/26/1999)
04/02/1999	5	STATUS REPORT by plaintiff, federal defendant (jf) (Entered: 04/26/1999)
04/26/1999	6	SCHEDULING ORDER by Judge Thomas F. Hogan motion by deft. for stay of proceedings due 5/17/99 ; response due 5/31/99 ; reply due 6/8/99 ; motion by defts. for summary judgment due 6/16/99 ; response to motion for summary judgment due 6/30/99; reply motion for summary judgment due 7/14/99 (N) (jaw) (Entered: 04/27/1999)
05/11/1999	7	MOTION (UNOPPOSED) filed by federal defendant to extend time to 6/2/99 to file a motion for an Open America stay in proceedings as to certain defendants (lkn) (Entered: 05/12/1999)
05/13/1999	8	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 6/2/99 to file a motion for an Open America stay in proceedings as to certain defendants [7-1] by federal defendants; defendants' motion(s) due by 6/2/99 ; plaintiff's response to motion(s) due by 6/16/99; defendants' reply to to response to motion(s) due by 6/24/99 ; (N) (jeb) (Entered: 05/18/1999)
06/02/1999	9	MOTION (UNOPPOSED) filed by federal defendant for leave to amend answer ; EXHIBIT (AMENDED ANSWER) (tb) (Entered: 06/03/1999)
06/02/1999	10	MOTION filed by federal defendant DOS, federal defendant DOJ to partial stay in proceedings ; exhibits (6) (tb) (Entered: 06/03/1999)
06/03/1999	11	ORDER by Judge Thomas F. Hogan : granting motion for leave to amend answer [9-1] by federal defendants (N) (jeb) (Entered: 06/04/1999)
06/03/1999	44	AMENDED ANSWER [1-1] filed by federal defendant CIA, federal defendant DOS, federal defendant DOJ, federal defendant FBI, federal defendant INS, federal defendant DEPT OF THE TREASURY, federal defendant DOI (lkn) (Entered: 12/13/1999)
06/14/1999	12	MOTION (UNOPPOSED) filed by plaintiff STEVEN EMERSON to extend time to 7/9/99 to submit response to defendant's motion for partial stay (jf) (Entered: 06/16/1999)
06/14/1999	13	MOTION (UNOPPOSED) filed by federal defendant DOS, federal defendant FBI to amend motion to partial stay in proceedings [10-1] by DOJ, DOS ; EXHIBIT (motion) (jf) (Entered: 06/16/1999)
06/17/1999	14	ORDER by Judge Thomas F. Hogan : granting motion for extension of time until 06/16/99 for plaintiff to respond to defendant's motion for Partial Stay. (N) (gew) (Entered: 06/17/1999)
06/17/1999	15	MOTION (UNOPPOSED) filed by federal defendant to extend time to 7/9/99 to file a partial motion for summary judgment (jf) (Entered: 06/18/1999)
06/21/1999	16	SECOND DECLARATION of Scott A. Hodes, by federal defendants, regarding withdrawal of declaration executed June 2, 1999, in support of a stay in proceedings. (lkn) (Entered: 06/22/1999)
06/22/1999	<u>17</u>	ORDER by Judge Royce C. Lamberth : granting motion to extend time to 7/9/99 to file a partial motion for summary judgment [15-1] by federal defendants (N) (jf) (Entered: 06/23/1999)

07/09/1999	18	MOTION (PARTIAL) filed by federal defendant to dismiss motion [18-1] , or, in the alternative, for summary judgment ; exhibits (30) (jf) (Entered: 07/12/1999)
07/27/1999	19	JOINT MOTION by plaintiff, federal defendant to set briefing schedule (lkn) (Entered: 07/28/1999)
07/29/1999	20	ORDER by Judge Thomas F. Hogan : granting joint motion to set briefing schedule [19-1] by federal defendants and plaintiff; pltf.'s responsive pleading to Dept. of State's motion for a partial stay in proceedings is due by 8/16/99; Dept. of State shall submit its response by 8/30/99; pltf.'s response to defts.' partial motion to dismiss or, in the alternative, for summary judgment is due by 8/30/99; defts' reply is due by 9/13/99. (N) (mlp) (Entered: 07/29/1999)
08/16/1999	21	CROSS MOTIONS by plaintiff STEVEN EMERSON for expedited processing and productin of a Vaughn Index , or, in the alternative for discovery or piece-meal disclosure ; Declaration. (lkn) (Entered: 08/17/1999)
09/01/1999	22	MOTION (CONSENT)filed by plaintiff STEVEN EMERSON to extend time to 9/7/99 to file responsive pleading (lkn) (Entered: 09/02/1999)
09/02/1999	23	REPLY by federal defendant DOS in support of motion to partial stay in proceedings [10-1] by DOJ, DOS; Exhibits (7) (lkn) (Entered: 09/07/1999)
09/02/1999	24	RESPONSE by federal defendant DOS in opposition to cross motion for expedited processing and productin of a Vaughn Index [21-1] by STEVEN EMERSON, cross motion for discovery or piece-meal disclosure [21-2] by STEVEN EMERSON; Exhibits (7) . (lkn) (Entered: 09/07/1999)
09/08/1999	25	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 9/7/99 to file responsive pleading [22-1] by STEVEN EMERSON; defendants shall file their response to motion(s) due by 9/24/99 ; (N) (gew) (Entered: 09/09/1999)
09/09/1999	26	CROSS MOTIONS by plaintiff STEVEN EMERSON for production of Vaughn Index ; attachments (1) (jf) (Entered: 09/10/1999)
09/13/1999	27	MOTION (CONSENT) filed by plaintiff STEVEN EMERSON to extend time to 9/9/99 to file responsive pleading (lkn) (Entered: 09/14/1999)
09/15/1999	<u>28</u>	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 9/9/99 to file responsive pleading [27-1] by STEVEN EMERSON; plaintiff's responsive pleading to defendants' partial motion to dismiss or in the alternative, for summary judgment due 9/9/99; defendants to file their response due 9/27/99. (N) (jeb) (Entered: 09/15/1999)
09/15/1999	29	MOTION (CONSENTED) filed by plaintiff STEVEN EMERSON to extend time nunc pro tunc to file reply to cross-motions ; EXHIBIT (REPLY) (tb) (Entered: 09/16/1999)
09/16/1999	30	ORDER by Judge Thomas F. Hogan : granting motion to extend time nunc pro tunc to file reply to cross-motions [29-1] by STEVEN EMERSON; reply to cross motions due by 9/15/99 (N) (adc) (Entered: 09/16/1999)
09/16/1999	45	REPLY by plaintiff STEVEN EMERSON to DOS's opposition to motion for production of Vaughn Index [26-1] by STEVEN EMERSON (lkn) (Entered: 12/13/1999)
09/17/1999	31	ORDER by Judge Thomas F. Hogan: hearing on all outstanding motions set for 10:00 10/20/99. (N) (mlp) (Entered: 09/17/1999)
09/27/1999	32	MOTION (UNOPPOSED)filed by federal defendant to extend time to 10/6/99 to file a reply brief in support of its partial motion for summary judgment (lkn) (Entered: 09/28/1999)
09/30/1999	33	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 10/6/99 to file a reply brief in support of its partial motion for summary judgment [32-1] by federal defendantssss (N) (gew) (Entered: 09/30/1999)
10/06/1999	34	MOTION (UNOPPOSED) filed by federal defendants to set briefing schedule (tb) Modified on 10/07/1999 (Entered: 10/07/1999)

10/06/1999	35	REPLY by federal defendants in support of motion to dismiss motion [18-1] [18-1] by federal defendants, motion for summary judgment [18-2] by federal defendants; attachment (1) (tb) Modified on 10/07/1999 (Entered: 10/07/1999)
10/06/1999	36	RESPONSE by federal defendant in opposition to cross motion for production of Vaughn Index [26-1] by STEVEN EMERSON . (tb) (Entered: 10/07/1999)
10/13/1999	37	ORDER by Judge Thomas F. Hogan : granting motion to set briefing schedule [34-1] by federal defendants; brief by deft DEPARTMENT OF STATE due 10/27/99 (N) (jaw) (Entered: 10/13/1999)
10/22/1999	38	MOTION (UNOPPOSED) filed by federal defendant DOS to extend time to 11/19/99 to file a partial motion for summary judgment (jf) (Entered: 10/26/1999)
10/22/1999	39	ERRATA by plaintiff STEVEN EMERSON of signed declaration page of Steven Emerson (jf) (Entered: 10/26/1999)
10/29/1999	<u>40</u>	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 11/19/99 to file a partial motion for summary judgment [38-1] by DOS (N) (jeb) (Entered: 11/01/1999)
11/01/1999		MOTION HEARING before Judge Thomas F. Hogan Reporter: Elizabeth L. Wasserman (gew) (Entered: 11/01/1999)
11/12/1999	41	MOTION filed by federal defendant DOS to extend time to 12/7/99 to file a partial motion for summary judgment (lkn) (Entered: 11/15/1999)
11/16/1999	42	ORDER by Judge Thomas F. Hogan : granting motion to extend time to 12/7/99 to file a partial motion for summary judgment [41-1] by DOS (N) (gew) (Entered: 12/03/1999)
12/07/1999	43	MOTION filed by federal defendant DOS for partial summary judgment attachments (35) (dam) (Entered: 12/08/1999)
12/10/1999	46	NOTICE OF SUPPLEMENTAL AUTHORITY by federal defendants.; attachment (dam) (Entered: 12/13/1999)
12/16/1999	<u>47</u>	MEMORANDUM AND ORDER by Judge Thomas F. Hogan : granting motion to partial stay in proceedings [10-1] by DOJ, DOS case stayed until 9/6/00 (N) (jeb) (Entered: 12/16/1999)
12/22/1999		REASSIGNMENT OF CIVIL CASE from Judge Hogan to Judge Ellen S. Huvelle by direction of the Calendar Committee. Emergency matters will continue to be handled by Judge Hogan until Judge Huvelle takes the oath of office. (N) (jeb) (Entered: 12/22/1999)
12/29/1999	48	JOINT MOTION by plaintiff STEVEN EMERSON, federal defendant DOS to set schedule for filing of pleadings (dam) (Entered: 01/03/2000)
01/03/2000	49	MOTION filed by plaintiff STEVEN EMERSON for certification of interlocutory order (dam) (Entered: 01/05/2000)
01/05/2000	50	RESPONSE by plaintiff STEVEN EMERSON in opposition to motion for partial summary judgment [43-1] by DOS. (dam) (Entered: 01/06/2000)
01/05/2000	<u>51</u>	ORDER by Judge Ellen S. Huvelle : granting joint motion to set schedule for filing of pleadings [48-1] by DOS, STEVEN EMERSON; cross motion by pltf. due 1/5/00 ; response to cross motions due 1/19/00 ; reply to cross motions due 1/28/00 ; response by pltf. to motion for summary judgment due 1/5/00; reply motion for summary judgment due 1/19/00 (N) (jaw) (Entered: 01/06/2000)
01/13/2000	52	RESPONSE by federal defendant DOS in opposition to motion for certification of interlocutory order [49-1] by STEVEN EMERSON. (dam) (Entered: 01/14/2000)
01/18/2000	53	MOTION (UNOPPOSED) filed by federal defendant DOS to extend time to 1/31/00 to file a reply in support of its partial summary judgment (dam) (Entered: 01/19/2000)
01/24/2000	<u>54</u>	ORDER by Judge Ellen S. Huvelle : granting motion to extend time to 1/31/00 to file a reply in support of its partial summary judgment [53-1] by DOS (N) (adc)

		(Entered: 01/24/2000)
01/27/2000	55	MOTION (UNOPPOSED) filed by federal defendant DOS to extend time to 2/2/00 to file its reply brief in support of its partial summary judgment (cjp) (Entered: 01/28/2000)
02/01/2000	56	ORDER by Judge Ellen S. Huvelle : granting motion to extend time to 2/2/00 to file its reply brief in support of its partial summary judgment [55-1] by DOS (N) (gew) (Entered: 02/02/2000)
02/02/2000	57	REPLY by federal defendant DOS in support of their motion for partial summary judgment [43-1] (cjp) (Entered: 02/03/2000)
02/03/2000	58	NOTICE OF CHANGE OF ADDRESS by Mark Steven Zaid representing plaintiff STEVEN EMERSON . New address: 1275 K Street, NW, Suite 770, Washington, DC 20005, (202) 371-6626. (cjp) (Entered: 02/04/2000)
04/24/2000	<u>59</u>	TRANSCRIPT filed for date(s) of 11/1/99. Reporter: Elizabeth L. Wasserman (tth) (Entered: 04/25/2000)
05/08/2000	<u>60</u>	MEMORANDUM OPINION by Judge Ellen S. Huvelle (N) (gdf) (Entered: 05/09/2000)
05/08/2000	<u>61</u>	ORDER by Judge Ellen S. Huvelle: denying motion for certification of interlocutory order [49-1] by STEVEN EMERSON, denying cross motion for production of Vaughn Index [26-1] by STEVEN EMERSON, denying as moot cross motion for expedited processing and productin of a Vaughn Index [21-1] by STEVEN EMERSON, denying as moot cross motion for discovery or piece-meal disclosure [21-2] by STEVEN EMERSON, granting motion to dismiss [18-1] and Counts 1,2,5 and 7-18 are dismissed with prejudice by federal defendants, granting motion for summary judgment [18-2] by federal defendants, granting motion to amend motion to partial stay in proceedings [10-1] by DOJ, DOS [13-1] by FBI, DOS (N) (gdf) (Entered: 05/10/2000)
05/30/2000	<u>62</u>	MEMORANDUM OPINION by Judge Ellen S. Huvelle (N) (gdf) (Entered: 05/30/2000)
05/30/2000	<u>63</u>	ORDER by Judge Ellen S. Huvelle: granting in part as to all Counts with the exception of documents A51,A89,A89A,A105,A105B,A105C,A106,A56,A97A,B9D,B10,K4,L1 and L8 of Count 2 and documents L2,L9,L10 and L12 of Count 6; denying in part motion for partial summary judgment as to documents A51,A89,A89A,A105,A105B,A105C,A106,A56,A97A,B9D,B10,K4,L1, and L8 of Count 2 and documents L2,L9,L10, and L12 of Count 6 [43-1] (N) (See order for detail) (gdf) (Entered: 05/30/2000)
06/13/2000	64	MOTION filed by federal defendant DOS to extend time to 7/14/00 to either release in whole or part or provide further justification for withholding documents (cjp) (Entered: 06/14/2000)
06/14/2000	<u>65</u>	ORDER by Judge Ellen S. Huvelle: granting motion to extend time to 7/14/00 to either release in whole or part or provide further justification for withholding documents [64-1] by DOS (N) (gdf) (Entered: 06/14/2000)
07/14/2000	66	MOTION filed by federal defendant DOS for partial summary judgment ; exhibits (3) (jf) (Entered: 07/17/2000)
07/28/2000	67	RESPONSE by plaintiff STEVEN EMERSON in opposition to motion for partial summary judgment [66-1] by DOS . (bjsp) (Entered: 07/31/2000)
08/04/2000	68	REPLY by federal defendant DOS in support of motion for partial summary judgment [66-1] (jf) (Entered: 08/08/2000)
08/29/2000	<u>69</u>	ORDER by Judge Ellen S. Huvelle: granting motion for partial summary judgment [66-1] by DOS; FURTHER ORDERED that plaintiff's request for in camera inspection of eleven of the documents is DENIED (N) (gdf) (Entered: 08/30/2000)
08/29/2000	<u>70</u>	MEMORANDUM OPINION by Judge Ellen S. Huvelle (N) (gdf) (Entered: 08/30/2000)

09/06/2000	71	MOTION (UNOPPOSED) filed by federal defendant DOS to extend stay to 10/6/00 (cjp) (Entered: 09/07/2000)
09/08/2000	<u>72</u>	ORDER by Judge Ellen S. Huvelle: granting motion to extend stay to 10/6/00 [71-1] by DOS (N) (gdf) (Entered: 09/13/2000)
10/06/2000	73	MOTION (UNOPPOSED) filed by federal defendant DOS for extension of the stay previously granted until 10/13/00 as to federal defendant DOS ; declaration (1) (ag) (Entered: 10/10/2000)
10/10/2000	<u>74</u>	ORDER by Judge Ellen S. Huvelle: granting motion for extension of the stay previously granted until 10/13/00 as to federal defendant DOS [73-1] by DOS (N) (gdf) (Entered: 10/11/2000)
12/19/2000	<u>75</u>	SCHEDULING ORDER by Judge Ellen S. Huvelle motion for summary judgment due 2/9/01 ; response to motion for summary judgment due 3/2/01 reply motion for summary judgment due 3/13/01 ; (N) (gdf) (Entered: 12/20/2000)
02/09/2001	76	MOTION (UNOPPOSED) filed by federal defendant DOS to extend stay previously granted until 2/14/01 (ag) (Entered: 02/12/2001)
02/12/2001	<u>77</u>	ORDER by Judge Ellen S. Huvelle: granting motion to extend stay previously granted until 2/14/01 [76-1] by DOS that defendants time in which to file its partial motion for summary judgment is extended to 2/14/01 ; (N) (gdf) (Entered: 02/12/2001)
02/14/2001	78	MOTION filed by federal defendant DOS for partial summary judgment ; exhibits (3) (jf) (Entered: 02/15/2001)
03/01/2001	80	NOTICE OF FILING SIXTH DECLARATION of Margaret P. Grafeld by federal defendant DOS to their Partial Motion for Summary Judgment; Declaration (1) (tth) (Entered: 03/05/2001)
03/02/2001	79	NOTICE OF FILING SECOND DECLARATION of Peter E. Bergin, by federal defendant DOS to Partial Motion for Summary Judgment; Declaration (1). (tth) (Entered: 03/05/2001)
03/05/2001	81	MOTION (CONSENT) filed by plaintiff STEVEN EMERSON to extend time to 3/21/01 to submit a responsive pleading to the Defendant's State Department's Partial Motion for Summary Judgment (ag) (Entered: 03/07/2001)
03/06/2001	<u>82</u>	ORDER by Judge Ellen S. Huvelle: granting motion to extend time to 3/21/01 to submit a responsive pleading to the Defendant's State Department's Partial Motion for Summary Judgment [81-1] by STEVEN EMERSON cross motions due by 3/21/01 ; response to cross motions due by 4/2/01 ; reply to cross motions due by 4/9/01 ; response to motion for summary judgment due 3/21/01 ; reply to motion for summary judgment due by 4/2/01 ; (N) (gdf) (Entered: 03/08/2001)
03/22/2001	83	MOTION (CONSENT) filed by plaintiff STEVEN EMERSON to extend time to 4/27/01 to file a response to defendants State partial motion for summary judgment (jf) (Entered: 03/23/2001)
03/23/2001	<u>84</u>	ORDER by Judge Ellen S. Huvelle : granting motion to extend time to 4/27/01 to file a response to defendants State partial motion for summary judgment [83-1] by STEVEN EMERSON cross motions due by 4/27/01 ; response to cross motions due by 5/7/01 ; reply to cross motions due by 5/14/01 ; response to motion for summary judgment due 4/27/01 ; reply to motion for summary judgment due by 5/7/01 ; (N) (gdf) (Entered: 03/26/2001)
04/27/2001	85	RESPONSE by plaintiff STEVEN EMERSON in opposition to motion for partial summary judgment [78-1] by DOS; Exhibits (1). (ag) (Entered: 04/30/2001)
05/07/2001	86	REPLY by federal defendant in support of motion for partial summary judgment [78-1] by DOS; Exhibits (5) (tth) (Entered: 05/08/2001)
06/26/2001	<u>87</u>	MEMORANDUM OPINION by Judge Ellen S. Huvelle (N) (gdf) (Entered: 06/26/2001)

06/26/2001	<u>88</u>	ORDER by Judge Ellen S. Huvelle: granting motion for partial summary judgment as to all Counts with the exception of documents J1A, J1B, and J2 [78-1] by DOS, that by 7/20/01, defendant must release document J1A, or in the alternative, provide a detailed affidavit explaining its justification for its continued withholding of this documents, that by 7/20/01, defendant must release the nonexempt portions of documents J1B and J2, or in alternative, provide further justification why none of the material is segregable. (N) (gdf) (Entered: 06/26/2001)
07/20/2001	89	MOTION (RENEWED) filed by federal defendant DOS for summary judgment ; exhibit's (2);Declaration of Margaret P. Grafeld. (cas) (Entered: 07/23/2001)
08/03/2001	91	STATEMENT filed by plaintiff STEVEN EMERSON , regarding: notice of position with respect to defendant DOS (cjp) (Entered: 08/07/2001)
08/06/2001	<u>90</u>	JUDGMENT by Judge Ellen S. Huvelle in favor of federal defendants against plaintiff (lin) (Entered: 08/06/2001)