

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:03-cv-00707-EGS**

JOHN DOE et al v. RUMSFELD et al
Assigned to: Judge Emmet G. Sullivan
Case in other court: USCA-DC, 04-05440
Cause: 05:702 Administrative Procedure Act

Date Filed: 03/18/2003
Date Terminated: 01/25/2008
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: U.S. Government Defendant

Plaintiff

JOHN DOE
1 through 4

represented by **Mark S. Zaid**
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Plaintiff

JANE DOE
*1 through 2; Other similarly situated
individuals*

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V.

Defendant

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Defendant

TOMMY THOMPSON
Secretary of Health and Human Services

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Defendant

MARK B. MCCLELLAN

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Movant

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Movant

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Movant

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 INFORMATION CENTER**

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Date Filed	#	Docket Text
03/18/2003		SUMMONS (5) Issued as to MARK B. MCCLELLAN ; DONALD H. RUMSFELD ; TOMMY THOMPSON, U.S. Attorney and U.S. Attorney General (td,) (Entered: 03/21/2003)
03/18/2003	<u>1</u>	MOTION (Ex Parte) for Leave to File complaint using "John Does" and "Jane Does" and counsel's address in violation of LCVR 5.1(e) and to seal declaration of Mark S. Zaid by JANE DOE, JOHN DOE;attachment (affidavit, filed under seal. (td,) Modified on 6/18/2003 (zstewart-payneb,). (Entered: 03/21/2003)
03/18/2003	<u>2</u>	ORDER granting re <u>1</u> plaintiff's Motion for Leave to File complaint. Signed by Judge Thomas F. Hogan on 03/18/03. (td,) (Entered: 03/21/2003)
03/18/2003	<u>3</u>	COMPLAINT against MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Filing fee \$ 150.) , filed by JANE DOE, JOHN DOE.(td,) (Entered: 03/21/2003)
03/18/2003	<u>4</u>	MOTION for Preliminary Injunction, MOTION for Temporary Restraining Order by JANE DOE, JOHN DOE. (td,) (Entered: 03/21/2003)
03/21/2003		Status Hearing set for 3/25/2003 10:30 AM in Courtroom 1 before Emmet G. Sullivan.. Signed by Judge Emmet G. Sullivan on 03/21/03. (td,) (Entered: 03/21/2003)
03/25/2003		Set/Reset Hearings: Status Conference reset for 3/27/2003 11:30 AM in Courtroom 1 before Emmet G. Sullivan. (clv,) (Entered: 03/25/2003)
03/27/2003		Minute Entry for proceedings held before Judge Emmet G. Sullivan : Status Conference held on 3/27/2003. Motion Hearing set for 5/8/2003 10:00 AM in Courtroom 1 before Emmet G. Sullivan. chambers to electronically issue an order;(Court Reporter Frank Rangus.) (clv,) (Entered: 03/27/2003)
04/01/2003	<u>5</u>	SCHEDULING ORDER. Signed by Judge Emmet G. Sullivan on April 1, 2003. (lcegs1) (Entered: 04/01/2003)

04/09/2003	<u>6</u>	Memorandum in opposition to motion re <u>4</u> filed by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Affidavit Grabenstein Declaration# <u>2</u> Affidavit Goodman Declaration# <u>3</u> Affidavit AsstSecDef Letter)(Wiltsie, Ronald) (Entered: 04/09/2003)
04/09/2003	<u>7</u>	NOTICE by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON <i>Regarding Filing Exhibits Attached to Defendants' Opposition to Plaintiffs' Motion for a Preliminary Injunction</i> (Wiltsie, Ronald) (Entered: 04/09/2003)
04/11/2003	<u>8</u>	Consent MOTION for Extension of Time to File Response/Reply by JOHN DOE. (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 04/11/2003)
04/21/2003		NOTICE: The Court directs counsel in this case to contact the Court by telephone at 12:30 pm. on Friday, April 25, in order to discuss further proceedings in this matter. Signed by Judge Emmet G. Sullivan on April 21, 2003. (lcegs1) (Entered: 04/21/2003)
04/25/2003		ORDER finding as moot <u>8</u> Motion for Extension of Time to File Response/Reply. Signed by Judge Emmet G. Sullivan on April 25, 2003. (lcegs1) (Entered: 04/25/2003)
04/25/2003	<u>9</u>	ORDER continuing hearing on pending motions until May 20, 2003 at 10:30 a.m. Signed by Judge Emmet G. Sullivan on April 25, 2003. (lcegs1) (Entered: 04/25/2003)
04/25/2003	<u>10</u>	REPLY in support of motion re <u>4</u> <i>Preliminary Injunction</i> filed by JOHN DOE. (Attachments: # <u>1</u> Exhibit FDA Meeting Minutes# <u>2</u> Exhibit Bioport 1998 IND Supplemental# <u>3</u> Exhibit December 17, 1997 Meeting Memo# <u>4</u> Exhibit CDC Anthrax Information)(Zaid, Mark) (Entered: 04/25/2003)
04/28/2003	<u>11</u>	ORDER continuing motions hearing to 5/20/03 at 10:30 a.m. Signed by Judge Emmet G. Sullivan on April 28, 2003. (lcegs1) (Entered: 04/28/2003)
05/19/2003		Set/Reset Hearings: Motion Hearing set for 5/20/2003 03:00 PM in Courtroom 1 before Emmet G. Sullivan. (lcegs1) (Entered: 05/19/2003)
05/20/2003		Minute Entry for proceedings held before Judge Emmet G. Sullivan : Motion Hearing held on 5/20/2003 re <u>4</u> MOTION for Preliminary Injunction MOTION for Temporary Restraining Order filed by JOHN DOE, JANE DOE.; motion heard and taken under advisement; counsel to submit order; (Court Reporter Jon Hundley, Miller.) (clv,) (Entered: 05/20/2003)
05/23/2003	<u>12</u>	MOTION to Seal <i>Document</i> by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Wiltsie, Ronald) (Entered: 05/23/2003)
05/28/2003	<u>13</u>	NOTICE OF TRANSCRIPT FILED for dates May 20, 2003; Court Reporter: John Hundley, Miller Reporting. (td,) (Entered: 05/30/2003)
06/19/2003	<u>14</u>	ENTERED IN ERROR. . . Joint MOTION for Protective Order by JANE DOE, JOHN DOE, MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Wiltsie, Ronald) Modified on 6/19/2003 (td,). (Entered: 06/19/2003)
06/19/2003	<u>15</u>	STIPULATION for <i>Protective Order for the Trade Secrets and Confidential Proprietary Information of BioPort Corporation</i> by JANE DOE, JOHN DOE, MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Wiltsie, Ronald) (Entered: 06/19/2003)
06/26/2003	<u>16</u>	STIPULATED PROTECTIVE ORDER FOR THE TRADE SECRETS AND CONFIDENTIAL PROPERIETARY INFORMATION OF BIOPORT CORPORATION . Signed by Judge Emmet G. Sullivan on June 25, 2003. (clv,) (Entered: 06/26/2003)
07/08/2003	<u>17</u>	ORDER granting defendants' motion to file document under seal. Signed by Judge Emmet G. Sullivan on 7/1/03. (clv,) (Entered: 07/08/2003)
07/08/2003	134	EXHIBIT the last document filed in the Food and DRug Administration's file BB-IND 6847 by MARK B. MCCLELLAN, DONALD H. RUMSFELD,

		TOMMY THOMPSON <u>12</u> MOTION to Seal <i>Document</i> filed by DONALD H. RUMSFELD,, TOMMY THOMPSON,, MARK B. MCCLELLAN,; (SEALED) (td,) (Entered: 08/03/2006)
12/22/2003	<u>18</u>	ORDER granting <u>4</u> Plaintiff's Motion for Preliminary Injunction and setting forth instructions to parties. Signed by Judge Emmet G. Sullivan on December 22, 2003. (lcegs1) (Entered: 12/22/2003)
12/24/2003	<u>19</u>	First MOTION Clarification or in the Alternative for Reconsideration re <u>18</u> Order on Motion for Preliminary Injunction, Order on Motion for TRO, MOTION for Reconsideration re <u>18</u> Order on Motion for Preliminary Injunction, Order on Motion for TRO by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Text of Proposed Order)(Wiltsie, Ronald) (Entered: 12/24/2003)
12/30/2003	<u>20</u>	First MOTION for Extension of Time to <i>Respond to Defendants' Motion for Clarification</i> by JANE DOE, JOHN DOE. (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 12/30/2003)
12/30/2003		MINUTE ORDER The Court, sua sponte, directs that a Response, if any, to Plaintiff's Motion for Extension of Time shall be filed by no later than 12:00 p.m. on December 31, 2003. A Reply, if any, shall be filed by no later than 3:00 p.m. on December 31, 2003. Signed by Judge Emmet G. Sullivan on December 30, 2003. (lcegs1) (Entered: 12/30/2003)
12/30/2003	<u>21</u>	MOTION to Expedite, MOTION to Stay <i>Preliminary Injunction</i> , MOTION to Vacate <i>Preliminary Injunction</i> by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Exhibit One# <u>2</u> Exhibit Two# <u>3</u> Exhibit Three# <u>4</u> Exhibit Four# <u>5</u> Text of Proposed Order)(Wiltsie, Ronald) (Entered: 12/30/2003)
12/30/2003	<u>22</u>	MOTION to Expedite <i>Defendants' Pending Motion for a Clarification or in the Alternative for Reconsideration</i> by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Text of Proposed Order)(Wiltsie, Ronald) (Entered: 12/30/2003)
12/31/2003	<u>23</u>	Memorandum in opposition to motion re <u>20</u> <i>an Extension of Time in Which to Respond to Defendants' Motion for a Clarification or in the Alternative for Reconsideration</i> filed by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Text of Proposed Order)(Wiltsie, Ronald) (Entered: 12/31/2003)
12/31/2003		MINUTE ORDER granting <u>20</u> Plaintiffs' Motion for Extension of Time and granting <u>22</u> Defendants' Motion to Expedite Review of the pending motions. Plaintiffs shall file Responses to Defendants' Motion for Clarification or in the alternative for Reconsideration and Defendants' Motion to Vacate the Preliminary Injunction and for a Stay by no later than 4:00 p.m. January 9, 2004. Any Replies to the pending motions shall be filed by 4:00 p.m. January 12, 2004. The Court, sua sponte, schedules a Motions Hearing for all pending motions at 10:00 a.m. on January 14, 2004. Plaintiffs are excused from filing a Reply to their Motion for Extension of Time. Signed by Judge Emmet G. Sullivan on December 31, 2003. (lcegs1,) (Entered: 12/31/2003)
12/31/2003		Set/Reset Hearings: Motion Hearing set for 1/14/2004 10:00 AM in Courtroom 1 before Judge Emmet G. Sullivan. (lcegs1) (Entered: 12/31/2003)
01/02/2004	<u>24</u>	Emergency MOTION For Immediate Administrative Stay Pending Disposition Of Defendants' Motions re <u>19</u> First MOTION Clarification or in the Alternative for Reconsideration re <u>18</u> Order on Motion for Preliminary Injunction, Order on Motion for TRO MOTION for Reconsideration re <u>18</u> Order on Motion for Preliminary Injunction, Order on Motion for TRO MOTION for Reconsideration re <u>18</u> Order on Motion for Preliminary Injunction, Order on Motion for TRO, <u>21</u> MOTION to Expedite MOTION to Stay <i>Preliminary Injunction</i> MOTION to Stay <i>Preliminary Injunction</i> MOTION to Vacate <i>Preliminary Injunction</i> , <u>22</u> MOTION to Expedite <i>Defendants' Pending Motion for a Clarification or in the Alternative for Reconsideration</i> by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON.

		(Attachments: # <u>1</u>)(Wiltsie, Ronald) (Entered: 01/02/2004)
01/04/2004	<u>25</u>	Memorandum in opposition to motion re <u>24</u> <i>Emergency Motion for Immediate Administrative Stay</i> filed by JANE DOE, JOHN DOE. (Zaid, Mark) (Entered: 01/04/2004)
01/05/2004		MINUTE ORDER Defendants are directed to file a Reply to Plaintiffs' Response to Defendants' Emergency Motion for Immediate Administrative Stay Pending Disposition of Defendants' Motions by no later than 4:00 p.m. on January 6, 2004. Defendants are directed not to repeat any previously made arguments. A Motions Hearing to hear ONLY the Motion to Stay will be held January 7, 2004 at 12:30 p.m. Signed by Judge Emmet G. Sullivan on January 5, 2004. (lcegs1) (Entered: 01/05/2004)
01/05/2004	<u>26</u>	REPLY in support of motion re <u>24</u> <i>Immediate Administrative Stay Pending Disposition of Defendants' Motions</i> filed by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Wiltsie, Ronald) (Entered: 01/05/2004)
01/06/2004	<u>27</u>	ENTERED IN ERROR. . . NOTICE by JANE DOE, JOHN DOE of <i>Filing of First Amended Complaint</i> (Attachments: # <u>1</u> Exhibit Exhibit 1 – Original Complaint# <u>2</u> Exhibit Exhibit 2 – First Amended Complaint# <u>3</u> Exhibit Attachment A – Anthrax Vaccine Adsorbed product insert# <u>4</u> Exhibit Attachment B – 2002 Anthrax Vaccine Adsorbed Product Insert# <u>5</u> Exhibit Attachment C – RFP DAMD17–85–R–0078# <u>6</u> Exhibit Attachment D – FDA Response to Citizen Petition# <u>7</u> Exhibit Attachment E – Federal Register, December 13, 1985# <u>8</u> Exhibit Attachment F – Testimony of Nancy Kingsbury, GAO# <u>9</u> Exhibit Attachment G – October 5, 1995 License Amendment Plan# <u>10</u> Exhibit Attachment H – Minutes of October 20, 1995 Meeting# <u>11</u> Exhibit Attachment I – Comparative Study# <u>12</u> Exhibit Attachment J – September 20, 1996, MBPI Letter to Dr. Kathryn C. Zoon# <u>13</u> Exhibit Attachment K – IND Introductory Statement# <u>14</u> Exhibit Attachment L – FDA letter of December 13, 1996# <u>15</u> Exhibit Attachment M – Industrial Capabilities Assessment# <u>16</u> Exhibit Attachment N – IND Application Supplements# <u>17</u> Exhibit Attachment O – Indemnification Agreement# <u>18</u> Exhibit Attachment P – September 29, 1999 Letter to Bailey# <u>19</u> Exhibit Attachment Q – August 6, 2002, AVIP Memorandum)(Zaid, Mark) Modified on 1/9/2004 (td,). (Entered: 01/06/2004)
01/07/2004	<u>28</u>	ORDER granting <u>24</u> Motion to Stay the Injunction as Applied to Persons Other than the Named Parties. Signed by Judge Emmet G. Sullivan on January 7, 2004. (lcegs1) (Entered: 01/07/2004)
01/13/2004	<u>29</u>	Joint MOTION Joint Proposal Regarding Further Proceedings by JANE DOE, JOHN DOE, MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Wiltsie, Ronald) (Entered: 01/13/2004)
01/14/2004		Minute Entry for proceedings held before Judge Emmet G. Sullivan : Motion Hearing held on 1/14/2004 Motion Hearing set for 3/15/2004 10:00 AM in Courtroom 1 before Judge Judge Emmet G. Sullivan. and May 18, 2004 at 10:00(Court Reporter Frank Rangus.) (clv,) (Entered: 01/14/2004)
01/14/2004		MINUTE ORDER Parties are directed to confer and submit a joint proposed order memorializing the scheduling established at the January 14, 2004 Status Hearing. Signed by Emmet G. Sullivan on January 14, 2004. (lcegs1) (Entered: 01/14/2004)
01/16/2004	<u>30</u>	ORDER setting the schedule for further proceedings. Signed by Judge Emmet G. Sullivan on January 16, 2004. (lcegs1) (Entered: 01/16/2004)
01/16/2004		Set/Reset Hearings: Motion Hearing set for 3/15/2004 10:00 AM in Courtroom 1 before Judge Emmet G. Sullivan. (lcegs1) (Entered: 01/16/2004)
01/16/2004		Set/Reset Hearings: Motion Hearing set for 5/18/2004 10:00 AM in Courtroom 1 before Judge Emmet G. Sullivan. (lcegs1) (Entered: 01/16/2004)
01/26/2004	<u>31</u>	MOTION Determine that Class Certification is not Required for Program–Wide Injunctive Relief by JANE DOE, JOHN DOE. (Attachments: # <u>1</u> Memorandum of Law# <u>2</u> Text of Proposed Order)(Zaid, Mark) (Entered: 01/26/2004)

02/02/2004		MINUTE ORDER The Motions Hearing previously scheduled for May 18, 2004 has been continued until May 25, 2004 at 10:00 a.m. in Courtroom One. Signed by Judge Emmet G. Sullivan on February 2, 2004. (lcegs1) (Entered: 02/02/2004)
02/02/2004		Set/Reset Hearings: Motion Hearing set for 5/25/2004 10:00 AM in Courtroom 1 before Judge Emmet G. Sullivan. (lcegs1) (Entered: 02/02/2004)
02/02/2004	<u>32</u>	ENTERED IN ERROR. . . NOTICE by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON of <i>Filing of the Administrative Record</i> (Wiltsie, Ronald) Modified on 2/3/2004 (td,). (Entered: 02/02/2004)
02/02/2004	<u>33</u>	ADMINISTRATIVE RECORD by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (td,) (Entered: 02/03/2004)
02/02/2004		DOCUMENT NO. <u>32</u> filed by defendant's has been Entered In Error and correctly reentered as document number 33(td,) (Entered: 02/03/2004)
02/09/2004	<u>34</u>	Memorandum in opposition to motion re <u>31</u> to <i>Determine that Class Certification is Not Required for Program-Wide Injunctive Relief</i> filed by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Tannenbaum, Andrew) (Entered: 02/09/2004)
02/10/2004	<u>35</u>	MOTION to Seal <i>Accompanying Unopposed Motion To Place Document Under Seal</i> by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Wiltsie, Ronald) (Entered: 02/10/2004)
02/10/2004	<u>36</u>	MOTION to Place Document Under Seal by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Wiltsie, Ronald) (Entered: 02/10/2004)
02/10/2004	<u>37</u>	MOTION to Seal accompanying unopposed motion to place document under seal; EXHIBIT (SEALED; Unopposed Motion) by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (td,) (Entered: 02/13/2004)
02/11/2004		MINUTE ORDER granting <u>35</u> Defendant's Motion to Seal, granting <u>36</u> Defendant's Motion to Place Documents to Seal. Signed by Judge Emmet G. Sullivan on February 11, 2004. (lcegs1) (Entered: 02/11/2004)
02/17/2004	<u>38</u>	REPLY in support of motion re <u>31</u> <i>Program Wide Injunctive Relief</i> filed by JANE DOE, JOHN DOE. (Attachments: # <u>1</u> Exhibit Hartford Courant Article# <u>2</u> Exhibit Army Briefing# <u>3</u> Exhibit Financial Times Article)(Zaid, Mark) (Entered: 02/17/2004)
02/25/2004	<u>39</u>	ENTERED IN ERROR. . . Consent MOTION for Protective Order <i>For The Trade Secrets And Confidential Proprietary Information Of BioPort Corporation</i> by JANE DOE, JOHN DOE, MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Wiltsie, Ronald) Modified on 2/26/2004 (td,). (Entered: 02/25/2004)
02/26/2004	<u>40</u>	STIPULATION <i>Protective Order For The Trade Secrets And Confidential Proprietary Information Of BioPort Corporation</i> by JANE DOE, JOHN DOE, MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Wiltsie, Ronald) (Entered: 02/26/2004)
02/26/2004		DOCUMENT NO. <u>39</u> has been Entered In Error and counsel has been instructed to refile said document as a stipulation.(td,) (Entered: 02/26/2004)
02/26/2004		MINUTE ORDER The Court accepts <u>40</u> the Consent Stipulation of the parties. Signed by Judge Emmet G. Sullivan on February 26, 2004. (lcegs1) (Entered: 02/26/2004)
02/27/2004	<u>41</u>	NOTICE OF TRANSCRIPT FILED for dates 1/14/02; Court Reporter: Frank J. Rangus. (td,) (Entered: 03/03/2004)
03/03/2004	<u>42</u>	MOTION for Summary Judgment <i>and supporting memorandum of points and authorities</i> by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Text of Proposed Order proposed order# <u>2</u> local rule 7.1(h) statement of material facts)(Blackwell, Craig) (Entered: 03/03/2004)

03/03/2004	<u>43</u>	MOTION for Summary Judgment <i>and Permanent Injunctive Relief Or, In The Alternative, Discovery</i> by JANE DOE, JOHN DOE. (Attachments: # <u>1</u> Memorandum of Law# <u>2</u> Exhibit FDA Final Rule# <u>3</u> Exhibit CT Attorney General Letter to FDA# <u>4</u> Exhibit Missing Documents# <u>5</u> Exhibit BG Caine E-mails# <u>6</u> Text of Proposed Order)(Zaid, Mark) (Entered: 03/03/2004)
03/03/2004	<u>44</u>	NOTICE by JANE DOE, JOHN DOE re <u>43</u> MOTION for Summary Judgment <i>and Permanent Injunctive Relief Or, In The Alternative, Discovery of Filing</i> (Attachments: # <u>1</u> Statement of Material Facts)(Zaid, Mark) (Entered: 03/03/2004)
03/12/2004		MINUTE ENTRY – Due to the Trial in progress before the Court, the hearing on pending motions is rescheduled from 10:00 a.m. to 11:30 a.m. on 3/15/04. Set/Reset Hearings: Motion Hearing set for 3/15/2004 11:30 AM before Judge Judge Emmet G. Sullivan. (GK,) (Entered: 03/12/2004)
03/16/2004	<u>45</u>	ORDER denying without prejudice <u>31</u> Plaintiffs' Motion to determine that class certification is not required for program-wide injunctive relief, denying as moot <u>19</u> Defendants' Motion for Clarification, denying as moot <u>19</u> Defendants' Motion for Reconsideration, denying as moot <u>21</u> Defendants' Motion to Expedite, denying as moot <u>21</u> Defendants' Motion to Stay the Preliminary Injunction, denying as moot <u>21</u> Defendants' Motion to Vacate the Preliminary Injunction and vacating the Court's January 7, 2004 Injunction with regard to the six Doe plaintiffs. Signed by Judge Emmet G. Sullivan on March 16, 2004. (lcegs1) (Entered: 03/16/2004)
03/31/2004	<u>46</u>	Consent MOTION for Extension of Time to File Response/Reply by JANE DOE, JOHN DOE. (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 03/31/2004)
03/31/2004		MINUTE ORDER granting <u>46</u> the Consent Motion for Extension of Time to File Responses and Replies re <u>42</u> Defendants' MOTION for Summary Judgment and <u>43</u> Plaintiffs' MOTION for Summary Judgment. Responses are due by no later than 4/7/2004. Replies are due by no later than 4/21/2004. Signed by Judge Emmet G. Sullivan on March 31, 2004. (lcegs1) (Entered: 03/31/2004)
04/07/2004	<u>47</u>	Memorandum in opposition to motion re <u>42</u> <i>Defendants Request for Summary Judgment</i> filed by JANE DOE, JOHN DOE. (Attachments: # <u>1</u> Exhibit Exhibit "1" – Schumm Declaration# <u>2</u> Exhibit Exhibit "1-A" – Statistical Analysis# <u>3</u> Exhibit Exhibit "1-B" – AVA and Gulf War Syndrome# <u>4</u> Exhibit Exhibit "1-C" – Comments on IOM Report# <u>5</u> Exhibit Exhibit "1-D" – Efficacy Memo# <u>6</u> Exhibit Exhibit "1-E" – Pittman Memo# <u>7</u> Exhibit Exhibit "1-F" – MDPH Visit# <u>8</u> Exhibit Exhibit "1-G" – MDPH Submission# <u>9</u> Exhibit Plaintiffs Response to Defs Statement of Material Facts)(Zaid, Mark) (Entered: 04/07/2004)
04/07/2004	<u>48</u>	Memorandum in opposition to motion re <u>43</u> <i>plaintiffs' motion for summary judgment</i> filed by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> response to plaintiffs' statement of material facts# <u>2</u> Text of Proposed Order)(Blackwell, Craig) (Entered: 04/07/2004)
04/13/2004		Set/Reset Hearings: Motion Hearing set for 5/25/2004 10:00 AM in Courtroom 1 before Judge Judge Emmet G. Sullivan. (clv,) (Entered: 04/13/2004)
04/13/2004	<u>49</u>	NOTICE by JANE DOE, JOHN DOE of <i>Filing of Sealed Letter</i> (Zaid, Mark) (Entered: 04/13/2004)
04/21/2004	<u>50</u>	REPLY to opposition to motion re <u>42</u> <i>defendants' motion for summary judgment</i> filed by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Blackwell, Craig) (Entered: 04/21/2004)
04/21/2004	<u>51</u>	REPLY to opposition to motion re <u>43</u> <i>Plaintiffs' Motion for Summary Judgment Or, Alternatively, For Discovery</i> filed by JANE DOE, JOHN DOE. (Attachments: # <u>1</u> Exhibit 1 – FDA Handwritten Fed Reg Notice)(Zaid, Mark) (Entered: 04/21/2004)
05/25/2004		Minute Entry for proceedings held before Judge Emmet G. Sullivan : Motion Hearing held on 5/25/2004; motions heard and taken under advisement; (Court Reporter Elaine Merchant.) (clv,) (Entered: 05/25/2004)

05/26/2004		MINUTE ORDER The parties are directed to file a response to the following questions by no later than June 7, 2004: (1) What is the statutory authority for 21 C.F.R. 601.25? (2) Explain how 21 C.F.R. 601.25 is related to section 355(h) of the Federal Food, Drug & Cosmetic Act, 21 U.S.C. 301, et seq, which directs appeals of agency Orders to the Court of Appeals. (3) Explain the relevance of Contact Lens Manufacturers Association v. FDA, 766 F.2d 592 (D.C. Cir. 1985), which is styled a "Petition for Review of an Order of the Food & Drug Administration." (4) Are you aware of any cases in which a district court judge has remanded an Order to an agency? Signed by Judge Emmet G. Sullivan on May 26, 2004. (lcegs1) (Entered: 05/26/2004)
06/07/2004	<u>52</u>	RESPONSE to the Court's May 26 Order by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Tannenbaum, Andrew) (Entered: 06/07/2004)
06/07/2004	<u>53</u>	RESPONSE to Court's May 26, 2004 Order filed by JANE DOE, JOHN DOE. (Attachments: # <u>1</u> Exhibit 1 – Sammie Young Declaration# <u>2</u> Exhibit 1A – 1993 Congressional Record# <u>3</u> Exhibit 1B – 1980 Citizen Petition# <u>4</u> Exhibit 1C – 1972 GAO Report# <u>5</u> Exhibit 1D – 2002 GAO Report)(Zaid, Mark) (Entered: 06/07/2004)
06/25/2004	<u>54</u>	MOTION to Strike by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Text of Proposed Order)(Tannenbaum, Andrew) (Entered: 06/25/2004)
07/09/2004	<u>55</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>54</u> MOTION to Strike by JANE DOE, JOHN DOE. (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 07/09/2004)
07/12/2004		MINUTE ORDER granting <u>55</u> the Unopposed Motion for Extension of Time to File Response re <u>54</u> the Government's MOTION to Strike. Response due by 7/14/2004. Signed by Judge Emmet G. Sullivan on July 12, 2004. (lcegs1) (Entered: 07/12/2004)
07/14/2004	<u>56</u>	Memorandum in opposition to motion re <u>54</u> Striking Young Declaration filed by JANE DOE, JOHN DOE. (Zaid, Mark) (Entered: 07/14/2004)
07/14/2004	<u>57</u>	NOTICE OF TRANSCRIPT FILED for motion held on dates May 25, 2004; Court Reporter: Elaine A. Merchant. (jf,) (Entered: 07/19/2004)
10/27/2004	<u>58</u>	ENTERED IN ERROR. . . .ORDER denying <u>42</u> Defendants' Motion for Summary Judgment, granting <u>43</u> Plaintiffs' Motion for Summary Judgment. Signed by Judge Emmet G. Sullivan on October 27, 2004. (lcegs1) Modified on 10/27/2004 (td,). (Entered: 10/27/2004)
10/27/2004	<u>59</u>	MEMORANDUM OPINION. Signed by Judge Emmet G. Sullivan on October 27, 2004. (lcegs1) (Entered: 10/27/2004)
10/27/2004		DOCUMENT NO. 58 was Entered In Error and chambers will refile Order on Motion for Summary Judgment, (td,) (Entered: 10/27/2004)
10/27/2004	<u>60</u>	ORDER denying <u>42</u> Defendants' Motion for Summary Judgment, granting <u>43</u> Plaintiffs' Motion for Summary Judgment. Signed by Judge Emmet G. Sullivan on October 27, 2004. (lcegs2) (Entered: 10/27/2004)
10/28/2004	<u>61</u>	CLERK'S JUDGMENT in favor of plaintiff against defendant. Signed by Judge Emmet G. Sullivan's Courtroom Deputy, Carol Votteler on October 27, 2004. (clv,) (Entered: 10/28/2004)
11/28/2004	<u>62</u>	MOTION for Attorney Fees and Costs by JANE DOE, JOHN DOE. (Attachments: # <u>1</u> Exhibit A – Original Complaint# <u>2</u> Exhibit B – Court Opinion, Oct 27, 2004# <u>3</u> Exhibit C – Declaration of John J. Michels, Jr., Esq.# <u>4</u> Exhibit D – Statement of Attorneys Fees and Costs# <u>5</u> Exhibit E – Dr. Schumm Invoice# <u>6</u> Text of Proposed Order)(Zaid, Mark) (Entered: 11/28/2004)
12/13/2004	<u>63</u>	Joint MOTION to Continue To Hold Plaintiffs' Motion for Attorneys' Fees in Abeyance by JANE DOE, JOHN DOE, MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Text of Proposed Order)(Wiltsie, Ronald) (Entered: 12/13/2004)

12/13/2004		MINUTE ORDER granting <u>63</u> Joint Motion to Continue to Hold Plaintiffs' Motion for Attorneys' Fees and Costs in Abeyance. Upon consideration of the joint motion, it is hereby ordered that the motion is granted and the Plaintiffs' pending motion for attorneys' fees and costs will be held in abeyance until either the expiration of Defendants' period to notice an appeal or the final resolution of this matter pursuant to any appeal that is taken. Signed by Judge Emmet G. Sullivan on December 13, 2004. (lcegs1) (Entered: 12/13/2004)
12/23/2004	<u>64</u>	NOTICE OF APPEAL as to <u>60</u> Order, <u>61</u> Clerk's Judgment by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (lc,) (Entered: 12/27/2004)
12/23/2004		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>64</u> Notice of Appeal (lc,) (Entered: 12/27/2004)
01/03/2005		USCA Case Number 04-5440 for <u>64</u> Notice of Appeal filed by DONALD H. RUMSFELD,, TOMMY THOMPSON,, MARK B. MCCLELLAN,. (lc,) (Entered: 01/11/2005)
01/26/2005		MINUTE ORDER. The Court, sua sponte, directs the defendants to file by no later than February 1, 2005, a pleading describing the manner in which defendants are complying with the Court's Order of October 27, 2004. Signed by Judge Emmet G. Sullivan on January 26, 2005. (lcegs1) (Entered: 01/26/2005)
02/01/2005	<u>65</u>	RESPONSE to <i>The Court's Minute Order Of January 26, 2005</i> filed by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Exhibit One# <u>2</u> Exhibit Two)(Wiltzie, Ronald) (Entered: 02/01/2005)
02/04/2005	<u>66</u>	Emergency MOTION to Amend/Correct <u>60</u> Order / <i>Modify Injunction</i> by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Exhibit 1 (Letter from Dr. Lester M. Crawford, D.V.M., PhD., FDA, to Dr. William Winkenwerder, Assistant Secretary of Defense for Health Affairs (Jan. 27, 2005))# <u>2</u> Exhibit 2 (70 Fed. Reg. 5452, 5452--56)# <u>3</u> Exhibit 3 (Declaration of Emergency Pursuant to 21 U.S.C. 360bbb-3(b), Tommy G. Thompson, Secretary of Health and Human Services (Jan. 14, 2005))# <u>4</u> Exhibit 4 (Letter from Paul Wolfowitz, Deputy Secretary of Defense, to the Honorable Tommy G. Thompson, Secretary of Health and Human Services (Dec. 10, 2004))# <u>5</u> Exhibit 5 (70 Fed. Reg. 5450, 5450--51))(Tannenbaum, Andrew) (Entered: 02/04/2005)
02/08/2005		MINUTE ORDER. The Court, sua sponte, schedules a Status Conference for 2/14/2005 at 11:00 am to discuss future proceedings in this case. Signed by Judge Emmet G. Sullivan on February 8, 2005. (lcegs1) (Entered: 02/08/2005)
02/09/2005		Set/Reset Hearings: Status Conference set for 2/14/2005 11:00 AM in Courtroom 1 before Judge Emmet G. Sullivan. (clv,) (Entered: 02/09/2005)
02/14/2005		Minute Entry for proceedings held before Judge Emmet G. Sullivan : Status Conference held on 2/14/2005. Defendants to Respond to the Court's Order to Show Cause by 2/28/2005. Plaintiffs given until 2/28/2005 to file Opposition to Motion of Defendants to Modify Injunction. Defendants to file a Reply by 3/10/2005. A Show Cause Hearing set for 3/10/2005 at 10:00 AM in Courtroom 1 before Judge Emmet G. Sullivan. (Court Reporter Elaine Merchang.) (jwd) (Entered: 02/14/2005)
02/14/2005	<u>67</u>	ORDER memorializing the briefing schedule, pursuant to proceedings held in open court on February 14, 2005. The defendant's response to the Court's Order to Show Cause shall be filed by no later than February 28, 2005; plaintiffs shall file a response to defendants' emergency motion to modify the injunction by no later than February 28, 2005; plaintiffs' reply to the defendant's response to the Court's order to show cause shall be filed by no later than March 10, 2005; defendants' reply to plaintiffs' opposition to defendants' motion to modify the injunction shall be filed by no later than March 10, 2005. It is further ORDERED that a hearing on the Court's Order to Show Cause and the Defendants' Motion to Modify the Injunction shall be held on March 21, 2005 at 10:00 am in Courtroom One. Signed by Judge Emmet G. Sullivan on February 14, 2005. (lcegs1) (Entered: 02/14/2005)

02/22/2005	<u>68</u>	TRANSCRIPT of Proceedings held on 2/14/05 before Judge Sullivan. Court Reporter: Elaine A. Merchant. The public may view the document in the Clerk's Office between the hours of 9:00 a.m. and 4:00 p.m, Monday through Friday. (td,) (Entered: 02/24/2005)
02/28/2005	<u>69</u>	RESPONSE TO ORDER TO SHOW CAUSE by DONALD H. RUMSFELD. (Attachments: # <u>1</u> Exhibit A (Second Declaration of Col. Steven Jones)# <u>2</u> Exhibit 1 to Second Jones Decl.# <u>3</u> Exhibit 2 to Second Jones Decl.# <u>4</u> Exhibit 3 to Second Jones Decl.# <u>5</u> Exhibit 4 to Second Jones Decl.# <u>6</u> Exhibit 5 to Second Jones Decl.# <u>7</u> Exhibit 6 to Second Jones Decl.# <u>8</u> Exhibit 7 to Second Jones Decl.# <u>9</u> Exhibit 8 to Second Jones Decl.# <u>10</u> Exhibit 9 to Second Jones Decl.# <u>11</u> Exhibit 10 to Second Jones Decl.# <u>12</u> Exhibit 11 to Second Jones Decl.# <u>13</u> Exhibit 12 to Second Jones Decl.# <u>14</u> Exhibit 13 to Second Jones Decl.# <u>15</u> Exhibit B (Transcript of Feb. 14, 2005 Hearing))(Tannenbaum, Andrew) (Entered: 02/28/2005)
02/28/2005	<u>70</u>	Memorandum in opposition to motion re <u>66</u> <i>Modification of Injunction</i> filed by JOHN DOE, JANE DOE. (Attachments: # <u>1</u> Exhibit 1 – Transcript Feb 14 2005# <u>2</u> Exhibit 2 – Tri-Fold Brochure# <u>3</u> Exhibit Transcript – Jan 14 2004# <u>4</u> Exhibit 4 – Product Insert# <u>5</u> Exhibit 5 – Congressional Letters# <u>6</u> Exhibit 6 – HHS Letter to DoD# <u>7</u> Exhibit 7 – Dr. Moreno Declaration)(Zaid, Mark) (Entered: 02/28/2005)
03/01/2005	<u>71</u>	MOTION for Leave to File Amicus Brief by MILITARY VACCINE EDUCATION CENTER, NATIONAL GULF WAR RESOURCE CENTER, NATIONAL VACCINE INFORMATION CENTER. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Exhibit A–Amicus Brief# <u>3</u> Exhibit B–Declaration of Meryl Nass MD# <u>4</u> Exhibit C–2003 VAERS AVA Data# <u>5</u> Exhibit D–2004 VAERS AVA Data# <u>6</u> Exhibit E–Piel Testimony# <u>7</u> Exhibit F–Rovet Testimony# <u>8</u> Exhibit G–DCIS 11/20/02 Memo# <u>9</u> Exhibit H–Declaration of Steve Turney# <u>10</u> Exhibit I–Declaration of Richard Poplin# <u>11</u> Exhibit J–AVA Efficacy Statements# <u>12</u> Exhibit K–Declaration of Virginia Shemeley# <u>13</u> Exhibit L–Declaration of Lavester Brown# <u>14</u> Exhibit M–Declaration of Bridget Savage# <u>15</u> Exhibit N–3/30/01 Mississippi AG Letter# <u>16</u> Exhibit O–Declaration of Luis Hernandez# <u>17</u> Exhibit P–Declaraion of Eddie Norman# <u>18</u> Exhibit Q–8/10/01 Aldrich Chu Memo# <u>19</u> Exhibit R–Winkenwerder Mtg Memo 1/14/02# <u>20</u> Exhibit S–Declaration of Sammie Young)(nmw,) (Entered: 03/07/2005)
03/07/2005		MINUTE ORDER. The parties are directed to file any response to <u>71</u> the motion for leave to file an amicus curiae submission by the National Vaccine Information Center, the National Gulf War Resource Center, and the Military Vaccine Information Center, Inc. by no later than 4:00 pm on 3/8/2005. Signed by Judge Emmet G. Sullivan on March 7, 2005. (lcegs1) (Entered: 03/07/2005)
03/08/2005		Set/Reset Deadlines: Responses to the Motion for leave to file an amicus curiae submission due by due by 4:00 p.m. on 3/8/2005 (clv,) (Entered: 03/08/2005)
03/08/2005	<u>72</u>	RESPONSE to <i>Court's Minute Order of March 7, 2005</i> filed by JOHN DOE, JANE DOE. (Zaid, Mark) (Entered: 03/08/2005)
03/08/2005	<u>73</u>	Memorandum in opposition to motion re <u>71</u> <i>for leave to file amicus brief</i> filed by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Tannenbaum, Andrew) (Entered: 03/08/2005)
03/08/2005		MINUTE ORDER granting <u>71</u> Motion for Leave to File Amicus Brief. Upon consideration of the Motion for Leave to File Amicus Brief, the Defendants' Opposition thereto, and the Plaintiffs' Consent thereto, it is hereby ORDERED that the motion is GRANTED. The parties are afforded an opportunity to respond to the amicus submission by no later than noon on 3/11/05. Amici and/or the parties shall file any replies to responses by no later than noon on 3/14/05. Signed by Judge Emmet G. Sullivan on March 8, 2005. (lcegs1) (Entered: 03/08/2005)
03/09/2005	<u>74</u>	MOTION to Appoint Counsel <i>Pro Hac Vice</i> by NATIONAL VACCINE INFORMATION CENTER. (Attachments: # <u>1</u> # <u>2</u>)(Karo, Martin) (Entered: 03/09/2005)
03/09/2005		MINUTE ORDER granting <u>74</u> Motion for Admission Pro Hac Vice of Kenneth T. Levine. Signed by Judge Emmet G. Sullivan on March 9, 2005. (lcegs1) (Entered: 03/09/2005)

03/09/2005	<u>75</u>	NOTICE of Addendum to the Second Declaration of Colonel Steven P. Jones by DONALD H. RUMSFELD (Attachments: # <u>1</u> Addendum to the Second Declaration of Colonel Steven P. Jones)(Tannenbaum, Andrew) (Entered: 03/09/2005)
03/10/2005	<u>76</u>	REPLY to opposition to motion re <u>66</u> to Modify Injunction filed by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2)(Tannenbaum, Andrew) (Entered: 03/10/2005)
03/10/2005	<u>77</u>	RESPONSE to Court's Order to Show Cause Dated February 14, 2005 filed by JOHN DOE, JANE DOE. (Attachments: # <u>1</u> Exhibit 1 – SECDEF Oct 27, 2004 Memo# <u>2</u> Exhibit 2 – FDA Correspondence)(Zaid, Mark) (Entered: 03/10/2005)
03/11/2005	<u>78</u>	RESPONSE to <u>71</u> Amicus Curiae Brief filed by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Tannenbaum, Andrew) (Entered: 03/11/2005)
03/14/2005	<u>79</u>	REPLY Brief Opposing Emergency Motion to Modify Injunction filed by NATIONAL VACCINE INFORMATION CENTER. (Levine, Kenneth) (Entered: 03/14/2005)
03/14/2005	<u>80</u>	NOTICE of Appearance by Kenneth T. Levine on behalf of NATIONAL VACCINE INFORMATION CENTER (Levine, Kenneth) (Entered: 03/14/2005)
03/21/2005		Minute Entry for proceedings held before Judge Emmet G. Sullivan : Show Cause Hearing held on 3/21/2005. Show Cause Hearing set for 4/1/2005 10:00 AM in Courtroom 1 before Judge Emmet G. Sullivan. (Court Reporter Jon Hundley, Miller.) (clv,) (Entered: 03/21/2005)
03/21/2005	<u>81</u>	NOTICE of Filing Of Congressional Correspondence by JOHN DOE, JANE DOE (Attachments: # <u>1</u> Exhibit A – Congressman Chris Shays Correspondence# <u>2</u> Exhibit B – HHS Response To Congressman Shays)(Zaid, Mark) (Entered: 03/21/2005)
03/22/2005	<u>82</u>	NOTICE by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Wiltsie, Ronald) (Entered: 03/22/2005)
03/23/2005	<u>83</u>	NOTICE of Clarification by DONALD H. RUMSFELD (Tannenbaum, Andrew) (Entered: 03/23/2005)
03/31/2005		MINUTE ORDER. The Court, sua sponte, directs the defendants to be prepared to inform the Court exactly how many, if any, military personnel have been unlawfully administered AVA since the March 21, 2005 hearing. Signed by Judge Emmet G. Sullivan on March 31, 2005. (lcegs1) (Entered: 03/31/2005)
04/01/2005		Minute Entry for proceedings held before Judge Emmet G. Sullivan: Show Cause Hearing Resumed on 4/1/2005. Motion of Defendants to Modify the Court's 10/27/2004 Injunction, granted. Counsel for defendants to provide the Court with Weekly Reports regarding inoculation prohibited by the Court's 10/27/2004 injunction. Cour stayed the issuance of it's order until noon, Monday, April 1, 2005. (Court Reporter Elaine Merchant.) (jwd,) (Entered: 04/01/2005)
04/04/2005	<u>84</u>	NOTICE of Appearance by John J. Michels on behalf of all plaintiffs (Michels, John) (Entered: 04/04/2005)
04/04/2005	<u>85</u>	NOTICE by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Tannenbaum, Andrew) (Entered: 04/04/2005)
04/04/2005	<u>86</u>	NOTICE by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Tannenbaum, Andrew) (Entered: 04/04/2005)
04/04/2005	<u>87</u>	RESPONSE to Defendants' "Notice" of a Submission by Defendant, Dept. of Defense, to Defendant, Food and Drug Administration filed by JOHN DOE, JANE DOE. (Michels, John) (Entered: 04/04/2005)
04/05/2005	<u>88</u>	ORDER. Signed by Judge Emmet G. Sullivan on April 5, 2005. (lcegs1) (Entered: 04/05/2005)

04/06/2005	<u>89</u>	NOTICE by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Tannenbaum, Andrew) (Entered: 04/06/2005)
04/06/2005	<u>90</u>	ORDER granting <u>66</u> Defendant's Emergency Motion to Modify Injunction. Signed by Judge Emmet G. Sullivan on April 6, 2005. (lcegs1) (Entered: 04/06/2005)
04/13/2005	91	TRANSCRIPT of Show-Cause Hearing held on March 21, 2005 before Judge Emmet G. Sullivan. Court Reporter: Jon Hundley (MILLER). The public may view the document in the Clerk's Office between the hours of 9:00 a.m. and 4:00 p.m, Monday through Friday. (jf,) (Entered: 04/14/2005)
04/21/2005		MINUTE ORDER. Defendants are directed to show cause by no later than noon on 4/25/05 why they should not be held in contempt for failure to comply with this Court's order, issued in open court on 4/1/05, instructing Defendant DOD to file weekly reports regarding unlawful inoculations administered in violation of this Court's October 27, 2004 injunction. Signed by Judge Emmet G. Sullivan on April 21, 2005. (lcegs1) (Entered: 04/21/2005)
04/22/2005	<u>92</u>	NOTICE of Weekly Report by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Attachments: # <u>1</u> Affidavit COL S. Jones)(Wiltsie, Ronald) (Entered: 04/22/2005)
04/22/2005	<u>93</u>	Emergency MOTION to Vacate <i>The Order to Show Cause or, In the Alternative, For An Extension To Respond</i> by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Notice of Weekly Report# <u>2</u> Affidavit COL S. Jones# <u>3</u> Text of Proposed Order)(Wiltsie, Ronald) (Entered: 04/22/2005)
04/25/2005		MINUTE ORDER granting <u>93</u> Motion to Vacate. Upon consideration of defendants' Emergency Unopposed Motion to Vacate the Order to Show Cause or, in the alternative, For An Extension To Respond, it is hereby ORDERED that the Motion is GRANTED. Signed by Judge Emmet G. Sullivan on April 25, 2005. (lcegs1) (Entered: 04/25/2005)
04/25/2005	95	TRANSCRIPT of Proceedings held on 4/1/05 before Judge Emmet G. Sullivan. Court Reporter: Elaine A. Merchant. The public may view the document in the Clerk's Office between the hours of 9:00 a.m. and 4:00 p.m, Monday through Friday. (td,) (Entered: 05/02/2005)
04/29/2005	<u>94</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 04/29/2005)
05/06/2005	<u>96</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 05/06/2005)
05/13/2005	<u>97</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 05/13/2005)
05/20/2005	<u>98</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 05/20/2005)
05/27/2005	<u>99</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 05/27/2005)
06/03/2005	<u>100</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 06/03/2005)
06/10/2005	<u>101</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 06/10/2005)
06/17/2005	<u>102</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 06/17/2005)
06/24/2005	<u>103</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 06/24/2005)
07/01/2005	<u>104</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 07/01/2005)

07/08/2005	<u>105</u>	NOTICE of Weekly Report by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Attachments: # <u>1</u> Affidavit of Weekly Report)(Wiltsie, Ronald) (Entered: 07/08/2005)
07/15/2005	<u>106</u>	NOTICE of Weekly Report by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Attachments: # <u>1</u> Affidavit of Col Grabenstein)(Wiltsie, Ronald) (Entered: 07/15/2005)
07/22/2005	<u>107</u>	NOTICE of Weekly Report by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Attachments: # <u>1</u> Affidavit COL John Grabenstein)(Wiltsie, Ronald) (Entered: 07/22/2005)
07/28/2005	<u>108</u>	NOTICE of Weekly Report by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Attachments: # <u>1</u> Exhibit Declaration of COL Grabenstein)(Wiltsie, Ronald) (Entered: 07/28/2005)
08/05/2005	<u>109</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Blackwell, Craig) (Entered: 08/05/2005)
08/12/2005	<u>110</u>	NOTICE of Weekly Report by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Attachments: # <u>1</u> Exhibit)(Wiltsie, Ronald) (Entered: 08/12/2005)
08/19/2005	<u>111</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 08/19/2005)
08/26/2005	<u>112</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 08/26/2005)
08/30/2005		MINUTE ORDER. Pursuant to the defendants' weekly report filed July 22, 2005, informing the Court that an involuntary anthrax vaccination was administered at a U.S. military medical clinic in Iraq, in violation of this Court's injunction, and in light of the steps that the commanding officer of that medical unit has taken to avoid additional involuntary vaccinations, the Court, sua sponte, hereby ORDERS that the instructions given by memorandum to members of that medical unit be distributed by no later than September 15, 2005, to all medical staff administering vaccines. Specifically, those instructions, according to defendants' July 22, 2005 filing, are "If administering Anthrax Vaccination ensure the patient has signed in, received training and trifold, understand [sic] the right to refuse, and states they want to receive the Anthrax Vaccine. Immediately prior to administration of the Anthrax Vaccination (once site and vaccine are prepared) ask the patient 'Do you want to receive the Anthrax Vaccination?' If the patient confirms, administer." Signed by Judge Emmet G. Sullivan on August 30, 2005. (lcegs1) (Entered: 08/30/2005)
09/02/2005	<u>113</u>	NOTICE of Weekly Report by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Attachments: # <u>1</u> Affidavit Col Grabenstein)(Wiltsie, Ronald) (Entered: 09/02/2005)
09/08/2005	<u>114</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 09/08/2005)
09/16/2005	<u>115</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 09/16/2005)
09/23/2005	<u>116</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 09/23/2005)
09/30/2005	<u>117</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 09/30/2005)
10/07/2005	<u>118</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 10/07/2005)
10/14/2005	<u>119</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 10/14/2005)
10/21/2005	<u>120</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 10/21/2005)

10/28/2005	<u>121</u>	NOTICE of Weekly Report by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Attachments: # <u>1</u> Exhibit Weekly Report Declaration)(Wiltsie, Ronald) (Entered: 10/28/2005)
11/04/2005	<u>122</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 11/04/2005)
11/10/2005	<u>123</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 11/10/2005)
11/18/2005	<u>124</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 11/18/2005)
11/23/2005	<u>125</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 11/23/2005)
12/02/2005	<u>126</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 12/02/2005)
12/09/2005	<u>127</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 12/09/2005)
12/16/2005	<u>128</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 12/16/2005)
12/23/2005	<u>129</u>	NOTICE OF PUBLICATION OF FDA ORDER by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Attachments: # <u>1</u> Exhibit FDA Order# <u>2</u> Exhibit Motion to Govern Further Proceedings In Court of Appeals)(Wiltsie, Ronald) (Entered: 12/23/2005)
12/23/2005	<u>130</u>	NOTICE of Weekly Report by DONALD H. RUMSFELD (Attachments: # <u>1</u> Weekly Report Declaration)(Tannenbaum, Andrew) (Entered: 12/23/2005)
04/06/2006	<u>131</u>	USCA JUDGMENT (certified copy) as to <u>64</u> Notice of Appeal filed by DONALD H. RUMSFELD,, TOMMY THOMPSON,, MARK B. MCCLELLAN; It is hereby ordered and adjudged that the case be remanded to the District Court because the appeal is moot; USCA#04-5440 (jsc) (Entered: 04/20/2006)
05/04/2006		MINUTE ORDER. At the request of counsel for the parties, a status hearing is scheduled for June 27, 2006 at 11:00 a.m. in Courtroom 24A. Counsel are directed to filed a joint proposal for further proceedings no later than June 23, 2006. If counsel cannot agree on a joint proposal, counsel may submit their recommendations separately. Signed by Judge Emmet G. Sullivan on May 4, 2006. (lcegs1) (Entered: 05/04/2006)
05/05/2006		Set Deadlines/Hearings: Proposal for further proceedings due by 6/23/2006. Status Conference set for 6/27/2006 11:00 AM in Courtroom 24A before Judge Emmet G. Sullivan. (clv,) (Entered: 05/05/2006)
06/20/2006	<u>132</u>	Unopposed MOTION to Continue <i>Status Conference</i> by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Text of Proposed Order)(Wiltsie, Ronald) (Entered: 06/20/2006)
06/21/2006		MINUTE ORDER granting <u>132</u> Motion to Continue. The status conference scheduled for June 27 is rescheduled to begin at 12:00 p.m. on July 25, 2006 in Courtroom 24A. The status report is now due July 20, 2006. Signed by Judge Emmet G. Sullivan on June 21, 2006. (lcegs1) (Entered: 06/21/2006)
07/20/2006	<u>133</u>	STATUS REPORT <i>Joint Proposals for Further Proceedings</i> by MARK B. MCCLELLAN, JOHN DOE, JANE DOE, DONALD H. RUMSFELD, TOMMY THOMPSON. (Wiltsie, Ronald) (Entered: 07/20/2006)
07/21/2006		MINUTE ORDER. The Status Hearing scheduled for July 25, 2006 is continued to August 9, 2006 at 11:30 a.m. Signed by Judge Emmet G. Sullivan on July 21, 2006. (lcegs1) (Entered: 07/21/2006)
07/21/2006		Set/Reset Hearings: Status Conference set for 7/25/06 has been reset for 8/9/2006 11:30 AM in Courtroom 24A before Judge Emmet G. Sullivan. (adc) (Entered: 07/21/2006)

08/03/2006		Set/Reset Hearings: Status Conference is now set for 9/7/2006 10:00 AM in Courtroom 24A before Judge Emmet G. Sullivan. THE STATUS HEARING PREVIOUSLY SCHEDULED FOR 8/9/06 IS VACATED DUE TO CHANGES IN THE COURT'S CALENDAR. (clv,) (Entered: 08/03/2006)
09/07/2006		Minute Entry for proceedings held before Judge Emmet G. Sullivan : Status Conference held on 9/7/2006. Motion for Attorney Fees denied. Motions due by 10/31/2006. Responses due by 12/15/2006 Replies due by 1/11/2007. Status Conference set for 1/31/2007 10:30 AM in Courtroom 24A before Judge Emmet G. Sullivan. OTBP(Court Reporter ELAINE MERCHAN.) (clv,) (Entered: 09/07/2006)
09/07/2006		MINUTE ORDER denying <u>62</u> Motion for Attorney Fees. For the reasons stated in open court today, September 7, 2006, the plaintiffs' motion for attorneys' fees is denied without prejudice. The plaintiffs' new motion for attorneys' fees, to reflect all work to date, shall be filed no later than October 31, 2006. The defendants' response is due no later than December 15, 2006. The plaintiffs' reply is due no later than January 11, 2007. A status hearing is scheduled in Courtroom 24A for January 31, 2007, at 10:30am.Pursuant to representations made at today's hearing, plaintiffs are directed to release under seal the names of the individual plaintiffs to the government.Signed by Judge Emmet G. Sullivan on 9/7/06. (lcegs1) (Entered: 09/07/2006)
10/31/2006	<u>135</u>	MOTION for Attorney Fees by JOHN DOE, JANE DOE. (Attachments: # <u>1</u> Exhibit A – Complaint# <u>2</u> Appendix B – 2003 Decision# <u>3</u> Exhibit C – First Amended Complaint# <u>4</u> Exhibit D – Oct 2004 Decision# <u>5</u> Exhibit E – Affidavit of John J. Michels, Esq.# <u>6</u> Exhibit F – Billing Records# <u>7</u> Exhibit Ex G – Declaration of Mark S. Zaid, Esq.# <u>8</u> Exhibit H – Schumm Time# <u>9</u> Text of Proposed Order)(Zaid, Mark) (Entered: 10/31/2006)
12/11/2006	<u>136</u>	Unopposed MOTION for Extension of Time to <i>Respond to Plaintiffs' Amended Petition for Attorneys' Fees</i> by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Text of Proposed Order)(Wiltsie, Ronald) (Entered: 12/11/2006)
12/12/2006		MINUTE ORDER granting <u>136</u> Unopposed Motion for Extension of Time to Respond. Defendants' response to plaintiffs' motion for attorney fees is due no later than January 5, 2007. Plaintiffs' reply is due no later than February 1, 2007. Signed by Judge Emmet G. Sullivan on December 12, 2006. (lcegs1) (Entered: 12/12/2006)
12/12/2006		Set/Reset Deadlines: Responses due by 1/5/2007 Replies due by 2/1/2007. (clv,) (Entered: 12/12/2006)
01/04/2007	<u>137</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>135</u> MOTION for Attorney Fees by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Tannenbaum, Andrew) (Entered: 01/04/2007)
01/05/2007		MINUTE ORDER granting <u>137</u> Consent Motion for Extension of Time to File Response. Defendants' response to plaintiffs' motion for attorneys' fees is due no later than February 5, 2007. Signed by Judge Emmet G. Sullivan on January 5, 2007. (lcegs1) (Entered: 01/05/2007)
01/08/2007		Set/Reset Deadlines: Responses due by 2/5/2007 (clv,) (Entered: 01/08/2007)
01/24/2007	<u>138</u>	Consent MOTION for Protective Order <i>Regarding Disclosure of the Doe Plaintiffs' Names</i> by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Wiltsie, Ronald) (Entered: 01/24/2007)
01/25/2007	<u>139</u>	PROTECTIVE ORDER setting forth procedures for handling confidential material; allowing designated material to be filed under seal. Signed by Judge Emmet G. Sullivan on 1/24/07. (clv,) (Entered: 01/25/2007)
01/29/2007		MINUTE ORDER. Due to the modified schedule for the briefing of plaintiffs' motion for attorneys' fees, the Court sua sponte orders that the status hearing scheduled for January 31 is VACATED. The status hearing is rescheduled to February 14, 2007, at 9:30 am. Signed by Judge Emmet G. Sullivan on January 29,

		2007. (lcegs1) (Entered: 01/29/2007)
01/30/2007		Set/Reset Hearings: Status Conference set for 2/14/2007 09:30 AM in Courtroom 24A before Judge Emmet G. Sullivan. (clv,) (Entered: 01/30/2007)
02/05/2007	<u>140</u>	Memorandum in opposition to re <u>135</u> MOTION for Attorney Fees filed by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Exhibit)(Wiltsie, Ronald) (Entered: 02/05/2007)
02/07/2007		Set/Reset Hearings: Status Conference is now set for 2/16/2007 11:30 AM in Courtroom 24A before Judge Emmet G. Sullivan. PLEASE NOTE THE DATE CHANGE. (clv,) (Entered: 02/07/2007)
02/12/2007	<u>141</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>135</u> MOTION for Attorney Fees by JOHN DOE, JANE DOE. (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 02/12/2007)
02/12/2007		MINUTE ORDER granting <u>141</u> Consent Motion for Extension of Time to File Response/Reply. Plaintiffs' reply regarding <u>135</u> their motion for attorney fees is due no later than February 26, 2007. In addition, the status hearing scheduled for February 16 is hereby VACATED. The status hearing is rescheduled for March 15, 2007, at 12:15 pm. Signed by Judge Emmet G. Sullivan on February 12, 2007. (lcegs1) (Entered: 02/12/2007)
02/13/2007		Set Deadlines/Hearings: Status Conference set for 3/15/2007 12:15 PM in Courtroom 24A before Judge Emmet G. Sullivan. (clv,) (Entered: 02/13/2007)
02/13/2007		Set/Reset Deadlines: Replies due by 2/26/2007. (clv,) (Entered: 02/13/2007)
02/26/2007	<u>142</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>135</u> MOTION for Attorney Fees by JOHN DOE, JANE DOE. (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 02/26/2007)
02/28/2007		MINUTE ORDER granting <u>142</u> Consent Motion for Extension of Time to File Response/Reply. Plaintiffs' reply regarding <u>135</u> their motion for attorney fees is due no later than March 19, 2007. In addition, the status hearing scheduled for March 15 is hereby VACATED. Signed by Judge Emmet G. Sullivan on February 28, 2007. (lcegs1) (Entered: 02/28/2007)
02/28/2007		Set/Reset Deadlines: Replies due by 3/19/2007. (clv,) (Entered: 02/28/2007)
04/02/2007	<u>143</u>	MOTION for Extension of Time Nunc Pro Tunc to File Response/Reply as to <u>135</u> MOTION for Attorney Fees by JOHN DOE, JANE DOE (Attachments: # <u>1</u> Text of Proposed Order)(nmw,) (Entered: 04/04/2007)
04/06/2007		MINUTE ORDER granting <u>143</u> Unopposed Motion for Extension of Time to File Reply. Plaintiffs' reply regarding <u>135</u> their motion for attorney fees is due no later than April 20, 2007. Signed by Judge Emmet G. Sullivan on April 6, 2007. (lcegs1) (Entered: 04/06/2007)
04/06/2007		Set/Reset Deadlines: Replies due by 4/20/2007. (clv,) (Entered: 04/06/2007)
04/20/2007	<u>144</u>	REPLY to opposition to motion re <u>135</u> MOTION for Attorney Fees filed by JOHN DOE, JANE DOE. (Attachments: # <u>1</u> Exhibit 1 – Declaration of Mark S. Zaid, Esq.)(Zaid, Mark) (Entered: 04/20/2007)
08/21/2007	<u>145</u>	ORDER denying without prejudice <u>135</u> Plaintiffs' Motion for Attorney Fees and directing that plaintiff file an amended motion for attorney fees or the parties jointly submit a status report and recommendation for future proceedings by no later than September 28, 2007. See accompanying Memorandum Opinion. Signed by Judge Emmet G. Sullivan on August 21, 2007. (lcegs1) Additional attachment(s) added on 8/21/2007 (lcegs1,). (Entered: 08/21/2007)
08/21/2007		NOTICE OF CORRECTED DOCKET ENTRY re <u>145</u> : Correct Order on Motion for Attorney Fees filed in place of mis–filed document. (lcegs1) (Entered: 08/21/2007)
08/21/2007	<u>146</u>	MEMORANDUM OPINION. Signed by Judge Emmet G. Sullivan on August 21, 2007. (lcegs1) (Entered: 08/21/2007)

08/21/2007		Set/Reset Deadlines: Status Report due by 9/28/2007. (clv,) (Entered: 08/21/2007)
09/28/2007	<u>147</u>	Amended MOTION for Attorney Fees <i>and Costs</i> by JOHN DOE, JANE DOE (Attachments: # <u>1</u> Exhibit 1 – Michels Declaration# <u>2</u> Exhibit 1A – McGuireWoods Billing Entries# <u>3</u> Exhibit 1B – McGuireWoods Resumes# <u>4</u> Exhibit 2 – Zaid Declaration# <u>5</u> Exhibit 2A – Zaid Billing Entries# <u>6</u> Text of Proposed Order)(Zaid, Mark) (Entered: 09/28/2007)
10/04/2007	<u>148</u>	Unopposed MOTION for Extension of Time to File Response/Reply to <i>Plaintiffs' Amended Attorneys Fee Petition</i> by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON (Attachments: # <u>1</u> Text of Proposed Order)(Wiltsie, Ronald) (Entered: 10/04/2007)
10/05/2007		MINUTE ORDER granting <u>148</u> defendants' Unopposed Motion for Extension of Time to file response re <u>147</u> plaintiffs' Amended Motion for Attorney Fees and Costs. Defendants shall file their response by no later than October 26, 2007. Furthermore, the joint status report due on September 28, 2007 shall be filed by no later than Oct. 14, 2007. Signed by Judge Emmet G. Sullivan on October 5, 2007. (lcegs1) (Entered: 10/05/2007)
10/09/2007		Set/Reset Deadlines: Responses due by 10/26/2007, Status Report due by 10/14/2007. (clv,) (Entered: 10/09/2007)
10/14/2007	<u>149</u>	STATUS REPORT by JOHN DOE. (Zaid, Mark) (Entered: 10/14/2007)
10/16/2007		MINUTE ORDER. In the event that defendants elect not to oppose plaintiffs' Amended Petition for Attorney's Fees and Costs, the parties are directed to submit a joint report and recommendation for further proceedings by Oct. 31, 2007. Signed by Judge Emmet G. Sullivan on October 16, 2007. (lcegs1) (Entered: 10/16/2007)
10/17/2007		Set/Reset Deadlines: Status Report due by 10/31/2007. (clv,) (Entered: 10/17/2007)
10/26/2007	<u>150</u>	Memorandum in opposition to re <u>147</u> Amended MOTION for Attorney Fees <i>and Costs</i> filed by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Attachments: # <u>1</u> Exhibit Table of Remaining Vague Entries# <u>2</u> Exhibit Bates v. Rumsfeld Slip Opinion# <u>3</u> Exhibit Bates v. Rumsfeld Docket# <u>4</u> Exhibit New Entries# <u>5</u> Exhibit Summary Table# <u>6</u> Text of Proposed Order)(Wiltsie, Ronald) (Entered: 10/26/2007)
11/05/2007	<u>151</u>	Consent MOTION for Extension of Time to File Response/Reply to <i>Defendants' Opposition to Plaintiffs' Amended Motion for Attorneys Fees and Costs</i> by JOHN DOE, JANE DOE (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 11/05/2007)
11/06/2007		MINUTE ORDER granting <u>151</u> Plaintiffs' Consent Motion for Extension of Time to File Reply re <u>147</u> plaintiffs' Amended Motion for Attorney Fees and Costs. Plaintiffs' reply is due by no later than November 19, 2007. Signed by Judge Emmet G. Sullivan on November 6, 2007. (lcegs1) (Entered: 11/06/2007)
11/07/2007		Set/Reset Deadlines: Replies due by 11/19/2007. (clv,) (Entered: 11/07/2007)
11/18/2007	<u>152</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>147</u> Amended MOTION for Attorney Fees <i>and Costs</i> by JOHN DOE, JANE DOE (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 11/18/2007)
11/20/2007		MINUTE ORDER granting <u>152</u> plaintiffs' Unopposed Motion for Extension of Time to File Reply Brief in response to defendants' opposition to <u>147</u> plaintiffs' Amended Motion for Attorney Fees and Costs. Plaintiffs' reply is due by no later than November 30, 2007. Signed by Judge Emmet G. Sullivan on November 20, 2007. (lcegs1) (Entered: 11/20/2007)
11/29/2007	<u>153</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>147</u> Amended MOTION for Attorney Fees <i>and Costs</i> by JOHN DOE, JANE DOE (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 11/29/2007)
12/03/2007		MINUTE ORDER granting <u>153</u> Consent Motion for Extension of Time to File Reply re <u>147</u> Amended MOTION for Attorney Fees and Costs. Reply due by

		12/14/2007. Signed by Judge Emmet G. Sullivan on December 3, 2007. (AS) (Entered: 12/03/2007)
12/04/2007		Set/Reset Deadlines: Replies due by 12/14/2007. (clv,) (Entered: 12/04/2007)
12/14/2007	<u>154</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>147</u> Amended MOTION for Attorney Fees <i>and Costs</i> by JOHN DOE, JANE DOE (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 12/14/2007)
12/14/2007		MINUTE ORDER granting <u>154</u> Consent Motion for Extension of Time to File Reply in Support of <u>147</u> Amended MOTION for Attorney Fees. Replies due by 12/28/2007. Signed by Judge Emmet G. Sullivan on December 14, 2007. (AS) (Entered: 12/14/2007)
12/14/2007		Set/Reset Deadlines: Replies due by 12/28/2007. (clv,) (Entered: 12/14/2007)
12/24/2007	<u>155</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>147</u> Amended MOTION for Attorney Fees <i>and Costs</i> by JOHN DOE, JANE DOE (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 12/24/2007)
12/26/2007		MINUTE ORDER granting <u>155</u> plaintiffs' consent Motion for Extension of Time to File Reply re <u>147</u> plaintiffs' Amended Motion for Attorney Fees and Costs. Plaintiffs' reply is due by no later than January 28, 2008. Signed by Judge Emmet G. Sullivan on December 26, 2007. (lcegs1) (Entered: 12/26/2007)
12/26/2007		Set/Reset Deadlines: Replies due by 1/28/2008. (clv,) (Entered: 12/26/2007)
01/25/2008		MINUTE ORDER. The Court having been informed by counsel for the parties that all remaining issues in this matter have been resolved, it is HEREBY ORDERED that this case shall be removed from the active calendar of the Court and it is FURTHER ORDERED that within thirty (30) days from the date of this Order, a praecipe shall be filed with the Court informing the Court that this case is SETTLED AND DISMISSED WITH PREJUDICE; and it is FURTHER ORDERED that in the unlikely event a settlement on the issue of attorneys' fees and costs is not reached, the parties are instructed to contact the Court to reinstate the matter to the active calendar. Signed by Judge Emmet G. Sullivan on January 25, 2008. (AS,) (Entered: 01/25/2008)
02/25/2008	<u>156</u>	STIPULATION of Dismissal by MARK B. MCCLELLAN, DONALD H. RUMSFELD, TOMMY THOMPSON. (Wiltzie, Ronald) (Entered: 02/25/2008)