

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:19-cv-11003-IT**

Ryan et al v. U.S. Immigration and Customs
Enforcement et al
Assigned to: Judge Indira Talwani
Case in other court: USCA - First Circuit, 19-01838
Cause: 05:702 Administrative Procedure Act

Date Filed: 04/29/2019
Date Terminated: 05/24/2021
Jury Demand: None
Nature of Suit: 899 Other Statutes:
Administrative Procedures
Act/Review or Appeal of Agency
Decision
Jurisdiction: U.S. Government
Defendant

Plaintiff

Marian Ryan
*in her official capacity as Middlesex
County District Attorney*

represented by **Alicia Rubio-Spring**
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Plaintiff

**Committee for Public Counsel
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Defendant

Matthew T. Albence
*in his official capacity as Acting
Deputy Director of U.S.
Immigration and Customs
Enforcement and Senior Official
Performing the Duties of the
Director*

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Julian Kurz

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ATTORNEY TO BE NOTICED

Michael P. Sady

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ATTORNEY TO BE NOTICED

Defendant

Todd M. Lyons

in his official capacity as

Immigration and Customs

Enforcement, Enforcement and

Removal Operations, Acting Field

Office Director

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Defendant

**U.S. Department of Homeland
Security**

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Defendant

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Date Filed	#	Docket Text
04/29/2019	<u>1</u>	COMPLAINT <i>for Declaratory Judgment and Injunctive Relief</i> against Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement Filing fee: \$ 400, receipt number 0101-7658975 (Fee Status: Filing Fee paid), filed by Chelsea Collaborative, Inc., Committee for Public Counsel Services, Rachael Rollins, Marian Ryan. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u>

		Civil Cover Sheet, # 11 Civil Category Sheet)(Zimmer, David) (Entered: 04/29/2019)
04/29/2019	2	NOTICE of Appearance by David Jacob Zimmer on behalf of Chelsea Collaborative, Inc., Rachael Rollins, Marian Ryan (Zimmer, David) (Entered: 04/29/2019)
04/29/2019	3	General Order 09-1, dated January 6, 2009 regarding the E-Government Act and Personal Identifiers entered. (Lara, Miguel) (Entered: 04/29/2019)
04/29/2019	4	CORPORATE DISCLOSURE STATEMENT by Chelsea Collaborative, Inc.. (Zimmer, David) (Entered: 04/29/2019)
04/29/2019	5	MOTION for Preliminary Injunction by Chelsea Collaborative, Inc., Committee for Public Counsel Services, Rachael Rollins, Marian Ryan. (Attachments: # 1 Text of Proposed Order)(Zimmer, David) (Entered: 04/29/2019)
04/29/2019	6	MEMORANDUM in Support re 5 MOTION for Preliminary Injunction filed by Chelsea Collaborative, Inc., Committee for Public Counsel Services, Rachael Rollins, Marian Ryan. (Zimmer, David) (Entered: 04/29/2019)
04/29/2019	7	DECLARATION re 5 MOTION for Preliminary Injunction by Chelsea Collaborative, Inc., Committee for Public Counsel Services, Rachael Rollins, Marian Ryan. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14)(Zimmer, David) (Entered: 04/29/2019)
04/29/2019	8	ELECTRONIC NOTICE of Case Assignment. Chief Judge Patti B. Saris assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Donald L. Cabell. (Danieli, Chris) (Entered: 04/29/2019)
04/29/2019	9	NOTICE of Appearance by Daryl L. Wiesen on behalf of Chelsea Collaborative, Inc., Rachael Rollins, Marian Ryan (Wiesen, Daryl) (Entered: 04/29/2019)

04/29/2019	<u>10</u>	NOTICE of Appearance by Alicia Rubio-Spring on behalf of Chelsea Collaborative, Inc., Rachael Rollins, Marian Ryan (Rubio-Spring, Alicia) (Entered: 04/29/2019)
04/29/2019	<u>11</u>	NOTICE of Appearance by Jordan Benson on behalf of Chelsea Collaborative, Inc., Rachael Rollins, Marian Ryan (Benson, Jordan) (Entered: 04/29/2019)
04/29/2019	<u>12</u>	NOTICE of Appearance by Christopher J.C. Herbert on behalf of Chelsea Collaborative, Inc., Rachael Rollins, Marian Ryan (Herbert, Christopher) (Entered: 04/29/2019)
04/29/2019	<u>13</u>	NOTICE of Appearance by Oren N. Nimni on behalf of Chelsea Collaborative, Inc. (Nimni, Oren) (Entered: 04/29/2019)
04/29/2019	<u>14</u>	Summons Issued as to All Defendants. Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (Lara, Miguel) (Entered: 04/29/2019)
04/29/2019	<u>15</u>	NOTICE of Appearance by Katherine M. Fahey on behalf of Chelsea Collaborative, Inc., Rachael Rollins, Marian Ryan (Fahey, Katherine) (Entered: 04/29/2019)
04/29/2019	<u>16</u>	NOTICE of Appearance by Wendy S. Wayne on behalf of Committee for Public Counsel Services (Wayne, Wendy) (Entered: 04/29/2019)
05/01/2019	<u>17</u>	SUMMONS Returned Executed as to US Attorney by Committee for Public Counsel Services, Rachael Rollins, Chelsea Collaborative, Inc., Marian Ryan. Matthew T. Albence served on 4/29/2019, answer due 6/28/2019; Todd M. Lyons served on 4/29/2019, answer due 6/28/2019; Kevin McAleenan served on 4/29/2019, answer due 6/28/2019; U.S. Department of Homeland Security served on 4/29/2019, answer due 6/28/2019; U.S. Immigration and Customs Enforcement served on 4/29/2019, answer due 6/28/2019. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Zimmer, David) (Entered: 05/01/2019)
05/03/2019	<u>18</u>	Chief Judge Patti B. Saris: ORDER entered. Pursuant to L.R. 40.1(g)(1) and (4), I find that this case is not related to 18-cv-12452-PBS or 18-cv-10475-PBS and therefore

		was erroneously assigned to me. The case is returned to the Clerk for random reassignment. (Lara, Miguel) (Entered: 05/03/2019)
05/03/2019	19	ELECTRONIC NOTICE of Reassignment. Judge Indira Talwani added. Chief Judge Patti B. Saris no longer assigned to case. (Finn, Mary) (Entered: 05/03/2019)
05/03/2019	20	ELECTRONIC NOTICE of Case Re-Assignment of the Magistrate Judge. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Judith G. Dein. Case no longer referred to Magistrate Donald L. Cabell. (Finn, Mary) (Entered: 05/03/2019)
05/08/2019	21	ELECTRONIC NOTICE Setting Hearing on Motion 5 MOTION for Preliminary Injunction : Motion Hearing set for 5/23/2019 09:00 AM in Courtroom 9 before Judge Indira Talwani. Plaintiffs' counsel shall promptly serve a copy of this order on Defendants. (MacDonald, Gail) (Entered: 05/08/2019)
05/08/2019	22	NOTICE of Appearance by Erez Reuveni on behalf of Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (Reuveni, Erez) (Entered: 05/08/2019)
05/08/2019	23	NOTICE by Chelsea Collaborative, Inc., Committee for Public Counsel Services, Rachael Rollins, Marian Ryan re 21 Notice of Hearing on Motion, <i>Plaintiffs' Notice of Service of the Court's Electronic Notice Setting the Hearing on Plaintiffs' Motion for Preliminary Injunction</i> (Attachments: # 1 Exhibit A)(Zimmer, David) (Entered: 05/08/2019)
05/08/2019	24	NOTICE of Appearance by Rayford A. Farquhar on behalf of Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (Farquhar, Rayford) (Entered: 05/08/2019)
05/10/2019	25	NOTICE of Appearance by Eve A. Piemonte on behalf of Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (Piemonte, Eve) (Entered: 05/10/2019)
05/13/2019	26	NOTICE of Appearance by Julian Kurz on behalf of Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of

		Homeland Security, U.S. Immigration and Customs Enforcement (Kurz, Julian) (Entered: 05/13/2019)
05/13/2019	27	NOTICE of Appearance by Francesca M. Genova on behalf of Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (Genova, Francesca) (Entered: 05/13/2019)
05/13/2019	28	MEMORANDUM in Opposition re 5 MOTION for Preliminary Injunction filed by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement. (Attachments: # 1 Exhibit ICE Directive 11072.1: Civil Immigration Enforcement Inside Courthouses (Jan. 10, 2018), # 2 Exhibit Enforcement Actions at or Near Courthouses (Mar. 19, 2014), # 3 Exhibit Mem. on Prosecutorial Discretion: Certain Victims, Witnesses, and Plaintiffs (June 17, 2011), # 4 Text of Proposed Order)(Farquhar, Rayford) (Entered: 05/13/2019)
05/14/2019	29	Assented to MOTION for Leave to File <i>Reply In Support of Motion for Preliminary Injunction</i> by Chelsea Collaborative, Inc., Committee for Public Counsel Services, Rachael Rollins, Marian Ryan.(Zimmer, David) (Entered: 05/14/2019)
05/14/2019	30	Assented to MOTION for Leave to File <i>Out of Time</i> by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement.(Farquhar, Rayford) (Entered: 05/14/2019)
05/15/2019	31	Judge Indira Talwani: ELECTRONIC ORDER entered granting nunc pro tunc 30 Motion for Leave to File Document. (MacDonald, Gail) (Entered: 05/15/2019)
05/15/2019	32	Judge Indira Talwani: ELECTRONIC ORDER entered granting 29 Motion for Leave to File Document ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (MacDonald, Gail) (Entered: 05/15/2019)
05/15/2019	33	NOTICE of Appearance by Michael P. Sady on behalf of Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (Sady, Michael) (Entered: 05/15/2019)

05/15/2019	34	MEMORANDUM in Opposition re 5 MOTION for Preliminary Injunction (<i>Leave to File Granted - May 15, 2019</i>) filed by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Text of Proposed Order)(Farquhar, Rayford) (Main Document 34 replaced on 5/20/2019) (MacDonald, Gail). (Entered: 05/15/2019)
05/16/2019	35	MOTION for Leave to Appear Pro Hac Vice for admission of Christopher J. Hajec Filing fee: \$ 100, receipt number 0101-7689166 by Immigration Reform Law Institute.(Bennion, Bradly) (Entered: 05/16/2019)
05/16/2019	36	MOTION for Leave to File <i>Amicus Brief</i> by Immigration Reform Law Institute. (Attachments: # 1 Supplement)(Bennion, Bradly) (Entered: 05/16/2019)
05/17/2019	37	Judge Indira Talwani: ELECTRONIC ORDER GRANTING Motion for Leave to File Amicus Brief 36 . Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. <u>Counsel must include</u> - Leave to file granted on (date of order)- in the caption of the document. (Kinsella, Devan) (Entered: 05/17/2019)
05/17/2019	38	AMICUS BRIEF filed by Immigration Reform Law Institute . (Bennion, Bradly) (Entered: 05/17/2019)
05/17/2019	39	Judge Indira Talwani: ELECTRONIC ORDER: The Motion for Admission to Appear Pro Hac Vice for Christopher J. Hajec 35 is DENIED without prejudice. Pursuant to Local Rule 83.5.3(e)(2), the motion should be brought by an attorney who is a member of the bar of this court, who shall also file an appearance. (Kinsella, Devan) (Entered: 05/17/2019)
05/20/2019	40	Amicus Curiae APPEARANCE entered by Bradley P. Bennion on behalf of Immigration Reform Law Institute. (Bennion, Bradly) (Entered: 05/20/2019)
05/20/2019	41	REPLY to Response to 5 MOTION for Preliminary Injunction filed by Chelsea Collaborative, Inc., Committee for Public Counsel Services, Rachael Rollins, Marian Ryan. (Zimmer, David) (Entered: 05/20/2019)

05/21/2019	42	First MOTION for Leave to Appear Pro Hac Vice for admission of CHRISTOPHER J. HAJEC Filing fee: \$ 100, receipt number 0101-7695459 by Immigration Reform Law Institute.(Bennion, Bradly) (Main Document 42 replaced on 5/22/2019) (MacDonald, Gail). (Additional attachment(s) added on 5/22/2019: # 1 Declaration) (MacDonald, Gail). (Entered: 05/21/2019)
05/22/2019	43	Judge Indira Talwani: ELECTRONIC ORDER entered granting 42 Motion for Leave to Appear Pro Hac Vice Added CHRISTOPHER J. HAJEC. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (MacDonald, Gail) (Entered: 05/22/2019)
05/23/2019	44	Electronic Clerk's Notes for proceedings held before Judge Indira Talwani: Motion Hearing held on 5/23/2019 re 5 MOTION for Preliminary Injunction filed by Marian Ryan, Committee for Public Counsel Services, Chelsea Collaborative, Inc., Rachael Rollins. Case called. Court hears argument from counsel. Hearing continued to 5/28/2019 09:30 AM in Courtroom 9 before Judge Indira Talwani. (Court Reporter: Cheryl Dahlstrom at cheryldahlstrom@yahoo.com .) (Attorneys present: Rubio-Spring, Wiesen, Zimmer, Wayne, Nimni, Reuveni, Farquhar) (MacDonald, Gail) (Entered: 05/23/2019)
05/28/2019	45	Electronic Clerk's Notes for proceedings held before Judge Indira Talwani: Motion Hearing held on 5/28/2019 re 5 MOTION for Preliminary Injunction filed by Marian Ryan, Committee for Public Counsel Services, Chelsea Collaborative, Inc., Rachael Rollins. Hearing continued from 5/23/19. Case called. Court hears argument from counsel. Motion taken under advisement. (Court Reporter: Cheryl Dahlstrom at cheryldahlstrom@yahoo.com .) (Attorneys present: Rubio-Spring, Wiesen, Zimmer, Wayne, Nimni, Reuveni, Farquhar) (MacDonald, Gail) (Entered: 05/29/2019)
05/28/2019	46	DIRECTIVE. Filed in open court on May 28, 2019 by U.S. Immigration and Customs Enforcement (Attachments: # 1 Attachments). (Kinsella, Devan) (Entered: 05/29/2019)
05/30/2019	47	Transcript of Hearing on Motion for Preliminary Injunction held on May 23, 2019, before Judge Indira Talwani. The Transcript may be purchased through the Court Reporter, viewed at the

		public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Cheryl Dahlstrom at cheryldahlstrom@yahoo.com Redaction Request due 6/20/2019. Redacted Transcript Deadline set for 7/1/2019. Release of Transcript Restriction set for 8/28/2019. (Scalfani, Deborah) (Entered: 05/30/2019)
05/30/2019	48	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 05/30/2019)
06/19/2019	49	Transcript of Hearing on Motion for Preliminary Injunction - Day Two held on May 28, 2019, before Judge Indira Talwani. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Cheryl Dahlstrom at cheryldahlstrom@yahoo.com Redaction Request due 7/10/2019. Redacted Transcript Deadline set for 7/22/2019. Release of Transcript Restriction set for 9/17/2019. (Scalfani, Deborah) (Entered: 06/19/2019)
06/19/2019	50	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 06/19/2019)
06/20/2019	51	Judge Indira Talwani: MEMORANDUM AND ORDER. (Kinsella, Devan) (Entered: 06/20/2019)
06/20/2019	52	Judge Indira Talwani: ORDER OF PRELIMINARY INJUNCTION. (Kinsella, Devan) (Entered: 06/20/2019)
06/27/2019	53	Assented to MOTION for Extension of Time to August 27, 2019 to File Answer re 1 Complaint,, by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement.(Kurz, Julian) (Entered: 06/27/2019)
06/28/2019	54	Judge Indira Talwani: ELECTRONIC ORDER granting Assented-to Motion for Extension of Time to Respond to Complaint 53

		. The assented-to motion is allowed in order to permit Defendants' counsel to focus on whether to appeal the court's Order Granting Preliminary Injunction before being required to prepare a response to the complaint. The court does not adopt Defendants' assumption that an appeal of the motion for a preliminary injunction necessarily precludes simultaneous district court litigation. See 16 Charles Alan Wright, Arthur R. Miller & Edward H. Cooper, Federal Practice and Procedure § 3921.2 at 58 (3d ed. 2012) ("Ordinarily an interlocutory injunction appeal under [28 U.S.C.] § 1292(a)(1) does not defeat the power of the trial court to proceed further with the case."). (Kinsella, Devan) (Entered: 06/28/2019)
08/16/2019	55	NOTICE OF APPEAL as to 52 Preliminary Injunction, 51 Memorandum & ORDER, Terminate Motions by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement Fee Status: US Government. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov MUST be completed and submitted to the Court of Appeals. Counsel shall register for a First Circuit CM/ECF Appellate Filer Account at http://pacer.psc.uscourts.gov/cmecf. Counsel shall also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at http://www.ca1.uscourts.gov/cmecf. US District Court Clerk to deliver official record to Court of Appeals by 9/5/2019. (Kurz, Julian) (Entered: 08/16/2019)
08/19/2019	56	Certified and Transmitted Abbreviated Electronic Record on Appeal to US Court of Appeals re 55 Notice of Appeal. (Paine, Matthew) (Entered: 08/19/2019)
08/21/2019	57	USCA Case Number 19-1838 for 55 Notice of Appeal filed by U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Matthew T. Albence, Kevin McAleenan, Todd M. Lyons. (Paine, Matthew) (Entered: 08/21/2019)
08/21/2019	58	Assented to MOTION for Extension of Time to October 28, 2019 to File Answer re 1 Complaint,, by Matthew T. Albence,

		Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement.(Genova, Francesca) (Entered: 08/21/2019)
08/23/2019	59	NOTICE of Withdrawal of Appearance by Jordan Benson (Benson, Jordan) (Entered: 08/23/2019)
08/28/2019	60	Judge Indira Talwani: ELECTRONIC ORDER entered granting 58 Motion for Extension of Time to Answer re 1 Complaint. Answer/Response to Complaint due 10/29/19 from all Defendants. (MacDonald, Gail) (Entered: 08/28/2019)
10/22/2019	61	STIPULATION <i>and [Proposed Order]</i> by Chelsea Collaborative, Inc., Committee for Public Counsel Services, Rachael Rollins, Marian Ryan. (Zimmer, David) (Entered: 10/22/2019)
10/23/2019	62	Judge Indira Talwani: ORDER entered re 61 Stipulation. 1. Defendants shall file their motion to dismiss the Complaint on or before December 13, 2019. 2. Plaintiffs shall file their opposition to Defendants' motion to dismiss on or before January 31, 2020. 3. Defendants shall file any reply brief in support of their motion to dismiss on or before February 28, 2020. Scheduling Conf. to be set by the clerk. (MacDonald, Gail) Modified on 12/10/2019, to correct dates in docket entry text (MacDonald, Gail). (Entered: 10/24/2019)
12/10/2019	63	NOTICE of Scheduling Conference: Scheduling Conference set for 1/6/2020 03:00 PM in Courtroom 9 before Judge Indira Talwani. (MacDonald, Gail) (Entered: 12/10/2019)
12/13/2019	64	Consent MOTION to Continue Scheduling Conference to January 22, 2020 at 2:30 p.m. by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement.(Genova, Francesca) (Entered: 12/13/2019)
12/13/2019	65	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement. (Attachments: # 1 Exhibit A, ICE Directive 11072.1, # 2 Exhibit B, Enforcement Actions at or Near Courthouses, # 3 Exhibit C,

		ICE Directive 10076.1, # 4 Exhibit D, ICE Policy 10036.1)(Genova, Francesca) (Entered: 12/13/2019)
12/16/2019	66	Judge Indira Talwani: ELECTRONIC ORDER: ALLOWING 64 Motion to Continue Scheduling Conference reset to January 22, 2020 02:30 PM in Courtroom 9 before Judge Indira Talwani. (Kelly, Danielle) (Entered: 12/16/2019)
01/15/2020	67	JOINT STATEMENT re scheduling conference . (Attachments: # 1 Exhibit A)(Zimmer, David) (Entered: 01/15/2020)
01/17/2020	68	NOTICE by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement of <i>Filing of Administrative Record</i> (Attachments: # 1 Index to Administrative Record, # 2 Certification, # 3 Administrative Record)(Genova, Francesca) (Entered: 01/17/2020)
01/21/2020	69	MOTION for Leave to Appear Pro Hac Vice for admission of Katherine L. Dacey Filing fee: \$ 100, receipt number 0101-8064818 by Chelsea Collaborative, Inc., Rachael Rollins, Marian Ryan. (Attachments: # 1 Exhibit A - Certification of Katherine Dacey)(Wiesen, Daryl) (Entered: 01/21/2020)
01/22/2020	70	Judge Indira Talwani: ELECTRONIC ORDER: ALLOWING 69 Motion for Leave to Appear Pro Hac Vice Added Katherine L. Dacey. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Kelly, Danielle) (Entered: 01/22/2020)
01/22/2020	71	CERTIFICATION pursuant to Local Rule 16.1 by <i>Rachael Rollins, in her Official Capacity as Suffolk County District Attorney</i> . (Rubio-Spring, Alicia) (Entered: 01/22/2020)
01/22/2020	72	CERTIFICATION pursuant to Local Rule 16.1 by <i>Marian Ryan, in her Official Capacity as Middlesex County District Attorney</i> . (Rubio-Spring, Alicia) (Entered: 01/22/2020)

01/22/2020	<u>73</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>by Chelsea Collaborative, Inc.</i> (Rubio-Spring, Alicia) (Entered: 01/22/2020)
01/22/2020	<u>74</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>by Committee for Public Counsel Services.</i> (Wayne, Wendy) (Entered: 01/22/2020)
01/22/2020	<u>75</u>	CERTIFICATION pursuant to Local Rule 16.1 by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement.(Genova, Francesca) (Entered: 01/22/2020)
01/22/2020	76	Electronic Clerk's Notes for proceedings held before Judge Indira Talwani: Scheduling Conference held on 1/22/2020. Case called. Court had colloquy with counsel. Def. moved to stay discovery; denied. Discovery to be completed by 7/31/2020. An interim Status Conf. may be set once the MTD is considered. In re to ESI an electronic discovery protocol to be agreed to w/in 2 weeks of receiving initial set of request for prod. of docs. If an agreement as to protocol cannot be reached, contact the clerk and a conf. will be set. Status Conference set for 8/3/2020 02:15 PM in Courtroom 9 before Judge Indira Talwani. (Court Reporter: Rachel Lopez at raeufp@gmail.com.)(Attorneys present: Rubio-Spring, Wiesen, Dacey, Wayne, Nimni, Genova, Sady) (MacDonald, Gail) (Entered: 01/23/2020)
01/27/2020	<u>78</u>	Judge Indira Talwani: ORDER entered. Federal Rule of Evidence 502(d) Order. Please see attached order. (Kelly, Danielle) (Entered: 01/29/2020)
01/28/2020	<u>77</u>	Judge Indira Talwani: ORDER entered. SCHEDULING ORDER. Please see attached order. (Kelly, Danielle) (Entered: 01/29/2020)
01/31/2020	<u>79</u>	Opposition re <u>65</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Chelsea Collaborative, Inc., Committee for Public Counsel Services, Rachael Rollins, Marian Ryan. (Zimmer, David) (Entered: 01/31/2020)
02/14/2020	<u>80</u>	NOTICE by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement re <u>68</u> Notice (Other), <i>of Filing of Supplemental Administrative Record</i> (Attachments: # <u>1</u> Index to Supplemental Administrative Record, # <u>2</u> Certification, # <u>3</u> Supplemental Administrative Record)(Genova, Francesca) (Entered: 02/14/2020)

02/18/2020	<u>81</u>	Consent MOTION for Leave to File <i>Amici Curiae Brief</i> by Prof. Bowie and HIRC. (Attachments: # <u>1</u> Exhibit Proposed Amici Curiae Brief)(Torrey, Philip) (Entered: 02/18/2020)
02/19/2020	82	Judge Indira Talwani: ELECTRONIC ORDER: ALLOWING <u>81</u> Motion for Leave to File Amici Curiae Brief. The proposed brief is one-half page too long, however, and shall be revised to conform to the 20-page limit set forth in the Local Rules. The revised amicus brief shall be filed promptly and in any event no later than February 24, 2020. Counsel using the Electronic Case Filing System should file the revised amicus brief in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (Kelly, Danielle) Modified on 2/19/2020: Edited docket text (Kelly, Danielle). (Entered: 02/19/2020)
02/20/2020	<u>83</u>	AMICUS BRIEF filed by Prof. Bowie and HIRC . (Torrey, Philip) (Entered: 02/20/2020)
02/20/2020	<u>84</u>	STIPULATION (<i>Joint</i>) on Discovery of Electronically Stored Information by Chelsea Collaborative, Inc., Committee for Public Counsel Services, Rachael Rollins, Marian Ryan. (Rubio-Spring, Alicia) (Entered: 02/20/2020)
02/21/2020	<u>85</u>	Amicus Curiae APPEARANCE entered by Nikolas Bowie on behalf of Prof. Bowie and HIRC. (Bowie, Nikolas) (Entered: 02/21/2020)
02/28/2020	<u>86</u>	REPLY to Response to <u>65</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement. (Genova, Francesca) (Entered: 02/28/2020)
03/06/2020	<u>87</u>	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Sabrineh Ardalan Filing fee: \$ 100, receipt number 0101-8142926 by Prof. Bowie and HIRC. (Attachments: # <u>1</u> Affidavit Affidavit of Sabrineh Ardalan, # <u>2</u> Exhibit Certificate of Good Standing)(Torrey, Philip) (Entered: 03/06/2020)

03/06/2020	88	Judge Indira Talwani: ELECTRONIC ORDER entered: ALLOWING 87 Motion for Leave to Appear Pro Hac Vice Added Sabrineh Ardan. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Kelly, Danielle) (Entered: 03/06/2020)
04/14/2020	89	Notice of Supplemental Authorities re 65 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (Attachments: # 1 Exhibit A)(Rubio-Spring, Alicia) (Entered: 04/14/2020)
04/22/2020	90	Response by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement to 89 Notice of Supplemental Authorities . (Genova, Francesca) (Entered: 04/22/2020)
06/08/2020	91	ELECTRONIC NOTICE of Hearing. Telephone Conference set for 6/15/2020 02:15 PM before Judge Indira Talwani. Calling instructions will be provided to counsel by the clerk. (MacDonald, Gail) (Entered: 06/08/2020)
06/15/2020	92	Electronic Clerk's Notes for proceedings held before Judge Indira Talwani: Telephone Conference held on 6/15/2020. Case called. Court had colloquy with counsel re: discovery issue. Discovery closes 7/31/2020. Counsel to confer re: any motion to extend time, compel or for a protective order. (Court Reporter: Cheryl Dahlstrom at cheryldahlstrom@yahoo.com.) (Attorneys present: Alicia Rubio-Spring, Katherine L. Dacey, Wendy S. Wayne, Oren N. Nimni, Rayford A. Farquhar, Francesca Genova) (MacDonald, Gail) (Entered: 06/23/2020)
06/30/2020	93	STIPULATION of Proposed Protective Order Regarding Confidential Information by Rachael Rollins, Marian Ryan. (Attachments: # 1 Exhibit A - Certification)(Zimmer, David) (Entered: 06/30/2020)
07/06/2020	94	Judge Indira Talwani: ORDER entered. STIPULATED PROTECTIVE ORDER REGARDING CONFIDENTIAL INFORMATION. (Kelly, Danielle) (Entered: 07/06/2020)

07/28/2020	<u>95</u>	STIPULATION <i>and [Proposed] Order to Extend Discovery</i> by Rachael Rollins, Marian Ryan. (Rubio-Spring, Alicia) (Entered: 07/28/2020)
07/29/2020	96	Judge Indira Talwani: ELECTRONIC ORDER ALLOWING <u>95</u> Stipulation <i>and [Proposed] Order to Extend Discovery</i> . Fact Discovery to be completed by December 4, 2020. The Status Conference set for August 3, 2020 at 2:15 PM is CANCELED and will be rescheduled by the clerk. (Kelly, Danielle) (Entered: 07/29/2020)
09/01/2020	<u>97</u>	OPINION of USCA as to <u>55</u> Notice of Appeal filed by U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Matthew T. Albence, Kevin McAleenan, Todd M. Lyons. (Paine, Matthew) (Entered: 09/01/2020)
09/01/2020	<u>98</u>	USCA Judgment as to <u>55</u> Notice of Appeal filed by U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Matthew T. Albence, Kevin McAleenan, Todd M. Lyons. The district court's preliminary injunction is VACATED, and the matter is REMANDED to the district court for further proceedings consistent with the opinion issued this day. (Paine, Matthew) (Entered: 09/01/2020)
10/01/2020	<u>99</u>	Notice of Supplemental Authorities re <u>65</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (Attachments: # <u>1</u> Exhibit A)(Rubio-Spring, Alicia) (Entered: 10/01/2020)
10/07/2020	<u>100</u>	Response by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement to <u>99</u> Notice of Supplemental Authorities . (Genova, Francesca) (Entered: 10/07/2020)
11/12/2020	<u>101</u>	NOTICE by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement re <u>65</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>of Errata</i> (Attachments: # <u>1</u> Errata Ex. A, 2015 Policy)(Genova, Francesca) (Entered: 11/12/2020)

12/02/2020	102	STIPULATION <i>and [Proposed] Order to Extend Discovery</i> by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement. (Genova, Francesca) (Entered: 12/02/2020)
12/03/2020	103	Judge Indira Talwani: ORDER entered. Stipulation and Order to Extend Discovery. (Kelly, Danielle) (Entered: 12/03/2020)
12/03/2020	104	Judge Indira Talwani: ELECTRONIC ORDER amending the discovery deadline due to clerical error. Close of fact discovery shall be June 4, 2021. (Kelly, Danielle) (Entered: 12/03/2020)
12/04/2020	105	ELECTRONIC NOTICE of Hearing. Status Conference set for 6/15/2021 02:30 PM in Remote Proceeding : Boston before Judge Indira Talwani. Teleconference #: (888)-808-6929 access code: 8523158. (MacDonald, Gail) (Entered: 12/04/2020)
03/05/2021	106	ELECTRONIC NOTICE Setting Hearing on Motion 65 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM : This hearing will be conducted by video conference. Counsel of record will receive a video conference invite at the email registered in CM/ECF. If you have technical or compatibility issues with the technology, please notify the session's courtroom deputy as soon as possible. Access to the hearing will be made available to the media and public. In order to gain access to the hearing, you must sign up at the following address: https://forms.mad.uscourts.gov/courtlist.html. For questions regarding access to hearings, you may refer to the Court's general orders and public notices available on www.mad.uscourts.gov or contact media@mad.uscourts.gov. Motion Hearing set for 3/12/2021 02:15 PM in Remote Proceeding : Boston before Judge Indira Talwani. (Kelly, Danielle) (Entered: 03/05/2021)
03/08/2021	107	STIPULATION re 106 Notice of Hearing on Motion,,,, 103 <i>Order, Set Deadlines and Proposed Order to Continue Hearing and Extend Discovery</i> by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, Prof. Bowie and HIRC, U.S.

		Department of Homeland Security, U.S. Immigration and Customs Enforcement. (Genova, Francesca) (Entered: 03/08/2021)
03/09/2021	108	Judge Indira Talwani: ELECTRONIC ORDER: Pending before the court is Defendant's <u>Motion to Dismiss</u> 65 and the parties' <u>Joint Stipulation and Proposed Order to Continue Hearing and Extend Discovery</u> 107 . The <u>Joint Stipulation</u> states that on January 20, 2021, the Acting Secretary of the Department for Homeland Security ("DHS") issued a memorandum directing DHS components-such as U.S. Immigration and Customs Enforcement ("ICE")-to conduct a review of policies and practices concerning immigration enforcement. Pursuant to the memorandum, ICE is reviewing the Directive at issue in this case. Joint Stipulation 107 . The parties therefore request that the court continue the upcoming hearing on the <u>Motion to Dismiss</u> and extend discovery by 120 days to "conserve judicial and the parties' resources, as any actions that ICE may take regarding the Directive may change the contours of the issues in this case." <u>Id.</u> The court GRANTS the <u>Joint Stipulation</u> 107 insofar as it seeks to extend discovery by 120 days and to vacate the upcoming hearing date. Rather than continue the hearing date, however, the court DENIES the <u>Motion to Dismiss</u> 65 without prejudice. After that motion was fully briefed, the First Circuit granted Defendants' interlocutory appeal of the preliminary injunction entered in this matter. USCA Opinion 97 . In doing so, the First Circuit addressed some of the issues raised in the <u>Motion to Dismiss</u>. In light of that Opinion, the requested continuance, and the potential changes to "the contours of the issues in this case," updated briefing would be helpful to the court if the action proceeds. Accordingly, no later than May 10, 2021, the parties shall report on the status of the case, and, if Plaintiffs are proceeding on the <u>Complaint</u> 1 as filed, shall propose a briefing schedule for any renewed motion to dismiss. The court notes further that the First Circuit reserved judgment as to whether a Massachusetts common-law privilege prohibits civil courthouse arrests and, if so, whether the Directive interferes with Massachusetts' power to operate its judiciary. USCA Opinion 36-48 97 . In the status report (or earlier), the parties shall advise the court on their view as to whether this question should be certified to the Massachusetts Supreme Judicial Court. (Kelly, Danielle) (Entered: 03/09/2021)

03/11/2021	<u>109</u>	MOTION to Withdraw Appearance by Oren N. Nimni (Nimni, Oren) Modified on 3/12/2021: Corrected event type & docket text to properly reflect document (Kelly, Danielle). (Entered: 03/11/2021)
03/15/2021	110	Judge Indira Talwani: ELECTRONIC ORDER ALLOWING <u>109</u> Motion to Withdraw as Attorney. Attorney Oren N. Nimni terminated. (Kelly, Danielle) (Entered: 03/15/2021)
04/30/2021	<u>111</u>	NOTICE of Appearance by Arielle E. Sharma on behalf of Chelsea Collaborative, Inc. (Sharma, Arielle) (Entered: 04/30/2021)
05/04/2021	<u>112</u>	STIPULATION re ELECTRONIC ORDER 108 <i>and Proposed Order to Extend Current Deadlines</i> by Matthew T. Albence, Todd M. Lyons, Kevin McAleenan, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement. (Genova, Francesca) Modified on 5/5/2021: Corrected docket text (Kelly, Danielle). (Entered: 05/04/2021)
05/10/2021	<u>113</u>	Judge Indira Talwani: ORDER entered. JOINT STIPULATION AND ORDER TO EXTEND CURRENT DEADLINES. (Kelly, Danielle) (Entered: 05/10/2021)
05/10/2021	114	NOTICE Resetting a Hearing: Status Conference set for 6/15/2021 is RESET to 1/4/2022 02:30 PM in Remote Proceeding : Boston before Judge Indira Talwani. The Status Conference may be conducted by video conference. Counsel of record will receive a video conference invite at the email registered in CM/ECF. If you have technical or compatibility issues with the technology, please notify the session's courtroom deputy as soon as possible. Access to the hearing will be made available to the media and public. In order to gain access to the hearing, you must sign up at the following address: https://forms.mad.uscourts.gov/courtlist.html. For questions regarding access to hearings, you may refer to the Court's general orders and public notices available on www.mad.uscourts.gov or contact media@mad.uscourts.gov. (Kelly, Danielle) (Entered: 05/10/2021)

05/21/2021	115	NOTICE of Voluntary Dismissal by Chelsea Collaborative, Inc., Committee for Public Counsel Services, Rachael Rollins, Marian Ryan (Zimmer, David) (Entered: 05/21/2021)
05/24/2021	116	ELECTRONIC NOTICE Canceling Hearing: In light of the Notice of Voluntary Dismissal 115 , the Status Conference set for 1/4/2022 is canceled. (Kelly, Danielle) (Entered: 05/24/2021)
07/01/2021	117	MANDATE of USCA as to 55 Notice of Appeal, filed by U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Matthew T. Albence, Kevin McAleenan, Todd M. Lyons. Appeal 55 Terminated (Paine, Matthew) (Entered: 07/02/2021)

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