

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JAMES H. LESAR,

Plaintiff,

v.

UNITED STATES DEPARTMENT
OF JUSTICE,

Defendant.

Civil Action No. 82-3600

O R D E R

This matter having come before the Court on defendant's motions for summary judgment and for a protective order staying discovery and on plaintiff's motion to strike declaration of Special Agent John N. Phillips, and the Court having considered the memoranda supporting and opposing the motions and the entire record, and it appearing to the Court that (1) the only issue in this case is the adequacy of defendant's search for records relating to plaintiff's request under the Freedom of Information Act; (2) the affidavits filed by the defendant demonstrate the reasonableness and adequacy of the search; (3) plaintiff's mere speculation is an insufficient basis to call the search into question or to justify the taking of depositions or other discovery; (4) defendant is entitled to judgment as a matter of law, it is by the Court, this ____ day of _____, 1983,

ORDERED that defendant's motion for a protective order staying discovery is granted; and it is further

ORDERED that plaintiff's motion to strike declaration of Special Agent John N. Phillips is denied; and it is further

ORDERED that defendant's motion for summary judgment is granted and this action is dismissed with prejudice.

JOHN GARRETT PENN
United States District Judge