

KEITH MAYDAK, *et al.*,  
 Plaintiffs,  
 v.  
 UNITED STATES, *et al.*,  
 Defendants.

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 ) Civil Action No. 97-2199 (EGS)  
 ) Document No. 323  
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Plaintiffs move for reconsideration of the Order of March 30, 2007, “granting the United States summary judgment as to the Secret Squirrel Photo File.” Mot. at 1. Plaintiffs advance no supporting argument on this particular issue but rather proceed to discuss the Court’s partial resolution of the Inmate Trust Fund Reimbursement Claim. Mem. Op. [Dkt. No. 320] at 2-3. Because their arguments are repetitive of those previously considered and rejected, plaintiffs’ motion for reconsideration will be denied.

Also before the Court is defendant’s supplemental declaration purportedly addressing the remaining issue with regard to the reimbursement of monies to the inmate trust fund account at FCI McKean. *See* Mem. Op. at 2. The declaration provides no further insight but simply repeats known information, *i.e.*, that the Fund was reimbursed for “100% of the actual cost of the duplicate photos.” Declaration of Roberta J. Fitch [Dkt. No. 321-2] ¶ 5. It does not explain why, consistent with reimbursement at the other affected BOP facilities, defendant did not reimburse to FCI McKean “50 percent of the total cost of the original photos.” Mem. Op. at 2. The Court

therefore will deny summary judgment to defendant on this claim and direct that an additional deposit be made to the inmate trust fund account at FCI McKean to reflect the omitted amount. Because this will resolve all outstanding issues, the Court will render judgment.<sup>1</sup>

SIGNED: EMMET G. SULLIVAN  
UNITED STATES DISTRICT JUDGE

DATE: August 20, 2007

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<sup>1</sup> A separate Order accompanies this Memorandum Opinion.