

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED
FEB 6 1980

MARK A. ALLEN,

Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY,
et al.,
Defendants.

Civil Action No. 78-1743

JAMES F. D. [unclear]

O R D E R

At a hearing in this matter on January 29, 1980, the Court was advised of the current status of discovery in this case. Upon consideration of plaintiff's Motion to Compel Discovery, defendants' opposition thereto, defendants' oral motion for a protective order that discovery not be had, the entire record herein, and the Court having heard argument of the parties, the Court denies plaintiff's motion to compel and grants defendants' motion for a protective order.

This matter is presently before the Court pursuant to an Order of the United States Court of Appeals for this circuit dated October 31, 1979, which remanded this case to this Court for further proceedings not inconsistent with the Founding Church of Scientology of Washington, D.C., Inc. v. Bell, No. 78-1391 (D.C. Cir. June 25, 1979). The Court, in an exercise of its discretion with respect to the control of the discovery process, Rule 26(c), Federal Rules of Civil Procedure, see General Dynamics Corporation v. Selb Manufacturing Company, 481 F.2d 1204 (8th Cir. 1973), cert. denied, 414 U.S. 1162 (1974), will not permit discovery to be had in this case. The Court has examined the affidavits submitted by the defendants and finds that they are detailed and exhaustive and that the Court can proceed on its de novo review of this case by affidavit.

Therefore, it is by the Court this ~~5th~~ day of February, 1980,

ORDERED that plaintiff's motion to compel discovery be, and it hereby is, denied, and it is

FURTHER ORDERED that the request for admissions served on the defendants on November 13, 1979, be, and hereby are, not deemed admitted, and it is

FURTHER ORDERED that defendants' oral motion for a protective order that discovery not be had be, and it hereby is, granted, and it is

FURTHER ORDERED that defendants not respond to any discovery previously served upon them, and it is

FURTHER ORDERED that no further discovery be had in this case.



JOHN LEWIS SMITH, JR.
UNITED STATES DISTRICT JUDGE