**US Court of Federal Claims  
United States Court of Federal Claims (COFC)  
CIVIL DOCKET FOR CASE #: 1:15-cv-01416-VJW**

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| MERRILL v. USA Assigned to: Judge Victor J. Wolski Demand: $23,000,000 Cause: 28:1491 Tucker Act | Date Filed: 11/23/2015 Jury Demand: None Nature of Suit: 118 Contract - Other (CDA) Jurisdiction: U.S. Government Defendant |

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| **Plaintiff** |
| **DAVID MERRILL**  *of the Van Pelt family* | represented by | **DAVID MERRILL**  3355 North Academy Boulevard  No. 189  Colorado Springs, CO 80917  (719) 596-1240  PRO SE |
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| V. |  |  |
| **Defendant** |  |  |
| **USA** | represented by | **Russell James Upton** U.S. Department of Justice - Commercial Lit.  Civil Division  Post Office Box 480  Ben Franklin Station  Washington, DC 20044  (202) 305-3634  Fax: (202) 514-8624  Email: russell.j.upton@usdoj.gov  *LEAD ATTORNEY*  *ATTORNEY TO BE NOTICED* |
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| **Date Filed** | **#** | **Docket Text** |
| 11/23/2015 | [1](https://ecf.cofc.uscourts.gov/doc1/01502122985) | COMPLAINT against USA (Filing fee $400, Receipt number CFC100001558)(Copy Served Electronically on Department of Justice), filed by DAVID MERRILL.**Answer due by 1/22/2016.** (Attachments: # [1](https://ecf.cofc.uscourts.gov/doc1/01512122986) Civil Cover Sheet) (vdw) (Entered: 11/23/2015) |
| 11/23/2015 | [2](https://ecf.cofc.uscourts.gov/doc1/01512122991) | NOTICE of Assignment to Judge Victor J. Wolski. (vdw) (Entered: 11/23/2015) |
| 12/03/2015 | [3](https://ecf.cofc.uscourts.gov/doc1/01512129841) | NOTICE of Appearance by Russell James Upton for USA . (Upton, Russell) (Entered: 12/03/2015) |
| 12/04/2015 | [4](https://ecf.cofc.uscourts.gov/doc1/01512131665) | MOTION for Injunction/Refunding of Account, filed by DAVID MERRILL. Service: 12/4/2015. **[Filed by Leave of Judge] Response due by 12/21/2015.**(vdw) (Entered: 12/04/2015) |
| 12/04/2015 | [5](https://ecf.cofc.uscourts.gov/doc1/01512131677) | UNREPORTED ORDER denying [4](https://ecf.cofc.uscourts.gov/doc1/01512131665) MOTION for Injunction/Refunding of Account filed by DAVID MERRILL. Signed by Judge Victor J. Wolski. (vdw) Copy to parties. (Entered: 12/04/2015) |
| 12/08/2015 | [6](https://ecf.cofc.uscourts.gov/doc1/01512133930) | MOTION for Leave to File Motion for Injunction/Refunding of Account, filed by DAVID MERRILL. **[Filed by Leave of the Judge]**Service: 12/8/2015.**(vdw) (Entered: 12/08/2015)** |
| 12/08/2015 | [7](https://ecf.cofc.uscourts.gov/doc1/01512133939) | STATUS REPORT, filed by DAVID MERRILL. **[Filed by Leave of the Judge]** Service: 12/8/2015. (vdw) (Entered: 12/08/2015) |
| 12/08/2015 | [8](https://ecf.cofc.uscourts.gov/doc1/01512133953) | ORDER denying as moot [6](https://ecf.cofc.uscourts.gov/doc1/01512133930) Motion for Leave to File Motion for Injunction/Refunding of Account. Signed by Judge Victor J. Wolski. (vdw) Copy to parties. (Entered: 12/08/2015) |
| 12/09/2015 | [9](https://ecf.cofc.uscourts.gov/doc1/01512134813) | ORDER: Additional materials received on December 8, 2015 will collectively be considered as a status report. Another submission received will be returned to plaintiff unfiled. Plaintiff should confine his submissions to papers that are material, relevant, and pertinent to this case. Signed by Judge Victor J. Wolski. (vdw) Copy to parties. (Entered: 12/09/2015) |
| 12/09/2015 | [10](https://ecf.cofc.uscourts.gov/doc1/01512134819) | STATUS REPORT, filed by DAVID MERRILL. **[Filed by Leave of the Judge]** Service: 12/9/2015. (vdw) (Entered: 12/09/2015) |
| 12/10/2015 | [11](https://ecf.cofc.uscourts.gov/doc1/01512136831) | ORDER directing the Clerk to file plaintiff's document, received on December 9, 2015, as a status report. Signed by Judge Victor J. Wolski. (dls) Copy to parties. (Entered: 12/11/2015) |
| 12/10/2015 | [12](https://ecf.cofc.uscourts.gov/doc1/01512136839) | STATUS REPORT, filed by DAVID MERRILL [by leave of the judge]. Copy served on defendant. (dls) (Entered: 12/11/2015) |
| 12/23/2015 | [13](https://ecf.cofc.uscourts.gov/doc1/01512147280) | UNREPORTED ORDER: Mr. Merrill's filing received December 14, 2015, is to be filed as a status report. The filings received December 16, 2015 and December 21, 2015 are to be returned to plaintiff unfiled. Signed by Judge Victor J. Wolski. (vdw) Copy to parties. (Entered: 12/23/2015) |
| 12/23/2015 | [14](https://ecf.cofc.uscourts.gov/doc1/01512147288) | STATUS REPORT, filed by DAVID MERRILL. **[Filed by Leave of Judge]** Service: 12/23/2015. (vdw) (Entered: 12/23/2015) |
| 01/21/2016 | [15](https://ecf.cofc.uscourts.gov/doc1/01512167343) | MOTION for Summary Dismissal of Pro Se Complaint, filed by USA. Service: 01/21/2016.**Response due by 2/22/2016.**(vdw) (Entered: 01/22/2016) |
| 02/16/2016 | [16](https://ecf.cofc.uscourts.gov/doc1/01512187092) | RESPONSE to [15](https://ecf.cofc.uscourts.gov/doc1/01512167343) MOTION to Dismiss pursuant to Rules 12(b)(1) and (6), filed by DAVID MERRILL.**Reply due by 2/26/2016.** Service: 02/16/2016. (vdw) (Entered: 02/17/2016) |
| 02/18/2016 | [17](https://ecf.cofc.uscourts.gov/doc1/01512188956) | REPLY to Response to Motion re [15](https://ecf.cofc.uscourts.gov/doc1/01512167343) MOTION to Dismiss pursuant to Rules 12(b)(1) and (6), filed by USA. Service: 02/18/16. (vdw) (Entered: 02/19/2016) |

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| **PACER Service Center** | | | |
| **Transaction Receipt** | | | |
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| 07/12/2016 20:23:07 | | | |
| **PACER Login:** |  | **Client Code:** |  |
| **Description:** | Docket Report | **Search Criteria:** | 1:15-cv-01416-VJW |
| **Billable Pages:** | 2 | **Cost:** | 0.20 |