

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

JEFFREY T. BELL,

Plaintiff,

v.

**ALBERTO GONZALES, Attorney
General, U.S. Department of Justice, et al.,**

Defendants.

Civil Action No. 03-163 (JDB)

ORDER

Upon consideration of [42] defendants' motion to dismiss and for summary judgment or, in the alternative, for summary adjudication, and [53] plaintiff's motion for partial summary judgment, and for the reasons stated in the memorandum opinion issued on this date, it is hereby

ORDERED that defendants' motion for summary judgment is granted on Count I of the amended complaint; it is further

ORDERED that plaintiff's motion for partial summary judgment is denied on Count I of the amended complaint; it is further

ORDERED that defendants' motion for summary judgment is denied on Count II of the amended complaint; and it is further

ORDERED that a status hearing is scheduled for April 29, 2005, at 9:00 a.m.

/s/

JOHN D. BATES
United States District Judge

Signed this 25th day of March, 2005.