

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:03-cv-01719-CKK**

AMERICAN FEDERATION OF GOVERNMENT  
EMPLOYEES TSA LOCAL 1 et al v. LOY  
Assigned to: Judge Colleen Kollar-Kotelly  
Cause: 28:1331 Fed. Question

Date Filed: 08/13/2003  
Date Terminated: 10/17/2006  
Jury Demand: None  
Nature of Suit: 790 Labor: Other  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**AMERICAN FEDERATION OF  
GOVERNMENT EMPLOYEES TSA  
LOCAL 1**

represented by **Gony Frieder Goldberg**  
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**Plaintiff**

**EUGENE LEIMER**

represented by **Gony Frieder Goldberg**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**DON CARD**

represented by **Gony Frieder Goldberg**  
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**Plaintiff**

**BEATRICE CAMPBELL**

represented by **Gony Frieder Goldberg**  
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**Plaintiff**

**THOMAS MORIARTY**

represented by **Gony Frieder Goldberg**  
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**Plaintiff**

**JONATHAN THORTON**

represented by **Gony Frieder Goldberg**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**JAMES M. LOY**  
*In his official capacity as Administrator,  
Transportation Security Administration*

represented by **Susan Marie Demske**  
U.S. DEPARTMENT OF JUSTICE  
CIVIL DIVISION, FEDERAL

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TERMINATED: 11/06/2003  
ATTORNEY TO BE NOTICED

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Date Filed	#	Docket Text
08/13/2003	<u>1</u>	COMPLAINT against JAMES M. LOY (Filing fee \$ 150.) , filed by AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES TSA LOCAL 1, BEATRICE CAMPBELL, DON CARD, EUGENE LEIMER, THOMAS MORIARTY, JONATHAN THORTON.(td, ) (Entered: 08/15/2003)
08/13/2003	<u>2</u>	MOTION for Temporary Restraining Order by AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES TSA LOCAL 1, BEATRICE CAMPBELL, DON CARD, EUGENE LEIMER, THOMAS MORIARTY, JONATHAN THORTON. (Attachments: # <u>1</u> Exhibit 1 through 20)(td, ) (Entered: 08/15/2003)
08/14/2003	<u>3</u>	ERRATA to plaintiffs' memorandum in support of their Motion for Temporary Restraining Order by AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES TSA LOCAL 1, BEATRICE CAMPBELL, DON CARD, EUGENE LEIMER, THOMAS MORIARTY, JONATHAN THORTON. (nmw, ) (Entered: 08/15/2003)
08/15/2003	<u>4</u>	NOTICE of Appearance by Susan Marie Demske on behalf of JAMES M. LOY (Demske, Susan) (Entered: 08/15/2003)
08/15/2003	<u>5</u>	Joint MOTION that the Court consider Plaintiffs' Motion for a Temporary Restraining Order and supporting Memorandum as a Motion for Preliminary Injunction; also Proposed Scheduling Order by JAMES M. LOY. (Demske, Susan) (Entered: 08/15/2003)
08/21/2003	<u>6</u>	ORDER Establishing Procedures for Electronic Filing for Cases Assigned to Judge Colleen Kollar-Kotelly, signed by Judge Kollar-Kotelly on August 21, 2003. (SM) (Entered: 08/21/2003)
08/25/2003	<u>7</u>	Memorandum in opposition to motion re <u>2</u> <i>Plaintiffs' Motion for a Preliminary Injunction</i> filed by JAMES M. LOY. (Attachments: # <u>1</u> Affidavit of Richard A. Whitford with attached exhibits# <u>2</u> Exhibit TSA and AFGE, Decision & Order on Petitions (FLRA Reg'l Dir. July 7, 2003))(Demske, Susan) (Entered: 08/25/2003)
08/26/2003	<u>8</u>	NOTICE by JAMES M. LOY re <u>7</u> Memorandum in Opposition, <i>of Filing of Substitute Exhibit and Errata</i> (Attachments: # <u>1</u> Exhibit (Substitute) Tab E to Attachment 1 to Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction)(Demske, Susan) (Entered: 08/26/2003)
08/27/2003	<u>9</u>	REPLY to opposition to motion re <u>2</u> <i>Preliminary Injunction</i> filed by AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES TSA LOCAL 1, BEATRICE CAMPBELL, DON CARD, EUGENE LEIMER, THOMAS MORIARTY, JONATHAN THORTON. (Attachments: # <u>1</u> Exhibit)(Frieder, Gony) (Entered: 08/27/2003)

10/14/2003	<u>10</u>	MOTION to Dismiss <i>Plaintiffs' Complaint and Memorandum In Support</i> by JAMES M. LOY. (Demske, Susan) (Entered: 10/14/2003)
10/27/2003	<u>11</u>	Memorandum in opposition to motion re <u>10</u> <i>Defendant's Motion to Dismiss</i> filed by AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES TSA LOCAL 1, BEATRICE CAMPBELL, DON CARD, EUGENE LEIMER, THOMAS MORIARTY, JONATHAN THORTON. (Frieder, Gony) (Entered: 10/27/2003)
11/03/2003	<u>12</u>	ORDER granting Motion to Consider Plaintiffs' Motion for Temporary Restraining Order as Motion for Preliminary Injunction <u>5</u> , and denying Motion for Preliminary Injunction <u>2</u> . Signed by Judge Colleen Kollar-Kotelly on November 3, 2003. (Attachments: # <u>1</u> ) (lcckk1) (Entered: 11/03/2003)
11/06/2003	<u>13</u>	REPLY in support of motion re <u>10</u> <i>to Dismiss Plaintiffs' Complaint</i> filed by JAMES M. LOY. (Demske, Susan) (Entered: 11/06/2003)
11/06/2003	<u>14</u>	NOTICE by JAMES M. LOY <i>of Withdrawal of Susan Demske as Counsel for Defendant</i> (Demske, Susan) (Entered: 11/06/2003)
11/10/2003	<u>15</u>	First MOTION to Certify Class by AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES TSA LOCAL 1, BEATRICE CAMPBELL, DON CARD, EUGENE LEIMER, THOMAS MORIARTY, JONATHAN THORTON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Frieder, Gony) (Entered: 11/10/2003)
11/21/2003	<u>16</u>	NOTICE of Appearance by Samuel C. Kaplan on behalf of JAMES M. LOY (Kaplan, Samuel) (Entered: 11/21/2003)
11/21/2003	<u>17</u>	MOTION to Stay <i>Proceedings Concerning Plaintiffs' Motion for Class Certification Pending Resolution of Defendant's Dispositive Motion, or, in the Alternative, for a Continuance</i> by JAMES M. LOY. (Attachments: # <u>1</u> Exhibit One# <u>2</u> Exhibit Two)(Kaplan, Samuel) (Entered: 11/21/2003)
07/12/2004		MINUTE ENTRY: ORDERED that Defendants' <u>17</u> Motion to Stay proceedings concerning Plaintiffs' class certification motion is GRANTED. If Defendant's Motion to Dismiss is not granted in full, Defendant shall have 30 days from the date of this Court's ruling on the dispositive motion to respond to Plaintiffs' class certification motion. Signed by Judge Colleen Kollar-Kotelly on July 12, 2004.(lcckk1) (Entered: 07/12/2004)
01/22/2006		MINUTE ORDER (Paperless): The Parties are instructed to notify the Court as to the pending Motion to Dismiss if there is any new factual information or case law pertinent to the filed motion via a joint status report to be submitted to the Court by January 27, 2006. Additionally, because an APA claim was made in the instant case, the relevant administrative record should be filed with the Court by January 27, 2006. Signed by Judge Colleen Kollar-Kotelly on January 22, 2006. (lcckk1) (Entered: 01/22/2006)
01/27/2006	<u>18</u>	STATUS REPORT <i>Jointly Filed by Parties</i> by THOMAS MORIARTY, JONATHAN THORTON, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES TSA LOCAL 1, EUGENE LEIMER, DON CARD, BEATRICE CAMPBELL. (Frieder, Gony) (Entered: 01/27/2006)
02/03/2006	<u>19</u>	NOTICE <i>of Defendant's Supplement to Joint Status Report</i> by JAMES M. LOY re <u>18</u> Status Report (Kaplan, Samuel) (Entered: 02/03/2006)
08/21/2006	<u>20</u>	ORDER granting in part and denying in part Defendant's <u>10</u> Motion to Dismiss; dismissing all of Plaintiffs' claims except for Count VI with respect to Plaintiff Card and Plaintiff AFGE; denying without prejudice Plaintiffs' <u>15</u> Motion for Class Certification; and ordering the Parties to file a Joint Status Report by September 22, 2006, indicating how they wish to proceed. Signed by Judge Colleen Kollar-Kotelly on August 21, 2006. (lcckk1) (Entered: 08/21/2006)
08/21/2006	<u>21</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on August 21, 2006. (lcckk1). (Entered: 08/21/2006)
08/29/2006	<u>22</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint by JAMES M. LOY. (Kaplan, Samuel) (Entered: 08/29/2006)

09/01/2006		MINUTE ENTRY ORDER (Paperless) granting <u>22</u> Unopposed Motion to Extend Time to Answer or Otherwise Respond to Complaint, until and including October 4, 2006. Signed by Judge Colleen Kollar-Kotelly on September 1, 2006. (SM) (Entered: 09/01/2006)
09/21/2006	<u>23</u>	STATUS REPORT <i>Jointly Filed by Parties</i> by THOMAS MORIARTY, JONATHAN THORTON, JAMES M. LOY, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES TSA LOCAL 1, EUGENE LEIMER, DON CARD, BEATRICE CAMPBELL. (Frieder, Gony) (Entered: 09/21/2006)
10/03/2006		MINUTE ENTRY ORDER (paperless) adopting the schedule set out in the <u>23</u> Joint Status Report filed on September 21, 2006. Defendant's Motion to Transfer Venue shall be filed by October 4, 2006, if not filed, defendant will file an Answer with scheduling order by October 25, 2006; any response to Motion to Transfer Venue shall be filed by October 11, 2006; and any Reply shall be filed by October 25, 2006. Signed by Judge Colleen Kollar-Kotelly on October 3, 2006. (SM) (Entered: 10/03/2006)
10/04/2006	<u>24</u>	MOTION to Transfer Case by JAMES M. LOY. (Attachments: # <u>1</u> Exhibit 1 – Slip Opinion in American Federation of Government Employees, AFL–CIO v. Loy, No. 03–cv–01935# <u>2</u> Exhibit 2 – Declaration of Maria Farrell)(Kaplan, Samuel) (Entered: 10/04/2006)
10/17/2006	<u>25</u>	ORDER granting as conceded and on the merits <u>24</u> Motion to Transfer Case to the Northern District of New York. Signed by Judge Colleen Kollar-Kotelly on October 17, 2006. (lcckk1) (Entered: 10/17/2006)
10/17/2006	<u>26</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on October 17, 2006. (lcckk1). (Entered: 10/17/2006)
11/02/2006		Case transferred to District of USDC for the Northern District of New York (Syracuse) pursuant to order filed 10/17/06. Sent electronically. (td, ) (Entered: 11/02/2006)
11/07/2006		Receipt on 11/07/06 of Transfer Papers. Other Court Number 5:06–cv–1338–NAM–GHL sent by U.S.D.C. for the Northern District of New York. (td, ) (Entered: 11/07/2006)