

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**  
ACLU OF THE NATIONAL CAPITAL  
AREA  
1400 20TH STREET N.W.  
WASHINGTON, DC 20036  
202-475-0800  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**CHRISTOPHER A. HANSEN**  
AMERICAN CIVIL LIBERTIES UNION  
125 BROAD STREET  
18TH FLOOR  
NEW YORK, NY 10004  
212-549-2606  
Fax: 212-549-2651  
Email: chansen@aclu.org  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**STEFAN PRESSER**  
AMERICAN CIVIL LIBERTIES UNION  
OF PENNSYLVANIA  
7803 ST. MARTIN'S LANE  
PHILADELPHIA, 19 19107  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**WITOLD J. WALCZAK**  
ACLU OF PENNSYLVANIA  
PITTSBURGH CHAPTER  
313 ATWOOD STREET  
PITTSBURGH, PA 15213  
TEL 412-681-7864  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff****THE NATIONAL ORGANIZATION  
FOR WOMEN**represented by **ARTHUR B. SPITZER**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED***CHRISTOPHER A. HANSEN**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED***WITOLD J. WALCZAK**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED***STEFAN PRESSER**  
(See above for address)  
*ATTORNEY TO BE NOTICED***Plaintiff****UNITED FOR PEACE AND JUSTICE**represented by **ARTHUR B. SPITZER**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED***CHRISTOPHER A. HANSEN**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED***WITOLD J. WALCZAK**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED***STEFAN PRESSER**  
(See above for address)  
*ATTORNEY TO BE NOTICED***Plaintiff****USACTION**represented by **ARTHUR B. SPITZER**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED***CHRISTOPHER A. HANSEN**  
(See above for address)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**WITOLD J. WALCZAK**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**STEFAN PRESSER**

(See above for address)

*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**THE CITY OF PHILADELPHIA**

represented by **CHRISTOPHER I. MCCABE**  
JACOBY DONNER PC  
1700 MARKET ST. SUITE 3100  
PHILADELPHIA, PA 19103  
215-563-2400  
Email: cmccabe@jacobydonner.com  
*ATTORNEY TO BE NOTICED*

**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**  
U.S. ATTORNEY'S OFFICE  
615 CHESTNUT ST.  
SUITE 1250  
PHILADELPHIA, PA 19106  
215-861-8306  
Fax: 215-861-8349  
Email: joan.garner@usdoj.gov  
*ATTORNEY TO BE NOTICED*

**THOMAS W. MILLET**

U.S. DEPARTMENT OF JUSTICE  
20 MASSACHUSETTS AVE.  
NW  
PO BOX 883  
WASHINGTON, DC 20044  
202-514-3313

Email:

THOMAS.MILLET@USDOJ.GOV  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
07/24/2003	<a href="#">1</a>	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	<a href="#">3</a>	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	<a href="#">4</a>	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	<a href="#">8</a>	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	<a href="#">9</a>	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: # <a href="#">1</a> )(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	<a href="#">10</a>	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	<a href="#">11</a>	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: # <a href="#">1</a> VERIFICATION IN SUPPORT # <a href="#">2</a> Text of Proposed Order)(cdd, ) (Entered: 09/26/2003)
10/02/2003	<a href="#">12</a>	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	<a href="#">13</a>	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	<a href="#">16</a>	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: # <a href="#">1</a> Memorandum # <a href="#">2</a> 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	<a href="#">18</a>	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	<a href="#">19</a>	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	<a href="#">20</a>	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: # <a href="#">1</a> Text of Proposed Order # <a href="#">2</a> Exhibit Exhibit 1 - Declaration of Leslie Cagan# <a href="#">3</a> Exhibit Exhibit 2 - Declaration of Jeffrey D. Blum# <a href="#">4</a> Exhibit Exhibit 3 - Declaration of Olga Vives# <a href="#">5</a> Exhibit Exhibit 4 - Verification of Steve Bachmann# <a href="#">6</a> Exhibit Exhibit 5 - Declaration of Lisa Burks# <a href="#">7</a> Exhibit Exhibit 6 - Declaration of Terry Treadway)(cdd, ) (Entered: 11/25/2003)
12/08/2003	<a href="#">21</a>	DEFENDANT THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY'S Memorandum in Reply to PLAINTIFFS' Opposition to <a href="#">9</a> , <a href="#">16</a> 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	<a href="#">22</a>	NOTICE by THE UNITED STATES SECRET SERVICE OF THE DEPARTMENT OF HOMELAND SECURITY re <a href="#">16</a> MOTION to Dismiss for Lack of Jurisdiction <i>Memorandum In support, and Exhibits Notice of Filing</i> (Attachments: # <a href="#">1</a> Exhibit Order and verdict in USA v. Bursley)(MILLET, THOMAS) (Entered: 01/07/2004)
03/17/2004	<a href="#">23</a>	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	<a href="#">24</a>	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	<a href="#">25</a>	Memorandum re <a href="#">23</a> 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: # <a href="#">1</a> Proposed Order)(MILLET, THOMAS) Modified on 3/24/2004 (fh) (Entered: 03/23/2004)
03/23/2004	<a href="#">26</a>	Memorandum of DEFENDANT THE CITY OF PHILADELPHIA in Opposition to PLAINTIFF'S <a href="#">23</a> 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	<a href="#">27</a>	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	<a href="#">28</a>	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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