

**U.S. District Court
Eastern District of Virginia – (Alexandria)
CIVIL DOCKET FOR CASE #: 1:05-cv-01417-TSE-TRJ**

El-Masri v. Tenet et al
Assigned to: District Judge T. S. Ellis, III
Referred to: Magistrate Judge Thomas Rawles Jones, Jr
Demand: \$75,000
Case in other court: Fourth Circuit, 06-01667
Cause: 28:1331 Fed. Question: Personal Injury

Date Filed: 12/06/2005
Date Terminated: 05/12/2006
Jury Demand: Plaintiff
Nature of Suit: 360 P.I.: Other
Jurisdiction: Federal Question

Plaintiff

Khaled El-Masri

represented by **Victor Michael Glasberg**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

George J. Tenet

represented by **Mary Hampton Mason**
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Defendant

Premier Executive Transport Services

represented by **David H. White**
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TERMINATED: 03/08/2006
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Defendant

**Keeler & Tate Management Group,
LLC**

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Defendant

Aero Contractors Limited

represented by **David H. White**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Does 1-20

Intervenor

UNITED STATES OF AMERICA

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Date Filed	#	Docket Text
12/06/2005	1	COMPLAINT against George J. Tenet, Premier Executive Transport Services, Keeler & Tate Management Group, LLC, Aero Contractors Limited Filing fee \$250, receipt number 100 184624, filed by Khaled El-Masri.(nhall,) (Entered: 12/06/2005)
12/06/2005	2	Financial Interest Disclosure Statement (Local Rule 7.1) by Khaled El-Masri.(nhall,) (Entered: 12/06/2005)
12/06/2005		Summons Issued and given to attorney for service by SPS as to George J. Tenet, Premier Executive Transport Services, Keeler & Tate Management Group, LLC, Aero Contractors Limited.(nhall,) (Entered: 12/06/2005)
12/06/2005	3	ORDER granting appearance Pro hac vice of Melissa Goodman Filing fee \$ 50, receipt number 100 184625. Signed by Judge T. S. Ellis III on 12/6/05. (nhall,) (Entered: 12/06/2005)
12/06/2005	4	ORDER granting appearance Pro hac vice of Benjamin Wizner Filing fee \$ 50, receipt number 100 184625. Signed by Judge T. S. Ellis III on 12/6/05. (nhall,) (Entered: 12/06/2005)
12/06/2005	5	ORDER granting appearance Pro hac vice of Ann Beeson Filing fee \$ 50, receipt number 100 184625. Signed by Judge T. S. Ellis III on 12/6/05. (nhall,) (Entered: 12/06/2005)

12/09/2005	6	Summons Returned Unexecuted as to Aero Contractors Limited. (pmil) (Entered: 12/13/2005)
12/13/2005		ALIAS Summons Issued as to Aero Contractors Limited for service by SPS. (pmil) (Entered: 12/13/2005)
12/16/2005	7	SUMMONS Returned Executed as to Keeler &Tate Management Group, LLC served on 12/12/2005, answer due 1/2/2006. (pmil) (Entered: 12/20/2005)
12/30/2005	8	AFFIDAVIT OF SERVICE/SUMMONS Returned Executed as to Premier Executive Transport Services served on 12/12/2005, answer due 1/3/2006. (pmil) (Entered: 01/03/2006)
01/03/2006	9	STIPULATION Regarding Extention of time for Defts' to answer or otherwise respond to the Complaint until and including 02/24/06 by Khaled El-Masri, Premier Executive Transport Services, Keeler &Tate Management Group, LLC, Aero Contractors Limited. (pmil) (Entered: 01/04/2006)
01/03/2006		Reset Deadlines: Premier Executive Transport Services answer due 2/24/2006; Keeler &Tate Management Group, LLC answer due 2/24/2006; Aero Contractors Limited answer due 2/24/2006. (pmil) (Entered: 01/09/2006)
01/05/2006	10	AFFIDAVIT of Victor M. Glasberg, counsel for Khaled El-Masri re: summons served incorrectly and request for alias summons to be re-issued to be re-served. (pmil) (Entered: 01/06/2006)
01/06/2006		ALIAS Summons Issued for service by Certified Mail as to George J. Tenet. (pmil) (Entered: 01/06/2006)
01/06/2006		So Ordered: re: 9 Stipulation that defts shall have until and including 02/24/06 to answer or otherwise respond to the complaint filed by Khaled El-Masri, Premier Executive Transport Services, Keeler &Tate Management Group, LLC, Aero Contractors Limited. Signed by Judge T. S. Ellis III on 01/06/06. Copies mailed: yes (pmil) (Entered: 01/09/2006)
01/09/2006	11	SUMMONS Returned Executed as to Aero Contractors Limited served on 12/21/2005. (pmil) (Entered: 01/11/2006)
01/17/2006	12	(COPY)ALIAS SUMMONS Returned Executed by George J. Tenet. Mary Hampton Mason, Trial Atty., U.S. Dept. of Justice, accepting service as of 01/12/06 on behalf of deft George J. Tenet, answer due 3/13/2006. (pmil) Modified on 1/18/2006 to edit text (pmil). (Entered: 01/18/2006)
02/15/2006	13	AGREED ORDER that Defts will respond to the Complaint by 03/13/06; In the event that one or more motions to dismiss are filed by Defts, Pltf's answer will be due on 04/11/06; In the event that one or more motions to dismiss are filed by Defts, Defts' optional replies will be due on 04/25/06; In the event that one or more motions to dismiss are filed by Defts, Defts will notice their motions for hearing on 05/05/06; the above deadlines may be modified by the Court on motion of a party for good cause. (see Order for details) Signed by Judge T. S. Ellis III on 02/15/06. Copies mailed: yes (pmil) (Entered: 02/16/2006)
03/08/2006	14	MOTION for an Immediate Stay of All Proceedings by UNITED STATES OF AMERICA. (pmil) (Entered: 03/08/2006)
03/08/2006	15	REQUEST for Disposition Without Oral Hearing by UNITED STATES OF AMERICA. (pmil) (Entered: 03/08/2006)
03/08/2006	16	Memorandum in Support of 14 MOTION for an Immediate Stay of All Proceedings and 15 Request for Disposition Without Oral Hearing filed by UNITED STATES OF AMERICA. (pmil) (Entered: 03/08/2006)
03/08/2006	17	STATEMENT OF INTEREST, ASSERTION OF A FORMAL CLAIM OF STATE SECRETS PRIVILEGE by UNITED STATES OF AMERICA. (pmil) (Entered: 03/08/2006)
03/08/2006	18	REQUEST for Expedited Consideration by UNITED STATES OF AMERICA. (pmil) (Entered: 03/08/2006)

03/08/2006	19	MOTION for Substitution of Counsel John P. Rowley III in place of David White by Premier Executive Transport Services. (pmil) (Entered: 03/08/2006)
03/08/2006	20	ORDER that John P. Rowley, III is named counsel of record for Premier Executive Transportation Services, Inc., and replacing David H. White as counsel of record for that party in the above entitled case effective as of the date this Order signed. Signed by Judge T. S. Ellis III on 03/08/06. Copies mailed: yes (pmil) (Entered: 03/10/2006)
03/09/2006	21	ORDER that the United States' 14 Motion for Immediate Stay of Proceedings is GRANTED and accordingly proceedings, including discovery in this matter are STAYED until further Order of the Court; the United States' 15 Request for disposition of the privilege claim without oral hearing is GRANTED (see Order for details). Signed by Judge T. S. Ellis III on 03/09/06. Copies mailed: yes (pmil) (Entered: 03/10/2006)
03/10/2006	22	NOTICE of Appearance by M. Evan Corcoran on behalf of Keeler &Tate Management Group, LLC (klau,) (Entered: 03/13/2006)
03/10/2006	23	MOTION for Extension of Time to Respond to 1 Complaint by George J. Tenet. (pmil) (Entered: 03/13/2006)
03/10/2006	24	MOTION for Enlargement of Time to Respond to Complaint by Premier Executive Transport Services, Keeler &Tate Management Group, LLC, Aero Contractors Limited. (pmil) (Entered: 03/14/2006)
03/13/2006	25	MOTION to Intervene by UNITED STATES OF AMERICA. (pmil) (Entered: 03/14/2006)
03/13/2006	26	Memorandum of Points and Authorities in Support of 25 MOTION to Intervene filed by UNITED STATES OF AMERICA. (pmil) (Entered: 03/14/2006)
03/13/2006	27	MOTION to Dismiss by UNITED STATES OF AMERICA. (pmil) (Entered: 03/14/2006)
03/13/2006	28	MOTION for Summary Judgment by UNITED STATES OF AMERICA. (pmil) (Entered: 03/14/2006)
03/13/2006	29	Memorandum of Points and Authorities in Support of 27 MOTION to Dismiss or, in the Alternative, 28 MOTION for Summary Judgment filed by UNITED STATES OF AMERICA. (pmil) (Entered: 03/14/2006)
03/13/2006	30	NOTICE OF SUBMISSION pursuant to Local Rule 7(J) by UNITED STATES OF AMERICA re: 28 MOTION for Summary Judgment, 25 MOTION to Intervene, 27 MOTION to Dismiss (pmil) (Entered: 03/14/2006)
03/14/2006	31	ORDER granting 23 Motion for Extension of Time to Respond to the Complaint; Deft Tenet's time to respond to the Complaint in this case is extended until such time as this Court rules upon the United States' assertion of the state secrets privilege. In the event it becomes necessary for deft Tenet to respond to the complaint, he shall have thirty (30) days from the date of this Court's ruling on the United States' privilege assertion to file his response. Signed by Judge T. S. Ellis III on 03/14/06. Copies mailed: yes (pmil) (Entered: 03/15/2006)
03/14/2006		So Ordered: re: 24 MOTION for Enlargement of Time to Respond to Complaint filed by Premier Executive Transport Services, Keeler &Tate Management Group, LLC, Aero Contractors Limited. In the event the motion of the United States for a stay of all proceedings is denied by this Court, Defts will have 20 days after such denial within which to respond to the Complaint. Signed by Judge T. S. Ellis III on 03/14/06. Copies mailed: yes (pmil) (Entered: 03/15/2006)
03/14/2006	32	ORDER for Pro hac vice as to Andrew G. McBride; Filing fee \$ 50.00, receipt number 100 186615. Signed by Judge T. S. Ellis III on 03/14/06. Copies mailed: yes (pmil) (Entered: 03/15/2006)
03/16/2006	33	MOTION for Reconsideration of 21 Order of 03/09/06 Granting the United States' Request for Disposition without Oral Hearing by Khaled El-Masri. (pmil) (Entered: 03/16/2006)

03/16/2006	34	Memorandum in Support of 33 MOTION for Reconsideration of 21 Order of 03/09/06 Granting the United States' Request for Disposition Without Oral Hearing filed by Khaled El-Masri. (pmil) (Entered: 03/16/2006)
03/16/2006	35	DECLARATION of Ben Wizner in Support of 33 MOTION for Reconsideration of 21 Order of 03/09/06 by Khaled El-Masri. (pmil) (Entered: 03/16/2006)
03/21/2006	36	ORDER granting in part and denying in part 33 MOTION by Khaled El-Masri for Reconsideration of 21 Order of 03/09/06 Granting the United States' Request for Disposition without Oral Hearing. It is GRANTED insofar as oral argument on the motion to dismiss may be allowed insofar as it relates to the appropriate remedy in the event the invocation of the state secrets privilege is held valid. It is DENIED insofar as the Court will not entertain oral argument on the validity of the Director Goss's invocation of the state secrets privilege. It is further ORDERED that oral argument on the United States' motion to dismiss in the event privilege is held valid is SCHEDULED for 2:00 p.m., Friday, May 12, 2006. (See order for details). Signed by Judge T. S. Ellis III on 03/21/06. Copies sent: yes. (stas) (Entered: 03/21/2006)
03/21/2006		Per 03/21/06 Order Reset Deadlines as to 27 MOTION by UNITED STATES OF AMERICA to Dismiss. Motion Hearing set for 5/12/2006 at 02:00 PM before District Judge T. S. Ellis III. (stas) (Entered: 03/21/2006)
03/21/2006	37	ORDER that the 25 MOTION by UNITED STATES OF AMERICA to Intervene is GRANTED. (See order for details). Signed by Judge T. S. Ellis III on 03/21/06. Copies sent: yes. (stas) (Entered: 03/21/2006)
03/21/2006	38	AGREED ORDER that in the event that the United States' motion to intervene is granted, pltf's answer to the Motion to Dismiss or, in the Alternative, for Summary Judgment will be due on April 11, 2006; The United States' optional reply will be due on April 25, 2006; Entry of this Order is without prejudice to pltf's pending Motion for Reconsideration of this Court's Order Granting the United States' Request for Disposition Without Oral Hearing; The above deadlines may be modified by the Court on motion of a party for good cause. Signed by Judge T. S. Ellis III on 03/21/06. Copies sent: yes.(stas) (Entered: 03/21/2006)
03/21/2006	39	DECLARATION of Ben Wizner in Support of Pltf Khaled El-Masri's Motion for Reconsideration (pmil) (Entered: 03/22/2006)
03/23/2006	40	NOTICE OF IN CAMERA SUBMISSION by UNITED STATES OF AMERICA that the Court has received delivery of the Director of the Central Intelligence Agency's classified declaration, for the Court's own in camera, ex parte consideration (pmil) (Entered: 03/24/2006)
04/05/2006	41	MOTION to Exceed Page Limit for Pltf's Opposition to United States' Motion to Dismiss or for Summary Judgment by Khaled El-Masri. (pmil) (Entered: 04/06/2006)
04/05/2006	42	ORDER that Pltf's Memorandum of Points and Authorities in Opposition to the United States' Motion to Dismiss or, in the alternative, for Summary Judgment, may be up to 40 pages in length. Signed by Judge T. S. Ellis III on 04/05/06. Copies mailed: yes (pmil) (Entered: 04/06/2006)
04/11/2006	43	Memorandum of Points and Authorities in Opposition to the United States' 27 MOTION to Dismiss, or in the Alternative, 28 MOTION for Summary Judgment, filed by Khaled El-Masri. (pmil) (Entered: 04/12/2006)
04/11/2006	44	DECLARATION of Manfred Gnjudic in Support of Pltf's 43 Memorandum in Opposition to the United States' Motion to Dismiss or, in the Alternative, for Summary Judgment. (LARGE PLEADING - BINDED) (pmil) (Entered: 04/12/2006)
04/11/2006	45	DECLARATION of Khaled El-Masri in Support of Pltf's 43 Memorandum in Opposition to the United States' Motion to Dismiss or, in the Alternative, for Summary Judgment. (LARGE PLEADING - BINDED) (pmil) (Entered: 04/12/2006)

04/11/2006	46	DECLARATION (together w/Documentary Appendix (1 LARGE BLACK BINDER)) of Steven Macpherson Watt in Support of Pltf's 43 Memorandum in Opposition to the United States' Motion to Dismiss or, in the Alternative, for Summary Judgment. (LARGE PLEADING – BINDED) (pmil) (Entered: 04/12/2006)
04/20/2006	47	UNOPPOSED MOTION by UNITED STATES OF AMERICA for Extension of Time to File Its Reply Memorandum re: 27 MOTION by UNITED STATES OF AMERICA to Dismiss and 28 MOTION by UNITED STATES OF AMERICA for Summary Judgment. (stas) (Entered: 04/20/2006)
04/21/2006	48	ORDER granting 47 Motion for an Extension of Time to File a Reply Memorandum and the US may have to and including 5:00 p.m. on Friday, 04/28/06 within which to file. Signed by Judge T. S. Ellis III on 04/21/06. Copies mailed: yes (pmil) (Entered: 04/24/2006)
04/28/2006	49	REPLY MEMORANDUM in Support of Sustaining the Claim of State Secrets Privilege and the United States' 27 MOTION to Dismiss filed by George J. Tenet, UNITED STATES OF AMERICA. (pmil) (Entered: 05/01/2006)
05/09/2006		Reset Deadlines as to 27 MOTION to Dismiss. Motion Hearing set for 5/12/2006 10:00 AM before District Judge T. S. Ellis III. (clar,) (Entered: 05/09/2006)
05/09/2006	50	ORDER that the hearing on the United States' motion to dismiss, originally scheduled for 2:00 p.m., Friday, 05/12/06, is RESCHEDULED for 10:00 a.m., Friday, 05/12/06. Signed by Judge T. S. Ellis III on 05/09/06. Copies mailed: yes (pmil) (Entered: 05/10/2006)
05/12/2006		Minute Entry for proceedings held before Judge T. S. Ellis III: Motion Hearing held on 5/12/2006 re: 27 MOTION to Dismiss filed by UNITED STATES OF AMERICA, or in the alternative, 28 MOTION for Summary Judgment filed by UNITED STATES OF AMERICA. Appearances: Sher/Backholds for USA (Intervenor); Glasberg/Wizner/Beeson/Gauter/Goodman/Glenberg for Pltff. Heard and T.U.A. (Court Reporter Rodriquez.) (tbul,) (Entered: 05/12/2006)
05/12/2006	<u>51</u>	ORDER, for the reasons stated from the Bench, that the United States' claim of the state secrets privilege is VALID; given the application of the privilege to this case, the United States' 27 Motion to Dismiss must be, and hereby is, GRANTED. (see Order for details) Signed by Judge T. S. Ellis III on 05/12/06. Copies mailed: yes (pmil) Additional attachment(s) added on 5/18/2006 (pmil,). (Entered: 05/18/2006)
06/05/2006	52	NOTICE OF APPEAL as to <u>51</u> Order dated 5/12/06, by Khaled El-Masri. Filing fee \$ 455, receipt number 100 188397. Copy sent to USCA. Copy sent to parties. (nmck,) Modified on 6/5/2006 to add receipt #(nmck,). (Entered: 06/05/2006)
06/15/2006		USCA Case Number 06-1667 as to 52 Notice of Appeal filed by Khaled El-Masri. (pmil) (Entered: 06/21/2006)
06/22/2006	53	TRANSCRIPT of Proceedings held on 05/12/06 before Judge T.S. Ellis, III. Court Reporter: Michael Rodriquez. (pmil) (Entered: 06/23/2006)
06/24/2006	54	Certificate of Completion re 52 Notice of Appeal: (nmck,) (Entered: 06/24/2006)
03/05/2007	55	Opinion of USCA (Copy) decided 3/2/07 re 52 Notice of Appeal, Affirmed, attached copy of judgment will not take effect until issuance of the mandate. (nmck,) (Entered: 03/06/2007)
04/26/2007	56	USCA JUDGMENT as to 52 Notice of Appeal filed by Khaled El-Masri, in accordance with the written opinion of this court filed this day, the court affirms the judgment of the district court. A certified copy of this judgment will be provided to the district court upon issuance of the mandate. The judgment will take effect upon issuance of the mandate. (mandate issued) (nmck,) (Entered: 04/30/2007)