

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:05-cv-05402-DLC**

Rodriguez v. Bush et al
Assigned to: Judge Denise L. Cote
Case in other court: USDC-EDPA, 04cv4952
Cause: 18:1961 Racketeering (RICO) Act

Date Filed: 06/08/2005
Date Terminated: 07/17/2006
Jury Demand: Plaintiff
Nature of Suit: 470 Racketeer/Corrupt
Organization
Jurisdiction: Federal Question

Plaintiff

William Rodriguez

represented by **Philip Christopher Berg**
Berg Partners LLP
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LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

George Herbert Walker Bush

represented by **Viveca D. Parker**
US Attorney's Office
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Defendant

George Walker Bush

represented by **Viveca D. Parker**
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Defendant

John Jeb Bush

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Defendant

Neil Mallon Bush

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Defendant

Marvin Bush

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Defendant

Richard Cheney

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Defendant

Donald H. Rumsfeld

Defendant

Dov Zakheim

Defendant

Colin Powell

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Defendant

Richard Armitage

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Defendant

Condoleeza Rice

Defendant

John Ashcroft

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Defendant

Robert S. Mueller, III

Defendant

David Frasca

Defendant

George J. Tenet

Defendant

Porter Goss

Defendant

Norman Y. Mineta

Defendant

Larry K. Arnold

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Defendant

Tom Ridge

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Defendant

Marc Racicot

Defendant

The Republican National Committee, Inc.

Defendant

Alan Greenspan

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Defendant

Thomas A. Kean

Defendant

Jamie S. Gorelick

Defendant

Philip D. Zelikow

Defendant

John F. Lehman

Defendant

Fred F. Fielding

Defendant

Karl Rove

Defendant

Thomas Delay

Defendant

Richard Perle

Defendant

Paul Wolfowitz

Defendant

Richard Myers

Defendant

Ralph E. Eberhart

Defendant

Kenneth R. Feinberg

Defendant

Halliburton Company

Defendant

Kellog Brown & Root Services

Defendant

**The Project for the New American
Century, Inc.**

Defendant

Election Systems & Software

Defendant

Walden O'Dell

Defendant

Sequoia Voting Systems, Inc.

Defendant

Chuck Hagel

Defendant

New Bridge Stategies, LLC

Defendant

Director Fema Joe M. Allbaugh

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Defendant

James A. Baker, III

Defendant

John Sweeny

Defendant

Matthew Schlapp

Defendant

Thomas Pyle

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LEAD ATTORNEY
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Defendant

Michael Murphy

Defendant

Garry Malphrus

Defendant

Charles Royal

Defendant

Kevin Smith

Defendant

The United States of America

represented by **Jeannette Anne Vargas**
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Defendant

**The United States Department of
Homeland Security**

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Viveca D. Parker
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Defendant**The Federal Emergency Management Agency**represented by **Viveca D. Parker**
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LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Doe #1 Through Doe #100****Defendant****Diebold Voting Systems, Inc.****Defendant****GA Saxby Chambliss**represented by **Viveca D. Parker**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/08/2005	1	CASE TRANSFERRED IN from the United States District Court - Eastern District of Pennsylvania; Case Number: 2:04-cv-4952 (ER). Original file with documents numbered 1-15, certified copy of transfer order and docket entries received.Document filed by William Rodriguez.(jeh,) (Entered: 06/09/2005)
06/08/2005		Case Designated ECF. (jeh,) (Entered: 06/09/2005)
06/08/2005		Magistrate Judge Debra C. Freeman is so designated. (jeh,) (Entered: 06/09/2005)
06/08/2005		Mailed letter to the United States District Court - Eastern District of Pennsylvania acknowledging receipt of their entire file, a certified copy of the transfer order and docket entries. (jeh,) (Entered: 06/09/2005)
06/08/2005		Mailed notice to the attorney(s) of record. (jeh,) (Entered: 06/09/2005)
06/23/2005	2	NOTICE OF CASE REASSIGNMENT to Judge Denise L. Cote. Judge Shirley Wohl Kram no longer assigned to the case. (jeh,) (Entered: 06/23/2005)
07/05/2005	3	NOTICE of Appearance by Jeannette Anne Vargas on behalf of The United States of America, The United States Department of Homeland Security (Vargas, Jeannette) (Entered: 07/05/2005)
08/31/2005	4	ENDORSED LETTER addressed to Judge Shirley Wohl Kram from Jeannette A. Vargas dated 8/26/05 re: Application GRANTED. Government's motion to dismiss due 9/30/05; opposition due 10/31/05 and reply due 11/10/05. (Signed by Judge Denise L. Cote on 8/31/05) (db,) (Entered: 09/01/2005)
08/31/2005		Set/Reset Deadlines: Motions due by 9/30/2005. Replies due by 11/10/2005. Responses due by 10/31/2005 (db,) (Entered: 09/01/2005)
09/30/2005	5	MOTION to Dismiss <i>the Complaint with Respect to the United States, FEMA and DHS</i> . Document filed by The United States of America, The United States Department of Homeland Security. Responses due by 10/31/2005 (Attachments: # 1 Affidavit of Jeannette Vargas# 2 Exhibit Complaint# 3 Exhibit Plaintiff's Opposition to Motion to Dismiss or Transfer# 4 Exhibit Docket sheets# 5 Exhibit Memorandum and Order# 6 Exhibit Plaintiff's Motion for Extension of Time)(Vargas, Jeannette) (Entered: 09/30/2005)

09/30/2005	6	MEMORANDUM OF LAW in Support re: 5 MOTION to Dismiss <i>the Complaint with Respect to the United States, FEMA and DHS.</i> . Document filed by The United States of America, The United States Department of Homeland Security. (Vargas, Jeannette) (Entered: 09/30/2005)
09/30/2005	7	CERTIFICATE OF SERVICE of Motion to Dismiss; Memorandum of Law in Support of Motion to Dismiss served on William Rodriguez on 9/30/05. Service was made by Mail. Document filed by The United States of America, The United States Department of Homeland Security. (Vargas, Jeannette) (Entered: 09/30/2005)
11/09/2005	8	ENDORSED LETTER addressed to Judge Cote from Philip Berg dated 11/1/05: granting an extension of time to 12/2 for plaintiff to file a response to the Motion to Dismiss, fld by the US Attorney; reply is due 12/16. (Signed by Judge Denise L. Cote on 11/9/05) (cd,) (Entered: 11/10/2005)
12/13/2005	9	ENDORSED LETTER addressed to Judge Cote from Philip J. Berg dated 12/9/05 re: counsel requests an additional extension of time time in which to file a response to the motion to dismiss filed by U.S. Atty. Opposition was due December 2. This request is late. Opposition is due January 6. There shall be no further extension. Reply is due January 20, 2006. (Signed by Judge Denise L. Cote on 12/12/05) (djc,) (Entered: 12/14/2005)
12/13/2005		Set/Reset Deadlines as to 5 MOTION to Dismiss <i>the Complaint with Respect to the United States, FEMA and DHS.</i> . Responses due by 1/6/2006 Replies due by 1/20/2006. (djc,) (Entered: 12/14/2005)
01/09/2006	10	MEMORANDUM OF LAW in Opposition re: 5 MOTION to Dismiss <i>the Complaint with Respect to the United States, FEMA and DHS.</i> . Document filed by William Rodriguez. (cd,) (Entered: 01/10/2006)
01/19/2006	11	REPLY MEMORANDUM OF LAW in Support re: 5 MOTION to Dismiss <i>the Complaint with Respect to the United States, FEMA and DHS.</i> . Document filed by The United States of America, The United States Department of Homeland Security. (Vargas, Jeannette) (Entered: 01/19/2006)
01/26/2006	12	MOTION for Philip J. Berg to Appear Pro Hac Vice. Document filed by William Rodriguez. (dle,) (Entered: 01/27/2006)
01/26/2006		***REJECTION OF ATTEMPTED PAPER FILING IN ECF CASE. The following document(s) Affidavit of Phillip J. Berg in Opposition to Motion by Certain Defendants to Dismiss the Complaint and Affidavit of William Rodriguez in Opposition to Motion by Defendants United States, Department of Homeland Security and Federal Emergency Management Agency to Dismiss the Compalint by Phillip J. Berg, was rejected by the Clerk's Office and must be FILED ELECTRONICALLY on the Court's ECF System. (tve,) (Entered: 01/27/2006)
01/31/2006	13	ORDER granting 12 Motion for Philip J. Berg to Appear Pro Hac Vice. It is hereby ordered and decreed that said motion is GRANTED. The Clerk of the Court shall deposit the application fee to the account of the non-appropriated Fund of this Court. (Signed by Judge Denise L. Cote on 1/31/06) (js,) (Entered: 02/01/2006)
06/26/2006	14	OPINION AND ORDER #93285: The Government Defendants' motion to dismiss is granted. Although Rodriguez filed this case on October 22, 2004, he has not served any defendants except the Governement Defendants. This case was transferred to this Court over a year ago, and during the intervening time the plaintiff has not renewed a request to extend the time to serve any defendant. The plaitiff shall have until July 7,2006 to show cause why the complaint should not be dismissed as to the remaining defendants without

		prejudice for failure to serve them. (Signed by Judge Denise L. Cote on 6/26/2006) (jmi,) Modified on 6/27/2006 (dle,). (Entered: 06/26/2006)
07/17/2006	15	ORDER that the complaint is dismissed against all remaining dfts without prejudice. The clerk of the court shall close the case. (Signed by Judge Denise L. Cote on 7/17/06) (dle,) (Entered: 07/17/2006)

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08/16/2023 12:20:30			
PACER Login:	GeneLaratonda	Client Code:	
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Billable Pages:	6	Cost:	0.60