

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-01872-KBJ**

KIAKOMBUA v. MCALEENAN et al
Assigned to: Judge Ketanji Brown Jackson

Cases: 1:20-cv-03341-TNM

1:19-cv-03501-KBJ

1:19-cv-03337-APM

Case in other court: USCA, 20-05372

Cause: 05:0706 Judicial Review of Agency Actions

Plaintiff

MARIA M. KIAKOMBUA

represented by **Deepa Alagesan**
INTERNATIONAL REFUGEE
ASSISTANCE PROJECT
One Battery Park Plaza
4th Floor
New York, NY 10004
(516) 838-7004
Email: dalagesan@refugeerights.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Justin B. Cox
INTERNATIONAL REFUGEE
ASSISTANCE PROJECT
P.O. Box 170208
Atlanta, GA 30317
516-701-4233
Fax: 212-533-4598
Email: jcox@refugeerights.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Manoj Govindaiah
REFUGEE AND IMMIGRANT CENTER
FOR EDUCATION AND LEGAL
SERVICES
802 Kentucky Avenue
San Antonio, TX 78201
United States
210-787-3745
Fax: 210-787-3745
Email: manoj.govindaiah@raicetexas.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathryn S. Austin
INTERNATIONAL REFUGEE
ASSISTANCE PROJECT
One Battery Park Plaza
4th Floor
New York, NY 10004
516-296-0688
Email: kaustin@refugeerights.org
ATTORNEY TO BE NOTICED

Maria R. Osornio
REFUGEE AND IMMIGRANT CENTER

FOR EDUCATION & LEGAL
SERVICES
802 Kentucky Avenue
San Antonio, TX 78201
(210) 226-7722 ext 126
Fax: (210) 625-6692
Email: maria.osornio@raicetexas.org
ATTORNEY TO BE NOTICED

Mariko Hirose
INTERNATIONAL REFUGEE
ASSISTANCE PROJECT
One Battery Park Plaza
4th Floor
New York, NY 10006
(516) 701-4620
Fax: (212) 549-2651
Email: mhirose@refugeerights.org
ATTORNEY TO BE NOTICED

Plaintiff

SOFIA

represented by **Deepa Alagesan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Manoj Govindaiah
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathryn S. Austin
(See above for address)
ATTORNEY TO BE NOTICED

Maria R. Osornio
(See above for address)
ATTORNEY TO BE NOTICED

Justin B. Cox
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

ANA

represented by **Deepa Alagesan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Manoj Govindaiah
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathryn S. Austin
(See above for address)
ATTORNEY TO BE NOTICED

Maria R. Osornio
(See above for address)
ATTORNEY TO BE NOTICED

Justin B. Cox

(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

JULIA

represented by **Deepa Alagesan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Manoj Govindaiah
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathryn S. Austin
(See above for address)
ATTORNEY TO BE NOTICED

Maria R. Osornio
(See above for address)
ATTORNEY TO BE NOTICED

Justin B. Cox
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

EMMA

represented by **Deepa Alagesan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Manoj Govindaiah
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathryn S. Austin
(See above for address)
ATTORNEY TO BE NOTICED

Maria R. Osornio
(See above for address)
ATTORNEY TO BE NOTICED

Justin B. Cox
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

KEVIN K. MCALEENAN
in his official capacities as Acting
Secretary of Homeland Security and U.S.
Commissioner of Customs and Border
Protection
TERMINATED: 11/16/2020

represented by **Paul Cirino**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2529
Fax: (202) 252-2599

Email: paul.cirino@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven A. Platt
U.S. Department of Justice
Civil Division, Office of Immigration
Litigation
P.O. Box 868
Ben Franklin Station
Washington, DC 20044
(202) 532-4074
Fax: (202) 305-7000
Email: steven.a.platt@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

WILLIAM P. BARR
*in his official capacity as Attorney
General of the United States*

represented by **Paul Cirino**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven A. Platt
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

KENNETH T. CUCCINELLI, II
*in his official capacity as Acting Director
of United States Citizenship and
Immigration Services*

represented by **Paul Cirino**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven A. Platt
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

JENNIFER HIGGINS
*in her official capacity as Associate
Director of Refugee, Asylum &
International Operations*

represented by **Paul Cirino**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven A. Platt
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

CHAD F. WOLF
*in his official capacities as Acting
Secretary of Homeland Security*

represented by **Paul Cirino**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven A. Platt
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amicus

**IMMIGRATION REFORM LAW
INSTITUTE**

represented by **Michael Meriwether Hethmon**
IMMIGRATION REFORM LAW
INSTITUTE
25 Massachusetts Avenue, NW
Suite 335
Washington, DC 20001
(202) 232-5590
Fax: (202) 464-3590
Email: mhethmon@irli.org
ATTORNEY TO BE NOTICED

Amicus

TAHIRIH JUSTICE CENTER

represented by **Paul Michael Thompson**
MCDERMOTT WILL & EMERY LLP
500 N Capitol St NW
500 N. Capitol Street, N.W.
Washington, DC 20001
202-756-8032
Fax: 202-756-8087
Email: pthompson@mwe.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amicus

**ADVOCATES FOR HUMAN
RIGHTS**

represented by **Michael Edward Tucci**
STINSON LEONARD STREET, LLP
1775 Pennsylvania Avenue, NW
Suite 800
Washington, DC 20006
(202) 728-3010
Fax: (202) 572-9964
Email: michael.tucci@stinson.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amicus

**NATIONAL CITIZENSHIP AND
IMMIGRATION SERVICES
COUNCIL 119**

represented by **Michael Lacovara**
LATHAM & WATKINS LLP
885 Third Avenue
Third Floor
New York, NY 10022-4834
(212) 906-1377
Email: michael.lacovara@lw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/25/2019	<u>1</u>	COMPLAINT against All Plaintiffs (Filing fee \$ 400 receipt number 0090-6213417) filed by MARIA KIAKOMBUA. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons)(Hirose, Mariko) (Entered: 06/25/2019)
06/26/2019	<u>2</u>	NOTICE of Appearance by Deepa Alagesan on behalf of MARIA KIAKOMBUA (Alagesan, Deepa) (Entered: 06/26/2019)
06/27/2019		Case Assigned to Judge Ketanji Brown Jackson. (zsb) (Entered: 06/27/2019)
06/27/2019		SUMMONS Not Issued as to WILLIAM P. BARR, KENNETH T. CUCCINELLI, JENNIFER HIGGINS, KEVIN K. MCALEENAN (zsb) (Entered: 06/27/2019)
06/28/2019	<u>3</u>	GENERAL ORDER AND GUIDELINES APPLICABLE TO APA CASES ASSIGNED TO JUDGE KETANJI BROWN JACKSON. The Court will hold the parties and counsel responsible for following these directives, and parties and counsel

		should pay particular attention to the Court's instructions for batching motions and filing exhibits. Failure to adhere to this Order may, when appropriate, result the imposition of sanctions and/or sua sponte denial of non-conforming motions. Signed by Judge Ketanji Brown Jackson on 6/28/2019. (lckbj1) (Entered: 06/28/2019)
06/28/2019	<u>4</u>	NOTICE of Appearance by Justin B. Cox on behalf of All Plaintiffs (Cox, Justin) (Entered: 06/28/2019)
06/28/2019	<u>5</u>	NOTICE of Amended Complaint by MARIA M. KIAKOMBUA (Attachments: # <u>1</u> Exhibit A – Redline)(Cox, Justin) (Entered: 06/28/2019)
06/28/2019	<u>6</u>	AMENDED COMPLAINT against All Defendants filed by MARIA M. KIAKOMBUA, SOFIA, ANA, JULIA, EMMA. (Attachments: # <u>1</u> Exhibit A – Lesson Plan dated April 30, 2019)(Cox, Justin) (Entered: 06/28/2019)
06/28/2019	<u>7</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by ANA, EMMA, JULIA, SOFIA (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit Index, # <u>2</u> Exhibit A – Decl. of Ana*, # <u>3</u> Exhibit B – Decl. of Emma*, # <u>4</u> Exhibit C – Decl. of Sofia*, # <u>5</u> Exhibit D – Decl. of Julia*, # <u>6</u> Exhibit E – Grace Pseudonym Opinion, # <u>7</u> Exhibit F – Damus Pseudonym Order, # <u>8</u> Text of Proposed Order)(Cox, Justin) (Entered: 06/28/2019)
06/28/2019	<u>8</u>	REQUEST FOR SUMMONS TO ISSUE filed by SOFIA, ANA, MARIA M. KIAKOMBUA, EMMA, JULIA. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Cox, Justin) (Entered: 06/28/2019)
07/01/2019	<u>9</u>	SUMMONS (5) Issued Electronically as to WILLIAM P. BARR, KENNETH T. CUCCINELLI, JENNIFER HIGGINS, KEVIN K. MCALEENAN and U.S. Attorney (jf) (Entered: 07/01/2019)
07/01/2019	<u>10</u>	NOTICE of Appearance by Manoj Govindaiah on behalf of All Plaintiffs (Govindaiah, Manoj) (Entered: 07/01/2019)
07/02/2019	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. All Plaintiffs, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 7/2/2019., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/2/2019. (Answer due for ALL FEDERAL DEFENDANTS by 8/31/2019.) (Cox, Justin) (Entered: 07/02/2019)
07/03/2019	<u>12</u>	ORDER. The Pseudonymous Plaintiffs' motion <u>7</u> to proceed under pseudonyms is GRANTED. Consistent with this Order, the Clerk is directed to lodge the declarations attached to Pseudonymous Plaintiffs' motion <u>7</u> under seal. Signed by Judge Ketanji Brown Jackson on 7/3/19. (lckbj3) (Entered: 07/03/2019)
07/08/2019	<u>13</u>	Emergency MOTION for Temporary Restraining Order <i>to Stay the Removal of Plaintiffs Ana & Emma</i> , MOTION for Telephone Conference , MOTION for Scheduling Order by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA (Attachments: # <u>1</u> Exhibit A & Cox Declaration, # <u>2</u> Exhibit B, # <u>3</u> Text of Proposed Order)(Cox, Justin) (Entered: 07/08/2019)
07/08/2019	<u>14</u>	NOTICE of Appearance by Paul Cirino on behalf of All Defendants (Cirino, Paul) (Entered: 07/08/2019)
07/08/2019		MINUTE ORDER. Plaintiffs have filed an <u>13</u> Emergency Motion for an Administrative Stay of Removal, in which Plaintiffs' counsel represents pursuant to LCvR 7(m) that government counsel "ha[s] been unwilling to state their position as to whether the Courts intervention is necessary" to prevent the removal of Plaintiffs Ana and Emma. (See Pls.' Emergency Mot., ECF No. 13, at 2.) Given this representation, it is hereby ORDERED that Defendants shall file a response to Plaintiffs' <u>13</u> Emergency Motion at or before 6:30 PM this evening. It is FURTHER ORDERED that a telephonic status conference is set for tomorrow, July 9, 2019, at 11:00 AM, before Judge Ketanji Brown Jackson. The Court will provide the conference call call-in information to counsel by email. Signed by Judge Ketanji Brown Jackson on 7/8/2019. (lckbj3,) (Entered: 07/08/2019)

07/08/2019	<u>15</u>	NOTICE of Appearance by Kathryn S. Austin on behalf of All Plaintiffs (Austin, Kathryn) (Entered: 07/08/2019)
07/08/2019	<u>16</u>	Memorandum in opposition to re <u>13</u> Emergency MOTION for Temporary Restraining Order <i>to Stay the Removal of Plaintiffs Ana & Emma</i> MOTION for Telephone Conference MOTION for Scheduling Order filed by WILLIAM P. BARR, KENNETH T. CUCCINELLI, JENNIFER HIGGINS, KEVIN K. MCALEENAN. (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 07/08/2019)
07/08/2019	<u>21</u>	SEALED DOCUMENT (Declarations) filed by ANA, EMMA, JULIA, SOFIA. (This document is SEALED and only available to authorized persons (Entered: 07/10/2019)
07/09/2019	<u>17</u>	REPLY to opposition to motion re <u>13</u> Emergency MOTION for Temporary Restraining Order <i>to Stay the Removal of Plaintiffs Ana & Emma</i> MOTION for Telephone Conference MOTION for Scheduling Order filed by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA. (Cox, Justin) (Entered: 07/09/2019)
07/09/2019	<u>18</u>	ORDER granting Plaintiffs' Emergency Motion for a Temporary Stay of Removal <u>13</u> . Signed by Judge Ketanji Brown Jackson on 7/9/2019. (lckbj3) (Entered: 07/09/2019)
07/09/2019		Motion(s) terminated: <u>13</u> Emergency MOTION for Temporary Restraining Order <i>to Stay the Removal of Plaintiffs Ana & Emma</i> MOTION for Telephone Conference MOTION for Scheduling Order filed by MARIA M. KIAKOMBUA, JULIA, ANA, SOFIA, EMMA. Signed by Judge Ketanji Brown Jackson on 7/9/2019. (lckbj1) (Entered: 07/09/2019)
07/09/2019		MINUTE ORDER. During this morning's teleconference, Plaintiffs' counsel proposed that the Court require the government to produce an index of any relevant documents that the agency excludes from the administrative record when it undertakes to compile the record in this case. If Plaintiffs intend to pursue this requested order, they must provide proposed language for inclusion in the Court's scheduling order concerning the production of the administrative record, and Defendant must have the opportunity to oppose any such language. Accordingly, and consistent with the representations that the Court made during the teleconference, it is hereby ORDERED that, on or before 7/10/19 at 10:00 AM, Plaintiffs shall file any motion for a withholding index or other Court order concerning compilation of the administrative record. Plaintiffs shall provide with their motion the proposed language of the requested order, which shall include deadlines for filings related to disputes regarding the content of the proposed withholding index and any other aspects of the production of the administrative record, and a memorandum of law of no more than 5 pages that identifies the legal authority for the proposed order language. It is FURTHER ORDERED that any response by Defendant to Plaintiffs' motion shall be no more than 5 pages, and shall be filed on or before 7/10/19 at 2 PM. Signed by Judge Ketanji Brown Jackson on 7/9/2019. (lckbj3) (Entered: 07/09/2019)
07/09/2019		Minute Entry for proceedings held before Judge Ketanji Brown Jackson: Telephone Conference held on 7/9/2019, in Chambers. (Court Reporter Nancy Meyer) (gdf) (Entered: 07/10/2019)
07/10/2019	<u>19</u>	MOTION for Order <i>Regarding the Administrative Record</i> by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA (Attachments: # <u>1</u> Text of Proposed Order)(Cox, Justin) (Entered: 07/10/2019)
07/10/2019	<u>20</u>	RESPONSE re <u>19</u> MOTION for Order <i>Regarding the Administrative Record</i> filed by WILLIAM P. BARR, KENNETH T. CUCCINELLI, JENNIFER HIGGINS, KEVIN K. MCALEENAN. (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 07/10/2019)
07/10/2019	<u>22</u>	SCHEDULING ORDER. See attached document for details. Signed by Judge Ketanji Brown Jackson on 7/10/2019. (lckbj3) (Entered: 07/10/2019)
07/10/2019		Set/Reset Deadlines/Hearings: Administrative Record due by 8/5/2019. Cross Motions due by 9/5/2019. Response to Cross Motions due by 9/26/2019. Reply to Cross Motions due by 10/10/2019. Motions due by 8/5/2019. Responses due by 8/12/2019 Replies due by 8/16/2019. Summary Judgment motions due by 8/15/2019. Response to Motion for Summary Judgment due by 9/5/2019. Reply to Motion for Summary Judgment due by 9/26/2019. Motion Hearing set for 10/22/2019 at 10:00 AM in Courtroom 17 before Judge Ketanji Brown Jackson. (zgdf) (Entered: 07/12/2019)

07/11/2019		MINUTE ORDER. Pursuant to Federal Rule of Civil Procedure 5.2(c), all ECF filings in this matter have been automatically restricted to prevent remote access by the general public. However, the parties agree that all non-sealed ECF filings in this matter should be unrestricted and remotely available to the public. Accordingly, the court ORDERS that all current and future non-sealed ECF filings be made remotely accessible to members of the public. Signed by Judge Ketanji Brown Jackson on 7/11/2019. (lckbj3) (Entered: 07/11/2019)
07/11/2019		***Case and documents 1 through 6, 8 through 20, Minute Entries and Orders and 22 Unsealed pursuant to Minute Order filed 7/11/19. Docket entries 7 and 21 will remain under seal. (ztd) (Entered: 07/12/2019)
07/25/2019	<u>23</u>	NOTICE of Filing of Index to Administrative Record by WILLIAM P. BARR, KENNETH T. CUCCINELLI, JENNIFER HIGGINS, KEVIN K. MCALEENAN (Attachments: # <u>1</u> Certified Index to Administrative Record)(Cirino, Paul) (Entered: 07/25/2019)
08/05/2019	<u>24</u>	MOTION to Compel by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA (Attachments: # <u>1</u> Declaration of Justin B. Cox, # <u>2</u> Exhibit Index, # <u>3</u> Exhibit A – Certification of the Administrative Record, # <u>4</u> Exhibit B – Letter from Pls' Counsel dated July 29, 2019, # <u>5</u> Exhibit C – Letter from Pls' Counsel dated July 31, 2019, # <u>6</u> Exhibit D – Emails from Pls' Counsel dated August 1 & 2, 2019, # <u>7</u> Exhibit E – Attachment to Pls' Counsel email of August 1, 2019, # <u>8</u> Exhibit F – Email from Defs' Counsel dated August 2, 2019, # <u>9</u> Text of Proposed Order)(Cox, Justin) (Entered: 08/05/2019)
08/06/2019	<u>25</u>	TRANSCRIPT OF PROCEEDINGS before Judge Ketanji Brown Jackson held on 07/09/2019; Page Numbers: 1–25. Date of Issuance: 08/05/2019. Court Reporter Nancy J. Meyer, Telephone number (202) 354–3118, Tape Number: N/A. Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P>Redaction Request due 8/27/2019. Redacted Transcript Deadline set for 9/6/2019. Release of Transcript Restriction set for 11/4/2019.(Meyer, Nancy) (Entered: 08/06/2019)
08/09/2019	<u>26</u>	NOTICE of Appearance by Steven A. Platt on behalf of All Defendants (Platt, Steven) (Entered: 08/09/2019)
08/12/2019	<u>27</u>	Memorandum in opposition to re <u>24</u> MOTION to Compel filed by WILLIAM P. BARR, KENNETH T. CUCCINELLI, JENNIFER HIGGINS, KEVIN K. MCALEENAN. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Cirino, Paul) (Entered: 08/12/2019)
08/13/2019	<u>28</u>	NOTICE of Appearance– Pro Bono by Maria R. Osornio on behalf of All Plaintiffs (Osornio, Maria) (Entered: 08/13/2019)
08/15/2019	<u>29</u>	CERTIFICATE OF SERVICE by WILLIAM P. BARR, KENNETH T. CUCCINELLI, JENNIFER HIGGINS, KEVIN K. MCALEENAN of Defendants' Motion for Summary Judgment on Plaintiffs. (Platt, Steven) (Entered: 08/15/2019)
08/16/2019	<u>30</u>	REPLY to opposition to motion re <u>24</u> MOTION to Compel filed by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA. (Cox, Justin) (Entered: 08/16/2019)
08/19/2019		MINUTE ORDER. Defendants have served on Plaintiffs an expedited motion for summary judgment in accordance with the Court's <u>22</u> Scheduling Order of 7/10/19, consistent with the procedures set forth in the Court's <u>3</u> General Order and Guidelines Applicable to APA Cases. (See Certificate of Service, ECF No. 29.) Given the expedited nature of these proceedings, as well as the significant public interest in this case, it is hereby ORDERED that the "Batching" requirements contained in Para. 4(a)

		of this <u>3</u> Court's General Order and Guidelines for APA Cases are STRICKEN, and it is FURTHER ORDERED that the parties shall file their summary judgment briefs on the docket individually, on or before the deadlines the Court set in the <u>22</u> Scheduling Order. Having served their summary judgment motion prior to the instant order, Defendants shall promptly file on the docket the motion for summary judgment, memorandum of law, exhibits thereto, and proposed order that were served on Plaintiffs' counsel on August 15, 2019. Signed by Judge Ketanji Brown Jackson on 8/19/2019. (lckbj1) (Entered: 08/19/2019)
08/19/2019	<u>31</u>	MOTION for Summary Judgment by WILLIAM P. BARR, KENNETH T. CUCCINELLI, JENNIFER HIGGINS, KEVIN K. MCALEENAN (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit Index, # <u>3</u> Exhibit A – Order of the Immigration Judge, # <u>4</u> Exhibit B – Order, Grace v. Whitaker, # <u>5</u> Text of Proposed Order)(Platt, Steven) (Entered: 08/19/2019)
08/27/2019	<u>32</u>	MEMORANDUM OPINION AND ORDER denying Plaintiffs' <u>24</u> Motion to Compel. Signed by Judge Ketanji Brown Jackson on 08/27/2019. (lckbj3) (Entered: 08/27/2019)
08/29/2019	<u>33</u>	NOTICE of Appearance by Michael Meriwether Hethmon on behalf of IMMIGRATION REFORM LAW INSTITUTE (Hethmon, Michael) (Main Document 33 replaced on 8/30/2019) (znmw). (Entered: 08/29/2019)
08/29/2019	<u>34</u>	Unopposed MOTION for Leave to File <i>Amicus Curiae Brief</i> by IMMIGRATION REFORM LAW INSTITUTE (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> In Support of Defendants' Motion for Summary Judgment)(Hethmon, Michael) (Entered: 08/29/2019)
08/30/2019		MINUTE ORDER granting <u>34</u> Motion for Leave to File Amicus Curiae brief. Signed by Judge Ketanji Brown Jackson on 08/30/2019. (lckbj1) (Entered: 08/30/2019)
08/30/2019	<u>35</u>	AMICUS BRIEF by IMMIGRATION REFORM LAW INSTITUTE. (jf) (Entered: 09/05/2019)
09/05/2019	<u>36</u>	MOTION for Summary Judgment & <i>Opp'n to Defs.' MSJ</i> by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Exhibit A – Q, # <u>4</u> Text of Proposed Order)(Cox, Justin) (Entered: 09/05/2019)
09/10/2019	<u>37</u>	NOTICE of <i>Combined Corrected Memorandum of Law in Support of Plaintiffs' Cross–Motion and in Opposition to Defendants' Motion for Summary Judgment</i> by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA re <u>36</u> MOTION for Summary Judgment & <i>Opp'n to Defs.' MSJ</i> (Cox, Justin) (Entered: 09/10/2019)
09/10/2019	<u>38</u>	Memorandum in opposition to re <u>31</u> MOTION for Summary Judgment , <u>36</u> MOTION for Summary Judgment & <i>Opp'n to Defs.' MSJ</i> <i>Corrected Combined Memorandum of Law in Support of Plaintiffs' Cross–Motion and in Opposition to Defendants' Motion for Summary Judgment</i> filed by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA. (Cox, Justin) (Entered: 09/10/2019)
09/19/2019	<u>39</u>	MOTION for Leave to File an <i>Amicus Curiae Brief in Support of Plaintiffs' Cross–Motion for Summary Judgment and Opposition to Defendants' Motion for Summary Judgment</i> by TAHIRIH JUSTICE CENTER (Attachments: # <u>1</u> Brief as Amicus Curiae in Support of Plaintiff's Cross–Motion for Summary Judgment, # <u>2</u> Text of Proposed Order)(Thompson, Paul) (Entered: 09/19/2019)
09/19/2019	<u>40</u>	ENTERED IN ERROR.....Unopposed MOTION for Leave to File <i>Amicus Curiae Brief</i> by NATIONAL CITIZENSHIP AND IMMIGRATION SERVICES COUNCIL 119 OF THE AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES (Attachments: # <u>1</u> Exhibit A – Proposed Amicus Brief, # <u>2</u> Exhibit B – Certificate of Corporate Disclosure, # <u>3</u> Text of Proposed Order)(Lacovara, Michael) Modified on 9/20/2019 (jf). (Entered: 09/19/2019)
09/19/2019	<u>41</u>	ENTERED IN ERROR.....NOTICE of Appearance by Michael Lacovara on behalf of NATIONAL CITIZENSHIP AND IMMIGRATION SERVICES COUNCIL 119 OF THE AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES (Lacovara, Michael) Modified on 9/20/2019 (jf). (Entered: 09/19/2019)

09/19/2019	<u>42</u>	Unopposed MOTION for Leave to File <i>Amicus Curiae Brief In Support of Plaintiffs' Opposition To Defendants' Motion For Summary Judgment And Memorandum In Support Thereof</i> by ADVOCATES FOR HUMAN RIGHTS (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Amicus Curiae Brief Of The Advocates For Human Rights In Support Of Plaintiffs And Their Opposition To Defendants' Motion for Summary Judgment)(Tucci, Michael) Modified on 9/20/2019 to reinstate motion (jf). (Entered: 09/19/2019)
09/19/2019	<u>43</u>	NOTICE of Appearance by Michael Edward Tucci on behalf of ADVOCATES FOR HUMAN RIGHTS (Tucci, Michael) (Entered: 09/19/2019)
09/20/2019	<u>44</u>	Unopposed MOTION for Leave to File <i>Amicus Curiae Brief (CORRECTED)</i> by NATIONAL CITIZENSHIP AND IMMIGRATION SERVICES COUNCIL 119 (Attachments: # <u>1</u> Exhibit A – Proposed Amicus Brief, # <u>2</u> Exhibit B – Certificate of Corporate Disclosure, # <u>3</u> Text of Proposed Order)(Lacovara, Michael) (Entered: 09/20/2019)
09/20/2019	<u>45</u>	NOTICE of Appearance by Michael Lacovara on behalf of NATIONAL CITIZENSHIP AND IMMIGRATION SERVICES COUNCIL 119 (Lacovara, Michael) (Entered: 09/20/2019)
09/20/2019		NOTICE OF CORRECTED DOCKET ENTRY: Document No. re <u>40</u> <u>41</u> Unopposed MOTION for Leave to File <i>Amicus Curiae Brief</i> ; <i>NOTICE of Appearance</i> by <i>Michael Lacovara</i> was entered in error at the request of counsel and refiled. (jf) (Entered: 09/20/2019)
09/20/2019		MINUTE ORDER granting <u>44</u> Unopposed Motion for Leave to File Amicus Curiae Brief. Signed by Judge Ketanji Brown Jackson on 9/20/2019. (lckbj1) (Entered: 09/20/2019)
09/20/2019		MINUTE ORDER granting <u>42</u> Consent Motion for Leave to File Amicus Curiae brief. Signed by Judge Ketanji Brown Jackson on 9/20/2019. (lckbj1) (Entered: 09/20/2019)
09/20/2019	<u>46</u>	AMICUS BRIEF by ADVOCATES FOR HUMAN RIGHTS. (znmw) (Entered: 09/26/2019)
09/20/2019	<u>47</u>	AMICUS BRIEF by NATIONAL CITIZENSHIP AND IMMIGRATION SERVICES COUNCIL 119. (znmw) (Entered: 09/26/2019)
09/20/2019	<u>48</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by NATIONAL CITIZENSHIP AND IMMIGRATION SERVICES COUNCIL 119 (znmw) (Entered: 09/26/2019)
09/26/2019	<u>49</u>	Memorandum in opposition to re <u>36</u> MOTION for Summary Judgment & <i>Opp'n to Defs.' MSJ</i> filed by WILLIAM P. BARR, KENNETH T. CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN. (Platt, Steven) (Entered: 09/26/2019)
09/26/2019	<u>50</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by WILLIAM P. BARR, KENNETH T. CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit D, # <u>2</u> Text of Proposed Order)(Platt, Steven) (Entered: 09/26/2019)
09/26/2019	<u>51</u>	SEALED DOCUMENT filed by WILLIAM P. BARR, KENNETH T. CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN re <u>12</u> Order on Sealed Motion for Leave to File Document Under Seal, (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit E)(Platt, Steven) (Entered: 09/26/2019)
09/26/2019	<u>52</u>	MOTION to Strike <u>36</u> MOTION for Summary Judgment & <i>Opp'n to Defs.' MSJ 's 36-2, 36-3</i> by WILLIAM P. BARR, KENNETH T. CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Platt, Steven) (Entered: 09/26/2019)
09/26/2019	<u>53</u>	REPLY re <u>31</u> MOTION for Summary Judgment filed by WILLIAM P. BARR, KENNETH T. CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN. (See Docket Entry <u>49</u> to view document) (jf) (Entered: 09/30/2019)

09/27/2019		MINUTE ORDER granting <u>50</u> Sealed Motion for Leave to File Document Under Seal. Signed by Judge Ketanji Brown Jackson on 9/27/2019. (lckbj1) (Entered: 09/27/2019)
09/27/2019		MINUTE ORDER granting <u>39</u> Motion for Leave to File Amicus Curiae Brief. Signed by Judge Ketanji Brown Jackson on 9/27/2019. (lckbj1) (Entered: 09/27/2019)
09/27/2019	<u>54</u>	SEALED Exhibit D re <u>49</u> Memorandum in Opposition filed by KEVIN K. MCALEENAN, JENNIFER HIGGINS, WILLIAM P. BARR, KENNETH T. CUCCINELLI, II. (This document is SEALED and only available to authorized persons.)(zjf) (Entered: 10/01/2019)
09/27/2019	<u>55</u>	AMICUS BRIEF by TAHIRIH JUSTICE CENTER. (jf) (Entered: 10/01/2019)
10/01/2019	<u>56</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Text of Proposed Order)(Alagesan, Deepa) (Entered: 10/01/2019)
10/03/2019		MINUTE ORDER granting <u>56</u> Sealed Motion for Leave to File Document Under Seal. The Clerk is directed to seal ECF No. 36-3. Signed by Judge Ketanji Brown Jackson on 10/3/2019. (lckbj1) Modified on 10/8/2019, to correct spelling. (zgdf). (Entered: 10/03/2019)
10/03/2019	<u>57</u>	REDACTED DOCUMENT- Corrected Exhibits A-Q to <u>36</u> MOTION for Summary Judgment & <i>Opp'n to Defs.</i> MSJ, <u>38</u> Memorandum in Opposition, (<i>replacing ECF No. 36-3</i>) by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA. (Alagesan, Deepa) (Entered: 10/03/2019)
10/09/2019	<u>58</u>	STATUS REPORT by WILLIAM P. BARR, KENNETH T. CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN (Attachments: # <u>1</u> Exhibit A - September 2019 Lesson Plan)(Platt, Steven) Modified event title on 10/10/2019 (znmw). (Entered: 10/09/2019)
10/10/2019	<u>59</u>	Memorandum in opposition to re <u>52</u> MOTION to Strike <u>36</u> MOTION for Summary Judgment & <i>Opp'n to Defs.</i> MSJ 's 36-2, 36-3 filed by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA. (Attachments: # <u>1</u> Text of Proposed Order)(Alagesan, Deepa) (Entered: 10/10/2019)
10/10/2019	<u>60</u>	REPLY to opposition to motion re <u>36</u> MOTION for Summary Judgment & <i>Opp'n to Defs.</i> MSJ filed by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA. (Cox, Justin) (Entered: 10/10/2019)
10/11/2019	<u>61</u>	ADMINISTRATIVE RECORD APPENDIX by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 10, # <u>10</u> Exhibit 11, # <u>11</u> Exhibit 12, # <u>12</u> Exhibit 14, # <u>13</u> Exhibit 16, # <u>14</u> Exhibit 17, # <u>15</u> Exhibit 18, # <u>16</u> Exhibit 19, # <u>17</u> Exhibit 20, # <u>18</u> Exhibit 21, # <u>19</u> Exhibit 22, # <u>20</u> Exhibit 23, # <u>21</u> Exhibit 24, # <u>22</u> Exhibit 25, # <u>23</u> Exhibit 26, # <u>24</u> Exhibit 27, # <u>25</u> Exhibit 28, # <u>26</u> Exhibit 29)(Alagesan, Deepa) (Entered: 10/11/2019)
10/11/2019	<u>62</u>	MOTION for Leave to File <i>Supplemental Pleading</i> by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA (Attachments: # <u>1</u> Exhibit Index, # <u>2</u> Exhibit 1 - Supplemented First Amended Complaint, # <u>3</u> Exhibit 2 - Redline from First Amended Complaint, # <u>4</u> Text of Proposed Order)(Cox, Justin) (Entered: 10/11/2019)
10/17/2019	<u>63</u>	REPLY to opposition to motion re <u>52</u> MOTION to Strike <u>36</u> MOTION for Summary Judgment & <i>Opp'n to Defs.</i> MSJ 's 36-2, 36-3 filed by WILLIAM P. BARR, KENNETH T. CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN. (Platt, Steven) (Entered: 10/17/2019)
10/17/2019	<u>64</u>	Memorandum in opposition to re <u>62</u> MOTION for Leave to File <i>Supplemental Pleading</i> filed by WILLIAM P. BARR, KENNETH T. CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN. (Platt, Steven) (Entered: 10/17/2019)
10/22/2019		Minute Entry for Motion Hearing held on 10/22/2019 before Judge Ketanji Brown Jackson re <u>36</u> MOTION for Summary Judgment & <i>Opp'n to Defs.</i> MSJ filed by MARIA M. KIAKOMBUA, JULIA, ANA, SOFIA, EMMA. Court heard oral arguments from both parties and will take the motion under advisement. Court Reporter Nancy Meyer. (zjch) (Entered: 10/22/2019)

11/15/2019	<u>65</u>	TRANSCRIPT OF PROCEEDINGS before Judge Ketanji Brown Jackson held on 10/22/2019; Page Numbers: 1–120. Date of Issuance: 11/15/2019. Court Reporter: Nancy J. Meyer, Telephone Number: (202) 354–3118, Tape Number: N/A. Transcripts may be ordered by submitting the <u>Transcript Order Form</u> For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have 21 days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov. Redaction Request due 12/6/2019. Redacted Transcript Deadline set for 12/16/2019. Release of Transcript Restriction set for 2/13/2020.(Meyer, Nancy) (Entered: 11/15/2019)
12/18/2019	<u>66</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA (Attachments: # <u>1</u> Exhibit A – Defs.' Return to Pet. for Habeas Corpus in Mehla v. DHS (S.D. Cal. filed Nov. 25, 2019))(Cox, Justin) (Entered: 12/18/2019)
12/27/2019	<u>67</u>	RESPONSE re <u>66</u> NOTICE OF SUPPLEMENTAL AUTHORITY filed by WILLIAM P. BARR, KENNETH T. CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN. (Platt, Steven) (Entered: 12/27/2019)
01/03/2020		MINUTE ORDER requiring supplemental briefing regarding the issue of severability. It is hereby ORDERED that, on or before 01/27/2020, the parties shall file supplemental briefs of no more than 15 pages addressing the following questions. (1) Does the traditional severability analysis apply to provisions of the Lesson Plan on Credible Fear of Persecution and Torture Determinations? See, e.g., Alaska Airlines, Inc. v. Brock, 480 U.S. 678 (1987). (2) Assuming all of Plaintiffs' nine challenges to the Lesson Plan have merit, can and should all nine provisions be severed from the Lesson Plan document? (3) Assuming only certain provisions of the Lesson Plan are unlawful, is there any challenged provision that is not severable? Signed by Judge Ketanji Brown Jackson on 01/03/2020. (lckbj2) (Entered: 01/03/2020)
01/03/2020		Set/Reset Deadlines: Supplemental brief due by 1/27/2020. (zgdf) (Entered: 01/13/2020)
01/27/2020	<u>68</u>	SUPPLEMENTAL MEMORANDUM to <i>Plaintiffs' Cross–Motion for Summary Judgment (ECF No. 38)</i>, in response to this Court's Order dated Jan. 3, 2020 filed by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA. (Alagesan, Deepa) (Entered: 01/27/2020)
01/27/2020	<u>69</u>	SUPPLEMENTAL MEMORANDUM to re Order,,,, Set Deadlines,,, filed by WILLIAM P. BARR, KENNETH T. CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN. (Platt, Steven) (Entered: 01/27/2020)
03/05/2020		MINUTE ORDER. The pending appeal in Grace v. Barr, No. 19–5013 (D.C. Cir. 2019), presents threshold issues concerning the meaning of various statutory terms under 8 U.S.C. § 1252(e)(3)(A)—such as "implementation," "implement," and "written policy directive, written policy guideline, or written procedure." Because substantially similar questions of law arise in the context of the present dispute, it is hereby ORDERED that the instant matter is STAYED pending the D.C. Circuits decision in Grace. It is FURTHER ORDERED that each party shall file a supplemental memorandum of no more than 10 pages within 14 days of the D.C. Circuits ruling, informing this Court of the import of that decision (if any) on the instant dispute. Signed by Judge Ketanji Brown Jackson on 03/05/2020. (lckbj2) (Entered: 03/05/2020)
03/11/2020		Case Stayed (jag) (Entered: 03/11/2020)

07/07/2020	<u>70</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA (Cox, Justin) (Entered: 07/07/2020)
07/08/2020		MINUTE ORDER. On March 5, 2020, this Court ordered that the instant matter be stayed pending the D.C. Circuit's decision in Grace v. Barr, No. 19-5013 (D.C. Cir. 2019), because both Grace and the instant dispute involve similar threshold issues concerning the meaning of various statutory terms under 8 U.S.C. § 1252(e)(3)(A). (See Minute Order of Mar. 5, 2020.) The Court is in receipt of Plaintiffs' <u>70</u> Notice of Supplemental Authority, which discusses various intervening precedents that, in Plaintiffs' view, bear on the present dispute. (See Notice, ECF No. 70, 1-6.) Although Plaintiffs have asked that this Court reconsider its decision to stay this case, the intervening precedents cited in Plaintiffs' Notice neither resolve nor shed any light upon the particular questions of law that prompted the Court to stay this matter--i.e., the meaning of the "implementation," "implement," "written policy directive," "written policy guideline," or "written procedure" under 8 U.S.C. § 1252(e)(3)(A). Because the appeal in Grace remains pending, and because the D.C. Circuit is likely to resolve issues of law that will bind this Court with respect to the resolution of the instant dispute, it is hereby ORDERED that the instant matter will remain STAYED pending the D.C. Circuit's decision in Grace. It is FURTHER ORDERED that each party shall file a supplemental memorandum of no more than 10 pages within 14 days of the D.C. Circuit's ruling, informing this Court of the import of that decision on the instant dispute. Signed by Judge Ketanji Brown Jackson on 07/08/2020. (lckbj2) (Entered: 07/08/2020)
07/14/2020	<u>71</u>	STRICKEN PURSUANT TO THE MINUTE ORDER FILED ON 7/15/2020.....NOTICE OF SUPPLEMENTAL AUTHORITY by WILLIAM P. BARR, KENNETH THOMAS CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN (Platt, Steven) Modified on 7/17/2020, to strike pleading. (zgd). (Entered: 07/14/2020)
07/15/2020		MINUTE ORDER, striking Defendants' Notice of Supplemental Authority. The instant case is currently stayed pending the D.C. Circuit's decision in Grace v. Barr, No. 19-5013 (D.C. Cir. 2019), pursuant to an Order of the Court that was issued on March 5, 2020. (See Minute Order of Mar. 5, 2020.) On July 7, 2020, Plaintiffs filed a <u>70</u> Notice of Supplemental Authority, which discussed various intervening precedents that, in Plaintiffs' view, bear on the present dispute and warrant reconsideration of this Court's decision to stay the instant matter. (See Notice, ECF No. 70, at 1-6.) On July 8, 2020, this Court declined to reconsider its stay order. (See Minute Order of July 8, 2020.) Defendants have subsequently filed a <u>71</u> Notice of Supplemental Authority and Response to Plaintiffs' Notice of Supplemental Authority, which primarily responds to Plaintiffs' arguments that this Court should reconsider the stay order (see Notice, ECF No. 71, at 2-7), and also briefly discusses a recent ruling that Defendants believe further supports their merits arguments in the instant dispute (see id. at 1-2). Because this Court has already declined Plaintiffs' invitation to lift the stay in this case, and because the parties will have ample opportunity to bring to the Court's attention any intervening authorities that support their respective positions on the merits of the issues in dispute once the D.C. Circuit issues its ruling in Grace and the stay in the instant matter is lifted, it is hereby ORDERED that Defendants' <u>71</u> Notice of Supplemental Authority is STRICKEN, without prejudice to Defendants' ability to re-raise the arguments therein when this Court lifts the stay in the instant matter. Signed by Judge Ketanji Brown Jackson on 07/15/2020. (lckbj2) (Entered: 07/15/2020)
07/22/2020		MINUTE ORDER. The D.C. Circuit has released its opinion in Grace v. Barr, No. 19-5013, 2020 WL 4032652 (D.C. Cir. July 17, 2020). Per this Court's prior Minute Orders (see Minute Order of July 8, 2020; Minute Order of Mar. 5, 2020), the parties' supplemental briefs on the import of the D.C. Circuit's Grace opinion on the instant dispute are due on or before July 31, 2020, and shall be no longer than 10 pages. Additionally, it is hereby ORDERED that the parties may file responsive briefing to their respective supplemental briefs, and that such responses (if any) shall be filed on or before August 7, 2020, and be no longer than 10 pages. In light of the D.C. Circuit's opinion in Grace, it is FURTHER ORDERED that the stay in the instant matter is LIFTED. Signed by Judge Ketanji Brown Jackson on 07/22/2020. (lckbj2) (Entered: 07/22/2020)

07/22/2020		Set/Reset Deadlines: Response due by 8/7/2020. (zgdf) (Entered: 07/24/2020)
07/31/2020	<u>72</u>	SUPPLEMENTAL MEMORANDUM to re Order,,,, Order lifting stay,,, filed by WILLIAM P. BARR, KENNETH THOMAS CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN. (Platt, Steven) (Entered: 07/31/2020)
07/31/2020	<u>73</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA (Attachments: # <u>1</u> Exhibit Index, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Cox, Justin) (Entered: 07/31/2020)
07/31/2020	<u>74</u>	RESPONSE re <u>70</u> NOTICE OF SUPPLEMENTAL AUTHORITY filed by WILLIAM P. BARR, KENNETH THOMAS CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN. (Platt, Steven) (Entered: 07/31/2020)
07/31/2020	<u>75</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by WILLIAM P. BARR, KENNETH THOMAS CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN (Platt, Steven) (Entered: 07/31/2020)
07/31/2020	<u>76</u>	SUPPLEMENTAL MEMORANDUM re Order,,,, Order lifting stay,,, by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA. (Attachments: # <u>1</u> Exhibit Index, # <u>2</u> Exhibit A – Matter of A–B–, # <u>3</u> Exhibit B – USCIS Guidance re Matter of A–B–)(Cox, Justin) Modified event title on 8/4/2020 (znmw). (Entered: 07/31/2020)
08/07/2020	<u>77</u>	RESPONSE re <u>72</u> Supplemental Memorandum filed by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA. (Cox, Justin) (Entered: 08/07/2020)
08/07/2020	<u>78</u>	RESPONSE re <u>76</u> Memorandum, <i>regarding Grace v. Barr</i> filed by WILLIAM P. BARR, KENNETH THOMAS CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN. (Platt, Steven) (Entered: 08/07/2020)
08/07/2020	<u>79</u>	RESPONSE re <u>73</u> NOTICE OF SUPPLEMENTAL AUTHORITY filed by WILLIAM P. BARR, KENNETH THOMAS CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN. (Platt, Steven) (Entered: 08/07/2020)
08/14/2020	<u>80</u>	STATUS REPORT – <i>Defendants' Status Update on Mootness</i> by WILLIAM P. BARR, KENNETH THOMAS CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN (Platt, Steven) Modified event title on 8/18/2020 (znmw). (Entered: 08/14/2020)
08/14/2020	<u>81</u>	SEALED DOCUMENT filed by WILLIAM P. BARR, KENNETH THOMAS CUCCINELLI, II, JENNIFER HIGGINS, KEVIN K. MCALEENAN re <u>12</u> Order on Sealed Motion for Leave to File Document Under Seal, (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Platt, Steven) (Entered: 08/14/2020)
08/26/2020	<u>82</u>	RESPONSE re <u>80</u> Notice (Other) <i>Plaintiffs' Response to Defs.' "Status Update on Mootness"</i> filed by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA. (Cox, Justin) (Entered: 08/26/2020)
10/31/2020		MINUTE ORDER. Plaintiffs filed this action against multiple Defendants, including Kevin McAleenan in his official capacity as Acting Secretary of the Department of Homeland Security. The current Acting Secretary of the Department of Homeland Security, Chad Wolf, in his official capacity, is automatically substituted for his predecessor as Defendant, pursuant to Fed. R. Civ. P. 25(d), and the Clerk's Office is directed to change the case caption accordingly. Signed by Judge Ketanji Brown Jackson on 10/31/2020. (lckbj2) (Entered: 10/31/2020)
10/31/2020		MINUTE ORDER. This Court is in receipt of Plaintiffs' <u>62</u> Motion for Leave to File Supplemental Pleading, which seeks to add supplemental allegations to Plaintiffs' <u>6</u> Amended Complaint. The proposed allegations concern an updated version of the Lesson Plan on Credible Fear of Persecution and Torture, which USCIS has issued since the filing of Plaintiffs' <u>6</u> Amended Complaint in the instant matter. Defendants filed a <u>58</u> Status Report on October 9, 2019, informing this Court that a new version of the Lesson Plan dated April 30, 2019, which is challenged in the instant civil action, was published on September 30, 2019. (See Defs.' Status Report, ECF No. 58.) The September 2019 Lesson Plan continues to display the "April 30, 2019" date (Ex. A to Defs.' Status Report, ECF No. 58–1, at 2), and according to Defendants, "[t]he new, September 2019 Lesson Plan does not meaningfully address or remove any of the

		alleged deficiencies that Plaintiffs challenge in the April 30, 2019, Lesson Plan" (Defs.' Status Report at 2). Defendants generally oppose Plaintiffs' request for leave to supplement their complaint to include allegations concerning the September 2019 Lesson Plan (see Defs.' Mem. in Opp'n to Pls.' Mot. to Supplement, ECF No. 64), but "agree to Plaintiffs' supplemental pleading if the Court would order that it considers Plaintiffs to be challenging only the aspects of the September 2019 Lesson Plan that Plaintiffs have already been challenging in this case" (id. at 3). Therefore, consistent with the parties' agreement, it is hereby ORDERED that Plaintiffs' <u>62</u> Motion for Leave to File Supplemental Pleading is GRANTED, and Plaintiffs' [62-2] Supplemented First Amended Complaint will be considered the operative complaint in the instant matter, but only to the extent that it incorporates the September 2019 version of the Lesson Plan into the <u>6</u> Amended Complaint's challenges concerning the April 2019 Lesson Plan and does not augment or change those challenges. Signed by Judge Ketanji Brown Jackson on 10/31/2020. (lckbj2) (Entered: 10/31/2020)
10/31/2020	<u>83</u>	ORDER granting Plaintiffs' <u>36</u> Motion for Summary Judgment, denying Defendants' <u>31</u> Motion for Summary Judgment, and denying Defendants' <u>52</u> Motion to Strike Evidence Outside of the Administrative Record. Signed by Judge Ketanji Brown Jackson on 10/31/2020. (lckbj2) (Entered: 10/31/2020)
10/31/2020	<u>84</u>	MEMORANDUM OPINION granting Plaintiffs' <u>36</u> Motion for Summary Judgment, denying Defendants' <u>31</u> Motion for Summary Judgment, and denying Defendants' <u>52</u> Motion to Strike Evidence Outside of the Administrative Record. Signed by Judge Ketanji Brown Jackson on 10/31/2020. (lckbj2) (Entered: 10/31/2020)
10/31/2020	<u>85</u>	AMENDED COMPLAINT against All Defendants filed by SOFIA, ANA, MARIA M. KIAKOMBUA, EMMA, JULIA.(zjf) (Entered: 11/08/2020)
11/16/2020	<u>86</u>	MOTION to Clarify re <u>83</u> Order on Motion for Summary Judgment,,, Order on Motion to Strike, <i>Urgent</i> by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA (Attachments: # <u>1</u> Text of Proposed Order)(Cox, Justin) (Entered: 11/16/2020)
11/16/2020		MINUTE ORDER. Plaintiffs' <u>86</u> Urgent Motion to Clarify this Court's October 31, 2020, Order is GRANTED. It is hereby ORDERED that Defendants shall provide Plaintiffs a copy of any notification and/or guidance regarding this Court's <u>83</u> Order or <u>84</u> Memorandum Opinion that Defendants have sent to employees conducting or supervising credible fear interviews. It is FURTHER ORDERED that a telephonic status conference is set for 11/17/2020 at 3:00 PM before Judge Ketanji Brown Jackson. Access information will be sent to counsel by e-mail. Defendants shall be prepared to address the status of the government's good faith efforts to comply with the Court's Order of October 31, 2020, and its communications with Plaintiffs' counsel concerning the required relief. Signed by Judge Ketanji Brown Jackson on 11/16/2020. (lckbj2) (Entered: 11/16/2020)
11/17/2020	<u>87</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by ANA, EMMA, JULIA, MARIA M. KIAKOMBUA, SOFIA (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit A – USCIS guidance to AOs and redacted Sept. 2019 Credible Fear Lesson Plan, # <u>2</u> Text of Proposed Order Granting Pls.' Mot. for Leave to File Document Under Seal Temporarily)(Cox, Justin) (Entered: 11/17/2020)
11/17/2020		Minute Entry for telephonic proceedings held before Judge Ketanji Brown Jackson: Status Conference held on 11/17/2020. Order forthcoming via Chambers. (Court Reporter Nancy Meyer) (zgdf) (Entered: 11/17/2020)
11/17/2020		MINUTE ORDER. The parties appeared before this Court on November 17, 2020, for a telephonic status conference regarding Plaintiffs' <u>86</u> Urgent Motion to Clarify this Court's October 31, 2020, Order. In light of the parties' representations during the status conference, it is hereby ORDERED that Defendants shall notify USCIS employees who are conducting or supervising credible fear interviews that the April 2019 and September 2019 versions of the Lesson Plan are both vacated in their entirety, and that these employees may not rely on any part of either the April 2019 version or the September 2019 version of the Lesson Plan in making credible fear determinations, pursuant to this Court's <u>83</u> Order and <u>84</u> Memorandum Opinion of October 31, 2020. It is FURTHER ORDERED that Defendants shall provide Plaintiffs with a copy of such notification within 72 hours of this Order. To the extent Defendants also wish to file a motion for a protective order regarding any and all

		internal agency communications that are provided to Plaintiffs pursuant to this Order and this Court's order of November 16, 2020, Defendants may file such motion, which shall be no more than 15 pages in length, on or before November 25, 2020. Plaintiffs may file a responsive brief of no more than 15 pages on or before December 4, 2020. Signed by Judge Ketanji Brown Jackson on 11/17/2020. (lckbj2) (Entered: 11/17/2020)
11/20/2020	<u>88</u>	TRANSCRIPT OF PROCEEDINGS before Judge Ketanji Brown Jackson held on 11/17/2020. Page Numbers: 1–33. Date of Issuance: 11/18/2020. Court Reporter: Nancy J. Meyer. Telephone Number: 202–354–3118. Tape Number: N/A. Transcripts may be ordered by submitting the <u>Transcript Order Form</u> For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have 21 days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov. Redaction Request due 12/11/2020. Redacted Transcript Deadline set for 12/21/2020. Release of Transcript Restriction set for 2/18/2021.(Meyer, Nancy) (Entered: 11/20/2020)
11/25/2020	<u>89</u>	NOTICE <i>Regarding Motion for a Protective Order</i> by WILLIAM P. BARR, KENNETH T. CUCCINELLI, II, JENNIFER HIGGINS, CHAD F. WOLF re Order,,,,, Set Deadlines,,,, (Platt, Steven) (Entered: 11/25/2020)
12/15/2020	<u>90</u>	NOTICE OF APPEAL TO DC CIRCUIT COURT by WILLIAM P. BARR, KEVIN K. MCALEENAN, KENNETH T. CUCCINELLI, II, CHAD F. WOLF, JENNIFER HIGGINS. Fee Status: No Fee Paid. Parties have been notified. (Platt, Steven) (Entered: 12/15/2020)
12/15/2020	<u>91</u>	Transmission of the Notice of Appeal, Order Appealed (Memorandum Opinion), and Docket Sheet to US Court of Appeals. The Court of Appeals docketing fee was not paid because the appeal was filed by the government re <u>90</u> Notice of Appeal to DC Circuit Court. (zjf) (Entered: 12/15/2020)
12/17/2020		USCA Case Number 20–5372 for <u>90</u> Notice of Appeal to DC Circuit Court filed by KEVIN K. MCALEENAN, CHAD F. WOLF, JENNIFER HIGGINS, WILLIAM P. BARR, KENNETH T. CUCCINELLI, II. (zrdj) (Entered: 12/17/2020)