

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**THEODORE R. LUCAS,**

**Plaintiff,**

**v.**

**ROD PAIGE,**  
**in his official capacity as Secretary,**  
**U.S. DEPARTMENT OF EDUCATION**

**Defendant.**

**Civil Action No. 01-2393 (JMF)**

**MEMORANDUM OPINION**

In accordance with the accompanying Memorandum Opinion, it is hereby,

**ORDERED** that Defendant's Motion for Summary Judgment [#22] is **DENIED**. It is further, hereby,

**ORDERED** that a status conference is set for July 14, 2006 at 2:00 p.m. in Courtroom 2 on the second floor.

**SO ORDERED.**

Dated:

\_\_\_\_\_  
JOHN M. FACCIOLA  
UNITED STATES MAGISTRATE JUDGE