

CLOSED, STANDARD

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:03-cv-04312-JF**

ACORN v. THE CITY OF PHILADELPHIA et al
Assigned to: HONORABLE JOHN P. FULLAM
Cause: 42:1983 Civil Rights Act

Date Filed: 07/24/2003
Date Terminated: 05/05/2004
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

ACORN

represented by **ARTHUR B. SPITZER**
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Plaintiff**THE NATIONAL ORGANIZATION
FOR WOMEN**represented by **ARTHUR B. SPITZER**
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V.

Defendant

THE CITY OF PHILADELPHIA

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Defendant

**THE POLICE DEPARTMENT OF
THE CITY OF PHILADELPHIA**
TERMINATED: 10/08/2003

represented by **CHRISTOPHER I. MCCABE**
(See above for address)
TERMINATED: 10/31/2004

Defendant

**THE UNITED STATES SECRET
SERVICE OF THE DEPARTMENT
OF HOMELAND SECURITY**

represented by **JOAN K. GARNER**
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Date Filed	#	Docket Text
07/24/2003	1	COMPLAINT against THE CITY OF PHILADELPHIA, THE POLICE DEPARTMENT OF THE CITY OF PHILADELPHIA, THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY (Filing fee \$ 150 receipt number 895621.), filed by ACORN.(ti,) Additional attachment(s) added on 7/25/2003 (cdd,). (Entered: 07/24/2003)
07/24/2003		Two Original Summons Issued as to THE CITY OF PHILADELPHIA, THE POLICE DEPARTMENT OF THE CITY OF PHILADELPHIA. Forwarded To: Counsel on 7/24/03 (ti,) (Entered: 07/24/2003)
07/24/2003		Summons Issued as to THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY, One Given to the U.S. Attorney and Two Forwarded To: Counsel on 7/24/03 (ti,) (Entered: 07/24/2003)
07/24/2003	2	Acceptance of Service by U.S. Attorney Re: accepted summons and complaint for THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY on 7/24/2003, answer due 9/22/2003. (ar,) (Entered: 07/24/2003)
07/24/2003	3	ORDER THAT THE COURT HEREBY ORDERS THE DEFENDANTS TO PERMIT PLAINTIFFS TO DEMONSTRATE PEACEFULLY AT THE CORNER DIAGONALLY ACROSS THE STREET FROM THE TREASURY FINANCIAL FACILITY BUILDING, WHICH IS LOCATED AT 13000 TOWNSEND, NO FARTHER AWAY FROM THE TREASURY FINANCIAL FACILITY BUILDING THAN OTHER DEMONSTRATORS.SIGNED BY JUDGE JOHN P. FULLAM ON 7/24/03. 7/25/03 ENTERED AND COPIES MAILED.(cdd,) (Entered: 07/25/2003)
07/25/2003	4	NOTICE of Appearance by CHRISTOPHER I. MCCABE on behalf of THE CITY OF PHILADELPHIA, THE POLICE DEPARTMENT OF THE CITY OF PHILADELPHIA with Certificate of Service (MCCABE, CHRISTOPHER) (Entered: 07/25/2003)
09/05/2003	5	SUMMONS Returned Executed as to USA. Julia Richardson, Legal Program Assistant on behalf of ACORN served the UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY by certified mail, return receipt requested on 8/12/03; return receipt card attached.(cdd,) (Entered: 09/05/2003)
09/05/2003	6	SUMMONS Returned Executed as to USA. Julia Richardson, Legal Program Assistant on behalf of ACORN served John Ashcroft, Attorney General of the United States on behalf of THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY by certified mail, return receipt requested on 8/11/03; return receipt card attached. (cdd,) (Entered: 09/05/2003)
09/05/2003	7	SUMMONS Returned Executed as to USA. Julia Richardson, Legal Program Assistant on behalf of ACORN served United States Attorney's Office on behalf of THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY by certified mail on 8/6/03, return receipt card attached. (cdd,) (Entered: 09/05/2003)

09/22/2003	8	DEFENDANT THE CITY OF PHILADELPHIA, THE CITY OF PHILADELPHIA, THE POLICE DEPARTMENT OF THE CITY OF PHILADELPHIA'S Answer to PLAINTIFF'S VERIFIED COMPLAINT with Affirmative Defenses, Certificate of Service. (MCCABE, CHRISTOPHER) Modified on 9/23/2003 (fh) (Entered: 09/22/2003)
09/22/2003	9	FEDERAL DEFENDANT THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY'S MOTION TO DISMISS <i>OR IN THE ALTERNATIVE FOR SUMMARY JUDGMENT AND BRIEF IN SUPPORT, CERTIFICATE OF SERVICE.</i> (Attachments: # 1)(GARNER, JOAN) Modified on 9/23/2003 (fh) Additional attachment(s) added on 9/23/2003 (fh,). (Entered: 09/22/2003)
09/22/2003		Issue Joined. (fh) (Entered: 09/23/2003)
09/23/2003	10	AMENDED COMPLAINT filed by THE NATIONAL ORGANIZATION FOR WOMEN, UNITED FOR PEACE AND JUSTICE, USACTION, ACORN against THE CITY OF PHILADELPHIA, THE POLICE DEPARTMENT OF THE CITY OF PHILADELPHIA, THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY, Certificate of Service. (cdd,) (Entered: 09/26/2003)
09/26/2003		2 Summons Issued as to THE CITY OF PHILADELPHIA, THE POLICE DEPARTMENT OF THE CITY OF PHILADELPHIA. Forwarded To: Plaintiff's Counsel on 9/26/03. (cdd,) (Entered: 09/26/2003)
09/26/2003		3 Summons Issued as to THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General Forwarded To: Plaintiff's Counsel on 9/26/03. (cdd,) (Entered: 09/26/2003)
09/26/2003	11	MOTION FILED BY ACORN, THE NATIONAL ORGANIZATION FOR WOMEN, UNITED FOR PEACE AND JUSTICE, USACTION FOR PRO HAC VICE ADMISSION OF CHRIS HANSEN, ART SPITZER, AND WITOLD WALCZAK, VERIFICATION IN SUPPORT, CERTIFICATE OF SERVICE. (Attachments: # 1 VERIFICATION IN SUPPORT # 2 Text of Proposed Order)(cdd,) (Entered: 09/26/2003)
10/02/2003	12	STIPULATION AND ORDER THAT DEFENDANTS DO NOT OBJECT TO THE FILING OF THE AMENDED COMPLAINT WITHOUT LEAVE OF COURT; DEFENDANTS WAIVE SERVICE BY SUMMONS; DEFENDANTS RESPONSE TO THE AMENDED COMPLAINT WILL BE DUE ON OR BEFORE 11/24/03; AND THE FEDERAL DEFENDANTS HEREBY WITHDRAW WITHOUT PREJUDICE THEIR MOTION TO DISMISS, OR IN THE ALTERNATIVE FOR SUMMARY JUDGMENT WHICH ADDRESSED ONLY THE ORIGINAL COMPLAINT.SIGNED BY JUDGE JOHN P. FULLAM ON 10/2/03. 10/3/03 ENTERED AND COPIES MAILED AND COPY FAXED BY CHAMBERS ON 10/2/03.(cdd,) (Entered: 10/03/2003)
10/08/2003	13	STIPULATION of Dismissal of the Police Department of the City of Philadelphia by ACORN, THE CITY OF PHILADELPHIA, THE NATIONAL ORGANIZATION FOR WOMEN, THE POLICE DEPARTMENT OF THE CITY OF PHILADELPHIA, THE UNITED STATES SECRET SERVICE OF

		THE DEPARTMENT OF HOMELAND SECURITY, UNITED FOR PEACE AND JUSTICE, USACTION. (MCCABE, CHRISTOPHER) (Entered: 10/08/2003)
10/09/2003	14	Stipulation of Dismissal by ACORN, THE NATIONAL ORGANIZATION FOR WOMEN, UNITED FOR PEACE AND JUSTICE, USACTION against THE POLICE DEPARTMENT OF THE CITY OF PHILADELPHIA. (ar,) (Entered: 10/09/2003)
10/20/2003	15	STIPULATION AND ORDER THAT DEFENDANT, THE POLICE DEPARTMENT OF THE CITY OF PHILADELPHIA, SHALL BE DROPPED AS A PARTY DEFENDANT.SIGNED BY JUDGE JOHN P. FULLAM ON 10/20/03. 10/20/03 ENTERED AND COPIES MAILED AND COPY FAXED BY CAHMBERS.(cdd,) (Entered: 10/20/2003)
10/27/2003	16	DEFENDANT THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY'S MOTION TO DISMISS, <i>Memorandum In support, and Exhibits</i> , Memorandum, Certificate of Service. (Attachments: # 1 Memorandum # 2 Exhibits)(MILLET, THOMAS) Modified on 10/28/2003 (fh) (Entered: 10/27/2003)
10/30/2003	17	ORDER GRANTING MOTION FOR LIMITED ADMISSION OF CHRIS HANSEN, ART SPITZER AND WITOLD WALCZAK ON BEHALF OF PLAINTIFF. SIGNED BY JUDGE JOHN P. FULLAM ON 10/30/03.10/31/03 ENTERED AND COPIES MAILED AND FAXED. (ph,) (Entered: 10/31/2003)
11/07/2003	18	STIPULATION AND ORDER THAT IN RESPONSE TO DEFENDANT UNITED STATES SECRET SERVICE'S MOTION TO DISMISS, PLAINTIFFS SHALL FILE THEIR REPLY BRIEF ON OR BEFORE 11/24/03, AND DEFENDANT UNITED STATES SECRET SERVICE SHALL FILE ITS REPLY ON OR BEFORE 12/8/03, CERTIFICATE OF SERVICE.SIGNED BY JUDGE JOHN P. FULLAM ON 11/6/03. 11/7/03 ENTERED AND COPIES MAILED AND COPIES FAXED BY CHAMBERS ON 11/6/03.(cdd,) Modified on 11/7/2003 (cdd,). Additional attachment(s) added on 11/20/2003 (cdd,). (Entered: 11/07/2003)
11/20/2003	19	MOTION to Dismiss for Lack of Jurisdiction filed by THE CITY OF PHILADELPHIA.Certificate of Service.(MCCABE, CHRISTOPHER) (Entered: 11/20/2003)
11/24/2003	20	Memorandum of Law filed by ACORN, THE NATIONAL ORGANIZATION FOR WOMEN, UNITED FOR PEACE AND JUSTICE, USACTION in Opposition to Defendants' Motion to Dismiss, Certificate of Service. (Attachments: # 1 Text of Proposed Order # 2 Exhibit Exhibit 1 - Declaration of Leslie Cagan# 3 Exhibit Exhibit 2 - Declaration of Jeffrey D. Blum# 4 Exhibit Exhibit 3 - Declaration of Olga Vives# 5 Exhibit Exhibit 4 - Verification of Steve Bachmann# 6 Exhibit Exhibit 5 - Declaration of Lisa Burks# 7 Exhibit Exhibit 6 - Declaration of Terry Treadway)(cdd,) (Entered: 11/25/2003)
12/08/2003	21	DEFENDANT THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY'S Memorandum in Reply to PLAINTIFFS' Opposition to 9 , 16 MOTION TO DISMISS, <i>Memorandum In support, and Exhibits</i> , CERTIFICATE OF SERVICE. (MILLET, THOMAS)

		Modified on 12/9/2003 (fh) (Entered: 12/08/2003)
01/07/2004	22	NOTICE by THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY re 16 MOTION to Dismiss for Lack of Jurisdiction <i>Memorandum In support, and Exhibits Notice of Filing</i> (Attachments: # 1 Exhibit Order and verdict in USA v. Bursley)(MILLET, THOMAS) (Entered: 01/07/2004)
03/17/2004	23	MOTION FILED BY ACORN, THE NATIONAL ORGANIZATION FOR WOMEN, UNITED FOR PEACE AND JUSTICE, USACTION FOR LEAVE TO FILE DISCOVERY ON AN EXPEDITED BASIS, MEMORANDUM, CERTIFICATE OF SERVICE.(cdd,) (Entered: 03/17/2004)
03/19/2004	24	Praeipce to Substitute Signature Pages from Plaintiffs' MOTION for Leave to File Discovery on an Expedited Basis by ACORN, THE NATIONAL ORGANIZATION FOR WOMEN, UNITED FOR PEACE AND JUSTICE, USACTION, Certificate of Service. (Signature pages attached). (mar,) (Entered: 03/22/2004)
03/23/2004	25	Memorandum re 23 MOTION for Leave to File <i>Opposition to motion for Expedited Discovery</i> filed by THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY, Certificate of Service. (Attachments: # 1 Proposed Order)(MILLET, THOMAS) Modified on 3/24/2004 (fh) (Entered: 03/23/2004)
03/23/2004	26	Memorandum of DEFENDANT THE CITY OF PHILADELPHIA in Opposition to PLAINTIFF'S 23 MOTION FOR LEAVE TO FILE DISCOVERY ON AN EXPEDITED BASIS, Certificate of Service. (MCCABE, CHRISTOPHER) Modified on 3/24/2004 (fh) (Entered: 03/23/2004)
03/24/2004	27	Praeipce by ACORN, THE NATIONAL ORGANIZATION FOR WOMEN, UNITED FOR PEACE AND JUSTICE, USACTION to File Attachment to Plaintiffs' Motion for Leave to File Discovery on an Expedited Basis, Certificate of Service. (cdd,) (Entered: 03/24/2004)
05/05/2004	28	MEMORANDUM AND ORDER THAT THE DEFENDANTS' MOTIONS TO DISMISS THE AMENDED COMPLAINT FOR LACK OF SUBJECT-MATTER JURISDICTION ARE GRANTED. THIS ACTION IS DISMISSED. PLAINTIFFS' MOTION FOR EXPEDITED DISCOVERY IS DENIED AS MOOT.SIGNED BY JUDGE JOHN P. FULLAM ON 5/5/04. 5/6/04 ENTERED AND COPIES MAILED; COPIES FAXED BY CHAMBERS ON 5/5/04.(cdd,) (Entered: 05/06/2004)

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