

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ROY BANKS,

Plaintiff,

v.

**OFFICE OF THE SENATE SERGEANT-
AT-ARMS and DOORKEEPER,**

Defendant.

Civil Action No. 03-56 (HHK/JMF)

Civil Action No. 03-686 (HHK/JMF)

Civil Action No. 03-2080(HHK/JMF)

ORDER

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

ORDERED that Plaintiff's Motion For an Order that Plaintiff's First Request for Admissions to Defendant Office of the Senate Sergeant at Arms and Doorkeeper are Deemed Admitted and the Matters Therein are Conclusively Established and Memorandum of Points and Authorities in Support of His Motion [#102] is **DENIED**. It is further, hereby,

ORDERED that Plaintiff's Motion to Strike Affidavit submitted by Ronald Tisch In Support of Defendant's Reply in Support of Defendant's Motion for Reconsideration of Portions of Magistrate Judge Facciola's Order Dated May 3, 2004 [#105] is **DENIED** as moot. It is further, hereby,

ORDERED that defendant's Motion to Seal [#113] is **GRANTED**. It is further, hereby,

ORDERED that Defendant's Motion for Leave to File Surreply to Plaintiff's Reply to Defendant's Opposition to Plaintiff's Motion for an Order that Plaintiff's First Request for Admissions to Defendant Office of the Senate Sergeant at Arms and Doorkeeper are Deemed

Admitted [#118] is **DENIED** as moot. It is further, hereby,

ORDERED that defendant's Request for Oral Hearing on Order to Show Cause [#125] is **DENIED**. Finally, it is, hereby,

ORDERED that SSA reimburse plaintiff both for the attorneys fees incurred by plaintiff's having to move to compel and for the attorneys fees incurred by plaintiff's having to answer SSA's response to the court's order to show cause. Plaintiff will have 10 days from the date of this order to make a specific showing of how he was damaged by the late receipt of the documents, what relief is appropriate, and why the damage done cannot otherwise be remedied given the April 2005 trial date. SSA will then have 10 days within which to respond.

SO ORDERED.

Dated:

JOHN M. FACCIOLA
UNITED STATES MAGISTRATE JUDGE