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PLAINTIFFS

DEFENDANTS

UNITED STATES OF AMERICA

STAUFFER CHEMICAL COMPANY
 ELEMENTAL PHOSPHORUS FURNACE
 PLANT
 MT. PLEASANT, TENNESSEE

CAUSE

Clean Air Act, 42 USC Section 7401 and Sect

*pending
 before
 Supreme
 Court*

ATTORNEYS

Plaintiff:
 Hal D. Hardin, U. S. Attorney
 Irvin H. Kilcrease, Jr., Asst. U.S.A.

Deft:
 Robert Walker - *Leigh Davidson*
 Bass, Berry & Sims
 2700 First American Center
 Nashville, Tennessee 37238
 244-5370

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
		CONST	<i>Reopened 10-27-82</i>	JS-5	8/8/80
	RECTIVE		JS-6	11-17-81	

DATE	NR.	PROCEEDINGS
8/8/80	1	PETITION FOR CONTEMPT.
8/8/80	2	Affidavit in support of petition for contempt.
8/8/80	3	Affidavit in support of Application for warrant (of Ronald Hawks.)
8/8/80	4	Affidavit in support of Warrant to enter, inspect, sample & monitor (of John Hund).
8/8/80	5	Application for TRO on behalf of Defdt.
8/8/80	6	Mtn. to Quash Warrant on behalf of Stauffer Chemical Company.
8/11/80	7	AGREED ORDER: The consolidated hearing is set for 8-29-80 at 1:00 p.m. in Courtroom 874 before Judge Thomas Wiseman, Jr. <u>Case Notice No. 1</u>
8/19/80	8	Affidavit in Support of Mtn. for TRO to prevent Execution of an Administrative Warrant (of Roger C. Zehntner, Affiant). C/S
8/21/80	9	Affidavit of Jerry Harris of Stauffer Chemical Company in support of Motion to Quash.
8/27/80	10	MOTION FOR LEAVE TO FILE AFFIDAVIT UNDER SEAL. C/S
8/27/80	11	STATEMENT IN SUPPORT OF MOTION. C/S
8/27/80	12	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO QUASH WARRANT
8/27/80	13	ORDER GRANTING MOTION FOR LEAVE TO FILE AFFIDAVIT UNDER SEAL: Ordered that the affidavit of Donald E. Eddlemon may be filed in this cause under seal and that access thereto shall be by the court and by attorneys of record in this cause for their viewing within the confines of the courthouse and not for copying, or otherwise disseminating the information set forth therein. Any further access shall be only by order of the court. <u>Case Notice No. 2</u>
8/28/80		M/R: Petition for contempt served on Stauffer 8/8/80
8/29/80	14	MEMORANDUM IN SUPPORT OF UNITED STATES' PETITION FOR CONTEMPT AND IN OPPOSITION TO MOTION TO QUASH ADMINISTRATIVE WARRANT.. C/S
8/29/80	15	CLERK'S RESUME OF COURT PROCEEDINGS.
9/5/80	16	ORDER: Ordered that the original copy of the Affidavit of Richard D. Wilson, marked Exhibit I to "Memorandum in Support of United States' Petition for Contempt and in Opposition to Motion to Quash Administrative Warrant" is hereby filed. <u>Case Notice No. 3</u>
9/3/80	17	DECLARATION OF IRVIN H.KILCREASE.
9/3/80	18	MOTION behalf plf to be allowed to file attached original copy of the Affidavit of Richard D. Wilson as substituted for the copy heretofore filed 8/29/80.
9/3/80	19	AFFIDAVIT OF RICHARD D. WILSON
10-23-80	20	APPLICATION FOR WARRANT TO ENTER, INSPECT, SAMPLE AND MONITOR PURSUANT TO SECTION 114 OF THE CLEAN AIR ACT, 42 U.S.C. §7414.
10-23-80	21	MEMORANDUM OF LAW REGARDING WARRANT TO ENTER, INSPECT, SAMPLE AND MONITOR PURSUANT TO SECTION 114 OF THE CLEAN AIR ACT 42 USC §7414.

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF

DEFENDANT

DOCKET NO. 80-1029

UNITED STATES OF AMERICA

STAUFFER CHEMICAL COMPANY

PAGE ___ OF ___ PAGES

DATE

NR.

PROCEEDINGS

DATE	NR.	PROCEEDINGS
10/27/80		Copy of opinion from District of Idaho (Judge McNichols).
4-17-81	22	MEMORANDUM OF THE COURT.
4-17-81	23	ORDER. Motion to quash is denied and the motion of the United States for Civil Contempt is denied. <u>Case Notice No. 4</u>
4-30-81	24	NOTICE OF APPEAL filed by Defdt Stauffer Chemical Co.
4-30-81	25	MOTION FOR STAY OF EXECUTION PENDING APPEAL.C/S
4-30-81	26	STATEMENT in support.C/S
5-4-81	27	ORDER: Motoin for stay of execution pending appeal "DENIED". <u>Case Ntocie No. 5</u>
5-7-81	28	ORDER FROM THE 6CCA: The motoin for a temporary stay of the order of the district court and of the execution of the warrant be, and it herebe is granted; the temporary stay shall remain in effect until furhter order of the Court.
5-8-81		Transmittal form to the 6CCA.
6-4-81	29	OFFICIAL TRANSCRIPT OF HEARING AT NASHVILLE 8-29-80. (ORIGINAL & CLERK'S COPY)
6-25-81		Case File sent up to 6CCA this date.
7-13-81	30	ORDER OF THE 6CCA: The mtn. for stay of the order of the District Court & of the execution of the warrant be & it hereby is granted. It is further ORDERED that the appeal be given expedited consideration. The Clerk is directed to scheudle the case for oral argument as soon as practicable after briefs have been filed.
7-9-82	31	Information copy of per curiam opinion.
10-27-82		Certified Record returned from 6CCA. st
10-27-82	32	MANDATE, 6CCA:It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed and the cause remanded with instructions to enter judgment in favor of Stauffer. It is further ordered that Deft-Appellant recover from Pltf-Appellee the costs on appeal as itemized below, and that execution therefor issue out of said District Court if necessary. Issued as mandate 10-25-82. Costs to be recovered by appellant Filing Fee of \$65.00, Printing Costs of \$734.43 for a total of \$799.43. st (Case Reopened.)
10-27-82	33	Per Curiam Opinion of 6CCA. st
11-23-82	34	ORDER: Pursuant to the mandate of the Sixth Circuit Court of Appeals issued July 7, 1982, judgment is entered in favor of defendant Stauffer Chemical Company. <u>Case Nptice No. 6</u>

CIVIL DOCKET CONTINUATION SHEET

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DOCKET NO. 80-1029

USA

STAUFFER CHEMICAL COMPANY

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DATE

NR.

PROCEEDINGS

4-25-83

Copy of order of the Supreme Court of the United States filed
4-18-83: Petition by United States for writ of certiorari
to U.S. Court of Appeals for Sixth Circuit is granted. st