

, APPEAL, CLOSED, ICMS

**U.S. District Court  
California Northern District (San Francisco)  
CIVIL DOCKET FOR CASE #: 3:90-cv-00223-TEH**

Herbert Bondy v. Sec of HHS  
Assigned to: Judge Thelton E. Henderson  
Demand: \$0  
Case in other court: 91-15125  
Cause: 42:405 Review of HHS Decision (DIWW)

Date Filed: 01/22/1990  
Date Terminated: 11/21/1990  
Jury Demand: None  
Nature of Suit: 864 Social Security: SSID  
Tit. XIV  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Herbert Bondy**

represented by **Cheryl Cranshaw**  
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V.

**Defendant**

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Department of**

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/22/1990	1	COMPLAINT (No Process) (ld, COURT STAFF) (Entered: 09/14/1990)
03/23/1990	2	ANSWER by defendant HHS (ld, COURT STAFF) (Entered: 09/14/1990)
05/03/1990	10	ORDER by Judge Thelton E. Henderson ; removing case from standing order for procedure in Social Security cases and setting Status conference 7/9/90 @ 1:30PM (cc: all counsel) (ld, COURT STAFF) (Entered: 09/14/1990)
06/21/1990	12	ORDER (cc: all counsel) reassigning case to Judge Henderson (ld, COURT STAFF) (Entered: 09/14/1990)
07/05/1990	14	MOTION by defendant HHS for judgment on the pleadings before Judge Thelton E. Henderson with Notice set for 9/17/90 @ 10AM (ld, COURT STAFF) (Entered: 09/14/1990)

07/11/1990	15	MEMORANDUM by defendant HHS in support of motion for judgment on the pleadings before Judge Thelton E. Henderson [14-1] (ld, COURT STAFF) (Entered: 09/14/1990)
07/11/1990		RECEIVED Order re: [14-1] (ld, COURT STAFF) (Entered: 09/14/1990)
07/23/1990	18	STATUS CONFERENCE STATEMENT by plaintiff Herbert Bondy (ld, COURT STAFF) (Entered: 09/14/1990)
07/25/1990	19	STIPULATION and ORDER by Judge Thelton E. Henderson : setting hearing on motion for judgment on the pleadings before Judge Thelton E. Henderson [14-1] 10:00 9/17/90; plaintiff's response by 8/20/90, defendant's reply by 9/4/90 (cc: all counsel) (ld, COURT STAFF) (Entered: 09/14/1990)
08/09/1990	20	Amicus Curiae's MOTION for application to appear and file response to deft's motion (ld, COURT STAFF) (Entered: 09/14/1990)
08/13/1990	21	ORDER by Judge Thelton E. Henderson granting motion for application to appear and file response to deft's motion [20-1] (cc: all counsel) (ld, COURT STAFF) (Entered: 09/14/1990)
08/13/1990	22	ORDER by Judge Thelton E. Henderson setting hearing on motion for judgment on the pleadings before Judge Thelton E. Henderson [14-1] 10:00 10/22/90; briefing schedule amended: 9/27/90 brief of amicus due; Plaintiff's response to defendant's motion due 9/27/90; 10/9/90 defendant's reply due; defendant's reply to plaintiff's response due 10/9/90 (cc: all counsel) (ld, COURT STAFF) (Entered: 09/14/1990)
08/14/1990	23	RESPONSE by defendant HHS to amicus request to appear (ld, COURT STAFF) (Entered: 09/14/1990)
08/16/1990	25	MOTION by plaintiff Herbert Bondy to compel with Notice set for 9/14/90 @ 10AM (ld, COURT STAFF) (Entered: 09/14/1990)
08/16/1990	26	MEMORANDUM by defendant HHS in support of motion to compel [25-1] (ld, COURT STAFF) (Entered: 09/14/1990)
08/17/1990	24	MOTION by plaintiff Herbert Bondy to shorten time on motion to compel [25-1] (ld, COURT STAFF) (Entered: 09/14/1990)
08/31/1990	27	REPLY by defendant HHS re [25-1] (ld, COURT STAFF) (Entered: 09/14/1990)
08/31/1990	28	DECLARATION of George Stoll re reply [27-1] (ld, COURT STAFF) (Entered: 09/14/1990)
09/04/1990	29	DECLARATION of Jean Hall Hinckley (ld, COURT STAFF) (Entered: 09/14/1990)
09/07/1990	30	MOTION by defendant HHS to extend time for class certification with Notice set for 10/22/90 @ 10AM (ld, COURT STAFF) (Entered: 09/14/1990)
09/07/1990	31	MEMORANDUM by defendant HHS in support of motion to extend time for class certification [30-1] (ld, COURT STAFF) (Entered: 09/14/1990)
09/07/1990		RECEIVED Order re: [30-1] (ld, COURT STAFF) (Entered: 09/14/1990)

09/14/1990	32	MINUTES: ( C/R Judith N. Dudeck Tape 1 9/14/9) denying motion to compel [25-1] (as, COURT STAFF) (Entered: 09/19/1990)
09/19/1990	33	DECLARATION by plaintiff Herbert Bondy in support of award of attorneys fees (as, COURT STAFF) (Entered: 09/21/1990)
09/21/1990	34	MOTION by plaintiff Herbert Bondy to certify with Notice set for 10/22/90 @ 10am (as, COURT STAFF) (Entered: 09/24/1990)
09/21/1990	35	MEMORANDUM by plaintiff Herbert Bondy in support of motion to certify [34-1] (as, COURT STAFF) (Entered: 09/24/1990)
09/21/1990	36	MOTION by plaintiff Herbert Bondy for summary judgment with Notice set for 10/22/90 @ 10:00 (as, COURT STAFF) (Entered: 09/24/1990)
09/21/1990	37	MEMORANDUM by plaintiff Herbert Bondy in support of motion for summary judgment [36-1] (as, COURT STAFF) (Entered: 09/24/1990)
09/21/1990	38	APPENDIX of memorandum of points and authorities filed by plaintiff Herbert Bondy re motion for summary judgment [36-1] (as, COURT STAFF) (Entered: 09/24/1990)
09/21/1990		RECEIVED Proposed order submitted by plaintiff Herbert Bondy re: [36-1] (as, COURT STAFF) (Entered: 09/24/1990)
09/21/1990		RECEIVED proposed order submitted by plaintiff Herbert Bondy re: [34-1] (as, COURT STAFF) (Entered: 09/24/1990)
09/27/1990	39	APPLICATION of Jewish Congress for leave to file amicus curiae brief (as, COURT STAFF) (Entered: 09/28/1990)
09/27/1990	40	MEMORANDUM in support of application [39-1] (as, COURT STAFF) (Entered: 09/28/1990)
09/27/1990	41	DECLARATION re Austrian and German Law re application [39-1] (as, COURT STAFF) (Entered: 09/28/1990)
09/27/1990	42	APPENDIX filed re application [39-1] (as, COURT STAFF) (Entered: 09/28/1990)
09/27/1990		RECEIVED proposed order re: [39-1] (as, COURT STAFF) (Entered: 09/28/1990)
10/02/1990	43	OBJECTIONS by plaintiff Herbert Bondy to proposed order re Motion to compel (as, COURT STAFF) (Entered: 10/03/1990)
10/02/1990	44	OBJECTIONS by defendant HHS to fee award (as, COURT STAFF) (Entered: 10/03/1990)
10/02/1990	45	ORDER by Judge Thelton E. Henderson (cc: all counsel) granting AJC's application to file amicus curiae brief (as, COURT STAFF) (Entered: 10/03/1990)
10/04/1990	46	APPLICATION to extend briefing schedule and reset hearing date by defendant HHS (as, COURT STAFF) (Entered: 10/05/1990)

10/04/1990		RECEIVED proposed order submitted by defendant HHS re: [46-1] (as, COURT STAFF) (Entered: 10/05/1990)
10/05/1990	47	ORDER by Judge Thelton E. Henderson ; Motion filing ddl for plaintiffs to file reply 10/24/90 defendants to file closing brief 10/17/90 file ; All motions hrg 10/29/90 (cc: all counsel) (as, COURT STAFF) (Entered: 10/11/1990)
10/15/1990	51	ORDER by Magistrate Claudia Wilken Plaintiffs motion to compel denied, court denies alternative motion to deem numeroisty; motion for santions is granted(cc: all counsel) (as, COURT STAFF) (Entered: 10/23/1990)
10/17/1990	48	MEMORANDUM by defendant HHS in opposition motion to certify [34-1] (as, COURT STAFF) (Entered: 10/22/1990)
10/17/1990	49	REPLY by defendant HHS to Memorandum of Amici Curiae Bet Tzedek and American Jewish Congress (as, COURT STAFF) (Entered: 10/22/1990)
10/17/1990	50	MEMORANDUM by defendant HHS in opposition motion for judgment on the pleadings before Judge Thelton E. Henderson [14-1] (as, COURT STAFF) (Entered: 10/22/1990)
10/19/1990	55	ADDENDUM to defendants memorandum in opposition to summary judgment filed by defendant HHS (as, COURT STAFF) (Entered: 10/30/1990)
10/22/1990	52	ORDER by Judge Thelton E. Henderson ; All motions hrg set 11/5/90 (cc: all counsel) (as, COURT STAFF) (Entered: 10/26/1990)
10/24/1990	53	REPLY memorandum by plaintiff Herbert Bondy re [36-1] (as, COURT STAFF) (Entered: 10/29/1990)
10/24/1990	54	REPLY memorandum by plaintiff Herbert Bondy re [34-1] (as, COURT STAFF) (Entered: 10/29/1990)
10/26/1990	56	MOTION by plaintiff Herbert Bondy for reconsideration (as, COURT STAFF) (Entered: 10/30/1990)
10/26/1990	57	MEMORANDUM by plaintiff Herbert Bondy in support of motion for reconsideration [56-1] (as, COURT STAFF) (Entered: 10/30/1990)
10/26/1990		RECEIVED proposed order submitted by plaintiff Herbert Bondy (as, COURT STAFF) (Entered: 10/30/1990)
11/05/1990	58	MINUTES: ( C/R Colleen Stoll) re motion for class certification and motion for jury on the pleadings. (dm, COURT STAFF) (Entered: 11/06/1990)
11/21/1990	59	ORDER by Judge Thelton E. Henderson (cc: all counsel). The Plaintiff's motion for certification of a class should be GRANTED and the defendant's motion to extend time for class certification is DENIED. (dm, COURT STAFF) (Entered: 11/26/1990)
11/21/1990	60	ORDER by Judge Thelton E. Henderson dismissing case (cc: all counsel). The Court denies the defendant's motion for judgment on the pleadings and grants the plaintiff's motion for summary judgment. (dm, COURT STAFF) (Entered: 11/26/1990)

11/21/1990	61	JUDGMENT: by Judge Thelton E. Henderson dismissing case (cc: all counsel). The Court denies the defendant's motion for judgment on the pleadings and grants the plaintiff's motion for summary judgment. (dm, COURT STAFF) (Entered: 11/26/1990)
11/30/1990		RECEIVED order granting declaratory and injunctive relief submitted by plaintiff Herbert Bondy (dm, COURT STAFF) (Entered: 12/03/1990)
11/30/1990	62	MOTION for Entry of Declaratory and Injunctive Relief by plaintiff Herbert Bondy with Notice set for 12/31/90. (dm, COURT STAFF) (Entered: 12/03/1990)
11/30/1990	63	MEMORANDUM by plaintiff Herbert Bondy in support of motion [62-1] for entry of delaratory and injuctive relief. (dm, COURT STAFF) (Entered: 12/03/1990)
12/13/1990	64	MOTION by plaintiff Herbert Bondy for declaratory relief , and for injunctive relief with Notice set for 1/14/91 @ 10:00 (dm, COURT STAFF) (Entered: 12/14/1990)
12/31/1990	65	MEMORANDUM by defendant HHS in opposition motion for declaratory relief [64-1], motion for injunctive relief [64-2] (dm, COURT STAFF) (Entered: 01/02/1991)
12/31/1990		RECEIVED proposed order submitted by defendant HHS re:motion for entry of declaratory and injunctive relief [64-1], re: [64-2] (dm, COURT STAFF) (Entered: 01/02/1991)
01/07/1991	66	REPLY MEMORANDUM by plaintiff Herbert Bondy in support of motion for declaratory relief [64-1], of motion for injunctive relief [64-2] (dm, COURT STAFF) (Entered: 01/08/1991)
01/15/1991	67	MINUTES: ( C/R Shelly Martin) that the motion for declaratory relief [64-1] is submitted, that the motion for injunctive relief [64-2] is submitted (dm, COURT STAFF) (Entered: 01/18/1991)
01/22/1991	68	NOTICE OF APPEAL by defendant HHS from Dist. Court decision filed 11/21/91 [60-2] no fee government appeal (dm, COURT STAFF) Modified on 03/14/1991 (Entered: 01/24/1991)
01/24/1991	69	ORDER by Judge Thelton E. Henderson granting motion for declaratory relief [64-1] granting motion for injunctive relief [64-2] granting motion [62-1]. The court amends the judgment of 11/21/90 to include additional reliefs as listed (See file for details). (cc: all counsel) (dm, COURT STAFF) (Entered: 01/28/1991)
02/01/1991	70	TRANSCRIPT DESIGNATION and Ordering Form filed for dates and dates ordered re appeal [68-1] (dm, COURT STAFF) (Entered: 02/04/1991)
02/01/1991	71	PROOF OF SERVICE by defendant HHS of transcript designation form (dm, COURT STAFF) (Entered: 02/04/1991)
02/05/1991		NOTIFICATION by Circuit Court of Appellate Docket Number 91-15125 (dm, COURT STAFF) (Entered: 02/06/1991)
03/06/1991	72	MOTION by plaintiff Herbert Bondy to file a brief in excess of 25 pages (dm, COURT STAFF) (Entered: 03/07/1991)

03/06/1991		RECEIVED order granting filing of excess pages submitted by plaintiff Herbert Bondy re: [72-1] (dm, COURT STAFF) (Entered: 03/07/1991)
03/07/1991	73	ORDER by Chief Judge Thelton E. Henderson granting motion to file a brief in excess of 25 pages [72-1] but no more than 35 pages in length (cc: all counsel) (dm, COURT STAFF) (Entered: 03/11/1991)
03/11/1991	74	MOTION by plaintiff Herbert Bondy for attorney fees with Notice set for 4/8/91 @ 10:00 (dm, COURT STAFF) (Entered: 03/12/1991)
03/11/1991	75	MEMORANDUM by plaintiff Herbert Bondy in support of motion for attorney fees [74-1] (dm, COURT STAFF) (Entered: 03/12/1991)
03/11/1991	76	DECLARATION by Gill Deford on behalf of plaintiff Herbert Bondy (dm, COURT STAFF) (Entered: 03/12/1991)
03/11/1991	77	DECLARATION by Tom Weathered on behalf of plaintiff Herbert Bondy (dm, COURT STAFF) (Entered: 03/12/1991)
03/11/1991	78	DECLARATION by Jody L. Hitchcock on behalf of plaintiff Herbert Bondy (dm, COURT STAFF) (Entered: 03/12/1991)
03/11/1991	79	DECLARATION by Richard M. Pearl on behalf of plaintiff Herbert Bondy re motion for attorney fees [74-1] (dm, COURT STAFF) (Entered: 03/12/1991)
03/11/1991	80	PROOF OF SERVICE by plaintiff Herbert Bondy of documents numbered [74-79] (dm, COURT STAFF) (Entered: 03/12/1991)
03/11/1991	81	PROOF OF SERVICE by plaintiff Herbert Bondy of documents numbered [74-79] (dm, COURT STAFF) (Entered: 03/12/1991)
03/13/1991	82	PROOF OF SERVICE by plaintiff Herbert Bondy of order allowing brief in excess of 25 pages (dm, COURT STAFF) (Entered: 03/14/1991)
03/15/1991	88	REPLY MEMORANDUM by plaintiff Herbert Bondy re motion for attorney fees [74-1] (dm, COURT STAFF) (Entered: 04/16/1991)
03/25/1991	83	STATUS REPORT by defendant HHS (dm, COURT STAFF) (Entered: 03/26/1991)
03/27/1991		RECEIVED stipulation to change briefing schedule submitted by defendant HHS (dm, COURT STAFF) (Entered: 03/28/1991)
03/29/1991	84	STIPULATION and ORDER by Chief Judge Thelton E. Henderson : motion for attorney fees [74-1] hearing set for 10:00 4/22/91 (cc: all counsel) (dm, COURT STAFF) (Entered: 04/05/1991)
04/08/1991	85	MEMORANDUM by defendant in opposition motion for attorney fees [74-1] (lc, COURT STAFF) (Entered: 04/11/1991)
04/09/1991	86	DECLARATION by George C. Stoll on behalf of defendant (lc, COURT STAFF) (Entered: 04/11/1991)
04/10/1991	87	RESPONSE by plaintiff Herbert Bondy to status report [83-1]. (gba, COURT STAFF) (Entered: 04/11/1991)

04/15/1991	89	SUPPLEMENTAL DECLARATION by Gill DeFord on behalf of plaintiff Herbert Bondy (dm, COURT STAFF) (Entered: 04/16/1991)
04/22/1991	90	MINUTES: ( C/R Candy Francis) that the motion for attorney fees [74-1] is submitted (dm, COURT STAFF) (Entered: 04/23/1991)
04/29/1991	91	COPY of USCA Order: Voluntarily dismissing the appeal [68-1] (dm, COURT STAFF) (Entered: 04/30/1991)
04/29/1991	92	CLERK'S NOTICE re [91-1] Received certified copy of USCA # 91-15125. Clerk spreading MANDATE cc: all counsel (dm, COURT STAFF) (Entered: 04/30/1991)
05/08/1991	93	ORDER by Chief Judge Thelton E. Henderson granting motion for attorney fees [74-1], the Secretary is to pay Bondy's counsel \$65,756.75 within 30 days (cc: all counsel) ( Date Entered 5/13/91) (cb, COURT STAFF) (Entered: 05/13/1991)
05/24/1991	94	SECOND STATUS REPORT by defendant HHS (dm, COURT STAFF) (Entered: 05/29/1991)
06/06/1991	95	RESPONSE by plaintiff Herbert Bondy re status report [94-1] (dm, COURT STAFF) (Entered: 06/10/1991)
07/23/1991	96	THIRD STATUS REPORT by defendant HHS (dm, COURT STAFF) (Entered: 07/25/1991)
08/12/1991	97	RESPONSE by plaintiff Herbert Bondy re third status report [96-1] (dm, COURT STAFF) (Entered: 08/13/1991)
09/23/1991	98	FOURTH STATUS REPORT by defendant HHS (dm, COURT STAFF) (Entered: 09/24/1991)
09/30/1991	99	RESPONSE by plaintiff Herbert Bondy re fourth status report [98-1] (dm, COURT STAFF) (Entered: 10/01/1991)
10/16/1991	100	SATISFACTION of Cost Bill by plaintiff Herbert Bondy (dm, COURT STAFF) (Entered: 10/17/1991)
11/26/1991	101	FIFTH STATUS REPORT by defendant HHS (dm, COURT STAFF) (Entered: 11/27/1991)
12/16/1991	102	RESPONSE by plaintiff Herbert Bondy re fifth status report [101-1] (dm, COURT STAFF) (Entered: 12/17/1991)
01/17/1992	103	NOTICE by defendant of filing secretary's sixth report (ab, COURT STAFF) (Entered: 01/21/1992)
01/30/1992	104	RESPONSE by plaintiff Herbert Bondy re report [101-1] (ab, COURT STAFF) (Entered: 02/04/1992)
03/20/1992	105	Seventh STATUS REPORT by defendant (ab, COURT STAFF) (Entered: 03/20/1992)
04/15/1992	106	RESPONSE by plaintiff re 7th status report [105-1] (ab, COURT STAFF) (Entered: 04/15/1992)



05/18/1992	107	EIGHT STATUS REPORT by defendant (ab, COURT STAFF) (Entered: 05/19/1992)
05/26/1992	108	RESPONSE by plaintiff re eight status report [107-1] (ab, COURT STAFF) (Entered: 05/26/1992)
07/23/1992	109	NOTICE of filing by defendant Secretary's Ninth Report (ab, COURT STAFF) (Entered: 07/24/1992)
07/30/1992	110	RESPONSE by plaintiff to defendant's 9th Status Report (ab, COURT STAFF) (Entered: 08/03/1992)
10/02/1992		RECEIVED proposed order clarifying injunction submitted by plaintiff (ab, COURT STAFF) (Entered: 10/02/1992)
10/02/1992	111	MOTION by plaintiff for order clarifying injunction with Notice set for 11/2/92 10 a.m. (ab, COURT STAFF) (Entered: 10/02/1992)
10/02/1992	112	MEMORANDUM by plaintiff in support of motion for order clarifying injunction [111-1] (ab, COURT STAFF) (Entered: 10/02/1992)
10/02/1992	113	DECLARATION by Tom Weathered on behalf of plaintiff re motion for order clarifying injunction [111-1] (ab, COURT STAFF) (Entered: 10/02/1992)
10/19/1992		RECEIVED stipulation extending time to hear motion submitted by defendant (ab, COURT STAFF) (Entered: 10/19/1992)
10/21/1992	114	STIPULATION and ORDER by Judge Thelton E. Henderson : re-setting hearing on motion for order clarifying injunction [111-1] 11/30/92 (cc: all counsel) (ab, COURT STAFF) (Entered: 10/22/1992)
11/10/1992		RECEIVED stipulation and proposed order re schedule submitted by defendant (ab, COURT STAFF) (Entered: 11/12/1992)
11/16/1992	115	STIPULATION and ORDER by Judge Thelton E. Henderson : resetting hearing on motion for order clarifying injunction [111-1] 12/14/92 (see document) (cc: all counsel) (mcl, COURT STAFF) (Entered: 11/18/1992)
11/30/1992	116	MEMORANDUM of points and authorities by HHS in opposition to motion for order clarifying injunction [111-1] (mq, COURT STAFF) (Entered: 12/08/1992)
12/07/1992	117	Supplemental DECLARATION by Tom Weathered on behalf of plaintiff in support of motion for order clarifying injunction. (pg, COURT STAFF) (Entered: 12/11/1992)
12/07/1992	118	REPLY by plaintiff to opposition to motion for order clarifying injunction. (pg, COURT STAFF) (Entered: 12/11/1992)
12/08/1992	119	NOTICE by defendant of filing Administrative Transcript. (pg, COURT STAFF) (Entered: 12/11/1992)
12/08/1992	120	ORDER by Judge Thelton E. Henderson; plaintiffs' motion for order clarifying injunction shall be continued to 1/11/93 at 10:00am. ( Date Entered: 12/11/92) (cc: all counsel) (pg, COURT STAFF) (Entered: 12/11/1992)
01/15/1993	121	ORDER by Judge Thelton E. Henderson denying plaintiff's motion for order clarifying injunction [111-1] ( Date Entered: 1/22/93) (cc: all counsel) (mq,

		COURT STAFF) (Entered: 01/22/1993)
04/22/1993		RECEIVED Stipulation of settlement ( defendant) (mcl, COURT STAFF) (Entered: 04/22/1993)
04/26/1993	122	STIPULATION and ORDER by Judge Thelton E. Henderson : re: settlement defendant shall pay to plaintiff's counsel the sum of \$3,500.00 as full and complete satisfaction for any and all attorney's fees and cost which have arisen or may arise as a result of this action(cc: all counsel) (mq, COURT STAFF) (Entered: 04/27/1993)

## PACER Service Center

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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	3:90-cv-00223-TEH
<b>Billable Pages:</b>	5	<b>Cost:</b>	0.40