

**U.S. District Court
Eastern District of California - Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:98-cv-00872-GEB-JFM**

Western Center v. Cederquist, et al
Assigned to: Judge Garland E. Burrell, Jr
Referred to: Magistrate Judge John F. Moulds
Demand: \$10,000,000
Case in other court: 99-35377
Cause: 42:1983 Civil Rights Act

Date Filed: 05/13/1998
Date Terminated: 03/31/1999
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Western Center for Journalism
Doing business as
Western Journalism Center

represented by **Allan Favish**
Charlston, Revich & Wollitz LLP
1925 Century Park East, Suite 1250
Los Angeles, CA 90067
310-551-7005
Email: afavish@crwllp.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Charles Herbert Bell , Jr.
Bell, McAndrews & Hiltachk
455 Capitol Mall
Suite 801
Sacramento, CA 95814
916-442-7757
Fax: 916-442-7759
Email: cbell@bmhlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Larry Klayman
Judicial Watch Incorporated
501 School Street SW
Suite 725
Washington, DC 20024
202-646-5172
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Thomas Cederquist

represented by **Michael J Desmond**
United States Department of Justice
Tax Division
PO Box 683
Ben Franklin Station

Washington, DC 20044-0683
 202-307-6648
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul L. Seave
 United States Attorney
 501 I Street
 Suite 10-100
 Sacramento, CA 95814
 916-554-2700
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Margaret Milner Richardson

represented by **Michael J Desmond**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul L. Seave
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/13/1998	1	COMPLAINT; jury demand, fee status paid, receipt # 185377, assigned to Senior Judge Milton L. Schwartz to Magistrate Judge John F. Moulds (old) (Entered: 05/14/1998)
05/13/1998	2	ORDER setting scheduling conference for 9:00 9/11/98 before Senior Judge Milton L. Schwartz (cc: all counsel) (old) (Entered: 05/14/1998)
06/24/1998	3	NOTICE of special appearance by Seth Heald and Michael Desmond; Trial attys; Tax Division US DOJ for dfts Thomas Cederquist and Margaret Milner Richardson (old) (Entered: 06/25/1998)
06/24/1998	4	PROOF OF SERVICE by plaintiff Western Center for Journalism of Scheduling Order [2-1], and Summons and Complaint [1-1] (old) (Entered: 06/25/1998)
07/02/1998	5	PROOF OF SERVICE by plaintiff Western Center of Pretrial Scheduling Order [2-1] (old) (Entered: 07/06/1998)
08/03/1998	6	ANSWER by defendants (old) (Entered: 08/03/1998)
08/05/1998	7	NOTICE OF MOTION AND MOTION for summary judgment by dfts Thomas Cederquist, Margaret Milner Richardson ; motion TO BE HEARD by Senior Judge Milton L. Schwartz Motion Hearing Set For 9/25/98 at 9:00 in ctrm 7 (ljr) Modified on 10/23/1998 (Entered: 08/06/1998)
08/05/1998	9	DECLARATION by dfts of Thomas Cederquist submitted in support of motion to dismiss [7-1] (ljr) (Entered: 08/06/1998)
08/06/1998	8	MEMORANDUM OF POINTS AND AUTHORITIES by dfts Thomas Cederquist, Margaret Milner Richardson in support of motion to dismiss [7-1] (ljr) (Entered: 08/06/1998)

09/03/1998	10	STATUS REPORT by defendants Thomas Cederquist, Margaret Milner Richardson (old) (Entered: 09/04/1998)
09/11/1998	11	MINUTES before Senior Judge Milton L. Schwartz scheduling conference held on 9/11/98 ; dfts to file motion for summary judgment and notice it for 11/13/98 at 9:00 (ljr) (Entered: 09/14/1998)
09/11/1998	12	OPPOSITION by plaintiff Western Center to dfts' motion to dismiss the complaint or in the alternative for summary judgment [7-1] (ljr) (Entered: 09/14/1998)
09/11/1998	13	DECLARATION of Joseph Farah submitted in opposition to dfts' motion to or in the alternative for summary judgment [7-1] (pending review) (ljr) Modified on 09/14/1998 (Entered: 09/14/1998)
09/14/1998	14	ORDER by Senior Judge Milton L. Schwartz pending this court's hearing of the 9/25/98 motion to dismiss, court has GRANTED a temporary stay of discovery (cc: all counsel) (ljr) (Entered: 09/14/1998)
09/18/1998	15	NOTICE by plaintiff Western Center of continuing hearing on motion to dismiss the complaint by dfts Thomas Cederquist, Margaret Milner Richardson [7-1] HEARING RE-SET FOR 10/23/98 (old) (Entered: 09/21/1998)
09/18/1998	16	REPLY MEMORANDUM OF POINTS AND AUTHORITIES by defendants Thomas Cederquist, Margaret Milner Richardson in support of their motion to dismiss or for summary judgment [7-1], [7-2] (old) (Entered: 09/21/1998)
09/21/1998	17	NOTICE of hearing pursuant to the letter pltf's counsel filed 9/18/98 dft's motion to dismiss the complaint [7-1] HEARING RESET FOR 9:00 10/23/98; dft's anticipated motion for summary judgment HEARING RESET FOR 9:00 12/11/98 (cc: all counsel) (ljr) (Entered: 09/23/1998)
09/22/1998	18	POINTS AND AUTHORITIES by dfts Thomas Cederquist, Margaret Milner Richardson re stay of discovery [14-1] (ljr) (Entered: 09/23/1998)
10/13/1998		LODGED pro hac vice application and order by plaintiff Western Center as to Larry Klayman (ljr) (Entered: 10/14/1998)
10/15/1998	19	ORDER by Senior Judge Milton L. Schwartz attorney Larry Klayman allowed to appear pro hac vice for plaintiff Western Center (cc: all counsel) (ljr) (Entered: 10/15/1998)
10/16/1998	20	MEMORANDUM dfts by Thomas Cederquist, Margaret Milner Richardson in response to motion of Larry Klayman for admission pro hac vice [19-1] (ljr) (Entered: 10/16/1998)
10/19/1998		ORDER by Senior Judge Milton L. Schwartz ORDERING declaration [13-1] approved as filed - original signature filed 10/19/98; No notice to parties required (old) (Entered: 10/20/1998)
10/19/1998	21	REPLY by plaintiff Western Center to dfts' memorandum in response to motion of Larry Klayman for admission Pro Hac Vice [20-1] (old) (Entered: 10/20/1998)
10/19/1998	22	NOTICE by plaintiff Western Center of filing original signature for declaration of Joseph Farah [13-1] (old) (Entered: 10/20/1998)
10/20/1998	23	MEMORANDUM OF LAW by plaintiff Western Center regarding discovery stay pending resolution of qualified immunity issue (old) (Entered: 10/21/1998)
10/23/1998	24	NOTICE by plaintiff Western Center of association of attorney Charles Herbert Bell Jr (old) (Entered: 10/23/1998)
10/23/1998	25	MINUTES before Senior Judge Milton L. Schwartz on motion to dismiss the complaint by dfts Thomas Cederquist, Margaret Milner Richardson [7-1]; Motion DEFERRED, Court

		discusses recusal issues with Counsel; Pltf has no conflict; Dft needs to consult with clients; Dft to inform Court by phone of resolution and to set new hearing date if necessary; C/R Mary Gallagher (old) (Entered: 10/23/1998)
11/03/1998	26	LETTER to court from Seth G Heald regarding [25-1] Judge Schwartz's offer to recuse himself (mll) (Entered: 11/03/1998)
11/03/1998	27	ORDER by Senior Judge Milton L. Schwartz ORDERING [26-1] that he recuse himself as the Judge to whom this case is assigned; that all currently scheduled dates herein are VACATED; that the clerk of the court reassign this case to another Judge for all further proceedings; Case REASSIGNED to Judge Garland E. Burrell (cc: counsel) (mll) (Entered: 11/03/1998)
11/05/1998	28	PROOF OF SERVICE by plaintiff Western Center of notice of association of counsel (ljr) (Entered: 11/06/1998)
11/10/1998	29	RE-NOTICE of motion by defendants: motion to dismiss or in the alternative for summary judgment [7-1] [7-2] HEARING SET FOR 9:00 12/7/98 (dd) (Entered: 11/10/1998)
11/10/1998	30	NOTICE by defendants of supplemental authority (dd) (Entered: 11/10/1998)
11/12/1998	31	PLT'S OPPOSITION to dfts' Notice of Supplemental Authority [30-1] (nnd) (Entered: 11/13/1998)
11/12/1998	32	PLT'S OPPOSITION to dfts' Request for submission on briefs; Re-Notice of Hearing on Discovery Stay (nnd) (Entered: 11/13/1998)
11/13/1998	33	Notice of filing REPORTER'S TRANSCRIPT of 10/23/98 hearing transcribed by C/R Mary R Gallagher (dd) (Entered: 11/16/1998)
11/13/1998	34	NOTICE by plaintiff Western Center of filing cited authority (dd) (Entered: 11/16/1998)
11/16/1998	35	TRANSCRIPT of 10/23/98 hearing on before MLS by C/R Mary R. Gallagher/Capitol Reporters (ljr) (Entered: 11/17/1998)
12/02/1998	36	REQUEST by plaintiff Western Center for continuance of 12/7/98 hearing (dd) (Entered: 12/03/1998)
12/03/1998	37	MOTION to dismiss by dft Cederquist , for summary judgment by dft Cederquist motion TO BE HEARD by Judge Garland E. Burrell; Motion Hearing Set For 9:00 2/1/99 (old) (Entered: 12/04/1998)
12/03/1998	38	MEMORANDUM OF POINTS AND AUTHORITIES by defendant Thomas Cederquist in support of motion to dismiss[37-1], in support of motion for summary judgment [37-2] (old) (Entered: 12/04/1998)
12/03/1998	39	MOTION to dismiss by dft Milner Richardson , for summary judgment by dft Milner Richardson motion TO BE HEARD by Judge Garland E. Burrell, Motion Hearing Set For 9:00 2/1/99 (old) (Entered: 12/04/1998)
12/03/1998	40	MEMORANDUM OF POINTS AND AUTHORITIES by dft Milner Richardson in support of motion to dismiss [39-1], in support of motion for summary judgment (old) (Entered: 12/04/1998)
12/03/1998	41	DEFENDANTS' JOINT STATEMENT of undisputed facts submitted in support of motion to dismiss [39-1], in support of motion for summary judgment [39-2] (old) (Entered: 12/04/1998)
12/03/1998	42	SECOND DECLARATION of Thomas Cederquist in support of motion to dismiss or for summary judgment (old) (Entered: 12/04/1998)

12/03/1998	44	PROOF OF SERVICE by dft Cederquist of second declaration [42-1] (old) (Entered: 12/04/1998)
12/03/1998	45	SUPPLEMENTAL DECLARATION of pltf Western Center for Journalism in support of pltf's request for continuance and pltf's opposition to dfts' request for submission of motion on the briefs [36-1] (old) (Entered: 12/04/1998)
12/04/1998	43	DECLARATION of Magaret Milner Richardson in support of motion for summary judgment [39-2] (old) (Entered: 12/04/1998)
12/04/1998	46	SUPPLEMENTAL declaration in further support of pltf's request for continuance and opposition to dfts' request for submission of motion on the briefs (dd) (Entered: 12/07/1998)
12/07/1998	47	MINUTES before Judge Garland E. Burrell motion to dismiss by dft Milner Richardson [39-1] SUBMITTED, motion for summary judgment by dft Milner Richardson [39-2] SUBMITTED, motion to dismiss by dft Cederquist [37-1] SUBMITTED, motion for summary judgment by dft Cederquist [37-2] SUBMITTED, motion for summary judgment by dfts Thomas Cederquist, Margaret Milner Richardson [7-1] SUBMITTED, motion [7-2] SUBMITTED without oral argument; court to prepare order (old) (Entered: 12/08/1998)
01/15/1999	48	OPPOSITION by plaintiff Western Center to motion to dismiss by dft Cederquist [37-1], to motion for summary judgment on defense of qualified immunity by Cederquist [37-2]; oral argument requested (old) (Entered: 01/26/1999)
01/15/1999	49	OPPOSITION by plaintiff Western Center to motion to dismiss by dft Milner Richardson [39-1], to motion for summary by dft Milner Richardson [39-2]; oral argument requested (old) (Entered: 01/26/1999)
01/15/1999	50	STATEMENT by plaintiff Western Center of material facts in dispute; oral argument requested (old) (Entered: 01/26/1999)
01/25/1999	51	REPLY by defendant Margaret Milner Richardson to response to motion to dismiss by dft Milner Richardson [39-1], motion for summary judgment by dft Milner Richardson [39-2] (old) (Entered: 01/27/1999)
01/25/1999	52	REPLY by defendant Thomas Cederquist to response to motion to dismiss by dft Cederquist [37-1], motion for summary judgment by dft Cederquist [37-2] (old) (Entered: 01/27/1999)
01/25/1999	53	DECLARATION of Gary D. Bell (old) (Entered: 01/27/1999)
01/25/1999	54	EVIDENTIARY OBJECTIONS by defendants to portions of the second declaration of Joseph Farah (old) (Entered: 01/27/1999)
01/25/1999	55	LETTER to court from counsel for defendants re hearing on 2/1/99 (old) (Entered: 01/27/1999)
01/26/1999	56	RENEWED REQUEST by plaintiff Western Center for oral argument (old) (Entered: 01/27/1999)
02/01/1999	58	MINUTES before Judge Garland E. Burrell: motion to dismiss [39-1] [37-1] SUBMITTED without oral argument; court to prepare order (dd) (Entered: 02/08/1999)
02/02/1999	57	MOTION for leave to file surreply re dfts' motions to dismiss by plaintiff Western Center ; motion TO BE HEARD by Judge Garland E. Burrell; Motion Hearing not noticed (dd) (Entered: 02/03/1999)
02/19/1999	59	MOTION for order to show cause concerning threatened retaliation against counsel by pltf Western Center motion TO BE HEARD by Judge Garland E. Burrell; Motion Hearing Set

		For 9:00 3/15/99 (old) (Entered: 02/22/1999)
02/19/1999	60	MEMORANDUM OF POINTS AND AUTHORITIES by plaintiff Western Center in support of motion for order to show cause concerning threatened retaliation against counsel [59-1] (old) (Entered: 02/22/1999)
02/25/1999	61	RESPONSE by defendants to motion for order to show cause concerning threatened retaliation against counsel by pltf Western Center [59-1] (old) (Entered: 02/26/1999)
03/08/1999	62	REPLY by plaintiff Western Center to response to motion for order to show cause concerning threatened retaliation against counsel by pltf Western Center [59-1] (old) (Entered: 03/09/1999)
03/12/1999	63	ORDER by Judge Garland E. Burrell ORDERING [59-1] [57-1] [39-1] [39-2] [37-1] [37-2] [7-1] [7-2] HEARING ON ALL PENDING MOTIONS SET FOR 9:00 3/29/99 (cc: all counsel) (old) (Entered: 03/12/1999)
03/19/1999	64	LETTER to court from counsel for defendants requesting extension of time for hearing on all pending motions (old) (Entered: 03/22/1999)
03/26/1999	65	SUPPLEMENT by plaintiff Western Center to memoranda re pending motions (dd) (Entered: 03/29/1999)
03/29/1999	66	MINUTES before Judge Garland E. Burrell: all pending motions [57-1] [59-1] [39-1] [39-2] [37-1] [37-2] [7-1] [7-2] SUBMITTED; court order to follow; C/R Susan Vaughan (dd) (Entered: 03/30/1999)
03/31/1999	67	ORDER by Judge Garland E. Burrell ORDERING motions to dismiss by dfts Milner Richardson and Thomas Cederquist [39-1] [39-2] [37-1] [37-2] are GRANTED; pltf's complaint is dismissed with prejudice and the Clerk is directed to enter judgment in favor of dfts; CASE DISMISSED (cc: all counsel) (dd) (Entered: 03/31/1999)
03/31/1999	68	JUDGMENT entered in favor of dfts pursuant to order entered this date by Judge Garland E. Burrell (cc: all counsel) (dd) (Entered: 03/31/1999)
04/07/1999	69	NOTICE OF APPEAL by plaintiff Western Center from District Court decision (fee status paid-rcpt #191702) (dd) (Entered: 04/08/1999)
04/07/1999	70	REPORTER'S TRANSCRIPT of 3/29/99 hearing on motions by C/R Susan Vaughan (dd) (Entered: 04/08/1999)
04/12/1999	71	MAILED case information/docket fee payment notice, copy of Notice of Appeal and appealed 3/31/99 judgment [68-1] to 9th Circuit Court of Appeals, copy of appeal and docket sheet to all parties (dd) (Entered: 04/12/1999)
04/19/1999	72	NOTIFICATION by 9th Circuit of Appellate Docket Number 99-35377 (old) (Entered: 04/20/1999)
04/19/1999	73	TRANSCRIPT DESIGNATION and Ordering Form for dates 10/23/98, 3/29/99 re appeal [69-1] (dd) (Entered: 04/20/1999)
04/20/1999	74	CERTIFICATE OF RECORD transmitted to 9th Circuit [69-1] (notice sent) (old) (Entered: 04/20/1999)
04/23/1999	75	NOTICE: from deputy clerk re document appeal informing parties and the USCA that an incorrect case was given on the Certificate of Record dated 4/20/99; informed parties of the correct case number [74-1] (old) (Entered: 04/23/1999)
09/06/2000		CLERK'S record on appeal transmitted to 9th Circuit original case file volumes 2 and certified copy of docket mailed to 9th Circuit regarding appeal [69-1] (cc: all counsel) (old) (Entered: 09/06/2000)

09/11/2000		RECEIPT for 2 volumes of the Clerk's Record from the 9th Circuit/date received 9/17/00 (old) (Entered: 09/12/2000)
03/16/2001	76	CERTIFIED COPY of judgment from 9th Circuit: the decision of the District Court [69-1] is AFFIRMED (cc: all counsel) (ar) (Entered: 03/16/2001)
04/09/2001		RECORD on appeal returned from 9th Circuit volumes 2 transcripts 0 (old) (Entered: 04/10/2001)

PACER Service Center			
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02/07/2020 06:21:57			
PACER Login:	jp5878FL:3964577:0	Client Code:	klayman v wonkette
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Billable Pages:	5	Cost:	0.50