

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:20-cv-00116-EGS**

U.T. et al v. BARR et al
Assigned to: Judge Emmet G. Sullivan
Cause: 05:702 Administrative Procedure Act

Date Filed: 01/15/2020
Jury Demand: None
Nature of Suit: 899 Administrative
Procedure Act/Review or Appeal of
Agency Decision
Jurisdiction: U.S. Government Defendant

Plaintiff

U.T.

represented by **Keren Hart Zwick**
NATIONAL IMMIGRANT JUSTICE
CENTER
224 S Michigan Avenue
Suite 600
Chicago, IL 60604
(312) 660-1364
Email: KZwick@heartlandalliance.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Arthur B. Spitzer
AMERICAN CIVIL LIBERTIES UNION
OF THE DISTRICT OF COLUMBIA
915 15th Street, NW
2nd Floor
Washington, DC 20005
(202) 601-4266
Fax: (202) 457-0805
Email: artspitzer@gmail.com
ATTORNEY TO BE NOTICED

Charles G. Roth
NATIONAL IMMIGRANT JUSTICE
CENTER
224 S Michigan Avenue
Suite 600
Chicago, IL 60604
(312) 660-1613
Fax: (312) 660-1505
Email: croth@heartlandalliance.org
ATTORNEY TO BE NOTICED

Gianna Borroto
NATIONAL IMMIGRANT JUSTICE
CENTER
224 S Michigan Avenue
Suite 600
Chicago, IL 60604
(312) 660-1516
Email: GBorroto@heartlandalliance.org
ATTORNEY TO BE NOTICED

Hardy Vieux
HUMAN RIGHTS FIRST
805 15th Street, NW
Suite 900
Washington, DC 20005
(202) 888-7607
Fax: (202) 543-5999

Email: vieuxh@humanrightsfirst.org
ATTORNEY TO BE NOTICED

Katrina Eiland

AMERICAN CIVIL LIBERTIES UNION
Foundation Immigrants' Rights Project
39 Drumm St
San Francisco, CA 94111
(415) 343-0782
Fax: (415) 395-0950
Email: keiland@aclu.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Lee Gelernt

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street
18th Floor
New York, NY 10004
(212) 549-2616
Fax: (212) 549-2654
Email: lgelernt@aclu.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Morgan Russell

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
39 Drumm Street
San Francisco, CA 94111
415-343-0776
Email: irp_mr@aclu.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Omar C. Jadwat

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
Immigrants' Rights Project
125 Broad Street
18th Floor
New York, NY 10004
(212) 549-2620
Fax: (212) 549-2654
Email: ojadwat@aclu.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Patricia Stottlemeyer

HUMAN RIGHTS FIRST
805 15th Street, NW
Suite 900
Washington, DC 20005
(202) 370-3317
Email: StottlemeyerP@humanrightsfirst.org
ATTORNEY TO BE NOTICED

Scott Michelman

AMERICAN CIVIL LIBERTIES UNION
OF THE DISTRICT OF COLUMBIA
915 15th Street, NW
2nd Floor
Washington, DC 20005
(202) 457-0800

Fax: (202) 457-0805
Email: smichelman@acludc.org
ATTORNEY TO BE NOTICED

Plaintiff

E.R.

represented by **Keren Hart Zwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Arthur B. Spitzer
(See above for address)
ATTORNEY TO BE NOTICED

Charles G. Roth
(See above for address)
ATTORNEY TO BE NOTICED

Gianna Borroto
(See above for address)
ATTORNEY TO BE NOTICED

Hardy Vieux
(See above for address)
ATTORNEY TO BE NOTICED

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

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

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

Omar C. Jadwat
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Patricia Stottlemeyer
(See above for address)
ATTORNEY TO BE NOTICED

Scott Michelman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

H.R.

represented by **Keren Hart Zwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Arthur B. Spitzer
(See above for address)
ATTORNEY TO BE NOTICED

Charles G. Roth
(See above for address)
ATTORNEY TO BE NOTICED

Gianna Borroto
(See above for address)
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(See above for address)
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ATTORNEY TO BE NOTICED

Patricia Stottlemeyer
(See above for address)
ATTORNEY TO BE NOTICED

Scott Michelman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

J.R.
by and through his mother

represented by **Keren Hart Zwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Arthur B. Spitzer
(See above for address)
ATTORNEY TO BE NOTICED

Charles G. Roth
(See above for address)
ATTORNEY TO BE NOTICED

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

Patricia Stottlemeyer
(See above for address)
ATTORNEY TO BE NOTICED

Scott Michelman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

M.H.

represented by **Keren Hart Zwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Arthur B. Spitzer
(See above for address)
ATTORNEY TO BE NOTICED

Charles G. Roth
(See above for address)
ATTORNEY TO BE NOTICED

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

Patricia Stottlemeyer
(See above for address)
ATTORNEY TO BE NOTICED

Scott Michelman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

H.D.
by and through his mother

represented by **Keren Hart Zwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Arthur B. Spitzer
(See above for address)
ATTORNEY TO BE NOTICED

Charles G. Roth
(See above for address)
ATTORNEY TO BE NOTICED

Gianna Borroto
(See above for address)
ATTORNEY TO BE NOTICED

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(See above for address)
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ATTORNEY TO BE NOTICED

Omar C. Jadwat
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Patricia Stottlemeyer
(See above for address)
ATTORNEY TO BE NOTICED

Scott Michelman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

TAHIRIH JUSTICE CENTER

represented by

Keren Hart Zwick
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Arthur B. Spitzer
(See above for address)
ATTORNEY TO BE NOTICED

Charles G. Roth
(See above for address)
ATTORNEY TO BE NOTICED

Gianna Borroto
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Patricia Stottlemeyer
(See above for address)
ATTORNEY TO BE NOTICED

Scott Michelman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

**LAS AMERICAS IMMIGRANT
ADVOCACY CENTER**

represented by **Keren Hart Zwick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Arthur B. Spitzer
(See above for address)
ATTORNEY TO BE NOTICED

Charles G. Roth
(See above for address)
ATTORNEY TO BE NOTICED

Gianna Borroto

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

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

Omar C. Jadwat
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Patricia Stottlemeyer
(See above for address)
ATTORNEY TO BE NOTICED

Scott Michelman
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

WILLIAM BARR
Attorney General of the United States, in
his official capacity

represented by **Erez Reuveni**
U.S. DEPARTMENT OF JUSTICE
Civil Division
P.O. Box 868
Ben Franklin Station
Washington, DC 20044
(202) 307-4293
Fax: (202) 305-7000
Email: erez.r.reuveni@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian Christopher Ward
U.S. DEPARTMENT OF JUSTICE
Civil Division
P.O. Box 868
Washington, DC 20044
(202) 616-9121
Email: brian.c.ward@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Erez Reuveni**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Brian Christopher Ward
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

JAMES MCHENRY
*Director of the Executive Office for
Immigration Review, in his official
capacity*

represented by **Erez Reuveni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian Christopher Ward
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**EXECUTIVE OFFICE OF
IMMIGRATION REVIEW**

represented by **Erez Reuveni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian Christopher Ward
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

CHAD F. WOLF
*Acting Secretary of the Department of
Homeland Security, in his official
capacity*

represented by **Erez Reuveni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian Christopher Ward
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

KENNETH T. CUCCINELLI
*Acting Director of U.S. Citizenship and
Immigration Services, in his official
capacity*

represented by **Erez Reuveni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian Christopher Ward
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**U.S. CITIZEN AND IMMIGRATION
SERVICE**

represented by **Erez Reuveni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian Christopher Ward
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

MARK MORGAN
*Acting Commissioner of U.S. Customs
and Border Protection, in his official
capacity*

represented by **Erez Reuveni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian Christopher Ward
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

MATTHEW T. ALBENCE
*Acting Director of Immigration and
Customs Enforcement, in his official
capacity*

represented by **Erez Reuveni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian Christopher Ward
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**U.S. IMMIGRATION AND
CUSTOMS ENFORCEMENT**

represented by **Erez Reuveni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian Christopher Ward
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/15/2020	<u>1</u>	MOTION to Proceed Under Pseudonym by E.R., H.D., H.R., J.R., LAS AMERICAS IMMIGRANT ADVOCACY CENTER, M.H., TAHIRIH JUSTICE CENTER, U.T. (Attachments: # <u>1</u> Text of Proposed Order)(jf) (Entered: 01/15/2020)
01/15/2020	<u>2</u>	ORDER granting <u>1</u> Motion for Leave to Proceed Under Pseudonym. Signed by Chief Judge Beryl A. Howell on 01/15/2020. (See Order for Full Detail) (jf) (Entered: 01/15/2020)
01/15/2020	<u>3</u>	COMPLAINT against MATTHEW T. ALBENCE, WILLIAM BARR, KENNETH T. CUCCINELLI, EXECUTIVE OFFICE OF IMMIGRATION REVIEW, JAMES MCHENRY, MARK MORGAN, U.S. CITIZEN AND IMMIGRATION SERVICE, U.S. DEPARTMENT OF JUSTICE, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, CHAD F. WOLF (Filing fee \$ 400, receipt number 4616102109) filed by H.D., U.T., M.H., E.R., LAS AMERICAS IMMIGRANT ADVOCACY CENTER, TAHIRIH JUSTICE CENTER, H.R., J.R. (Attachments: # <u>1</u> Civil Cover Sheet)(zjf) (Entered: 01/15/2020)
01/15/2020	<u>4</u>	SEALED Declarations re <u>3</u> Complaint, filed by H.D., M.H., H.R., LAS AMERICAS IMMIGRANT ADVOCACY CENTER, TAHIRIH JUSTICE CENTER, U.T., E.R., J.R. (This document is SEALED and only available to authorized persons.)(zjf) (Entered: 01/15/2020)
01/15/2020		MINUTE ORDER. The Court, sua sponte, schedules a status conference for January 16, 2020 at 1:30 PM in Courtroom 24A. Plaintiffs are HEREBY DIRECTED to contact FORTHWITH the United States Attorney's Office for the District of Columbia and/or the United States Department of Homeland Security as appropriate to identify government counsel. Signed by Judge Emmet G. Sullivan on 1/15/2020. (lcegs3) (Entered: 01/15/2020)
01/15/2020	<u>5</u>	NOTICE of Appearance by Scott Michelman on behalf of All Plaintiffs (Michelman, Scott) (Entered: 01/15/2020)
01/15/2020		SUMMONS (13) Issued as to All Defendants, U.S. Attorney and U.S. Attorney General (jf) (Entered: 01/17/2020)
01/16/2020		Set/Reset Hearings: Status Conference set for 1/16/2020 at 1:30 PM in Courtroom 24A before Judge Emmet G. Sullivan. (mac) (Entered: 01/16/2020)

01/16/2020	<u>6</u>	NOTICE of Appearance– Pro Bono by Charles G. Roth on behalf of All Plaintiffs (Roth, Charles) (Entered: 01/16/2020)
01/16/2020	<u>7</u>	NOTICE of Appearance– Pro Bono by Gianna Borroto on behalf of All Plaintiffs (Borroto, Gianna) (Entered: 01/16/2020)
01/16/2020	<u>8</u>	NOTICE of Certification Pursuant to LCvR 83.2(g) – – Mark Fleming by E.R., H.D., H.R., J.R., LAS AMERICAS IMMIGRANT ADVOCACY CENTER, M.H., TAHIRIH JUSTICE CENTER, U.T. (Borroto, Gianna) (Entered: 01/16/2020)
01/16/2020	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 1/16/2020. Answer due for ALL FEDERAL DEFENDANTS by 3/16/2020. (Zwick, Keren) (Entered: 01/16/2020)
01/16/2020		Minute Entry for proceedings held before Judge Emmet G. Sullivan: Status Conference held on 1/16/2020. Per Reasons Stated On The Record, The Court Will Refer This Case To The Calendar Committee For Case Reassignment. (Court Reporter NANCY MEYER.) (mac) (Entered: 01/16/2020)
01/17/2020	<u>10</u>	NOTICE of Appearance by Erez Reuveni on behalf of All Defendants (Reuveni, Erez) (Entered: 01/17/2020)
01/21/2020		MINUTE ORDER. At the January 16, 2020 status conference, the Court informed the parties that because Plaintiffs' counsel stated that a Temporary Restraining Order or Motion for Preliminary Injunction would not be filed, Clerk of Court procedures required the case to be returned to the Calendar Committee for random reassignment. The Court subsequently learned that it was provided with inaccurate information about Clerk of Court procedures. Accordingly, the case will remain assigned to this Court. The parties are ordered to submit, by no later than January 24, 2020, a joint recommendation for further proceedings. Signed by Judge Emmet G. Sullivan on 1/21/2020. (lcegs3) (Entered: 01/21/2020)
01/21/2020		Set/Reset Deadlines: Joint Recommendation due by 1/24/2020. (mac) (Entered: 01/21/2020)
01/22/2020	<u>11</u>	NOTICE of Appearance by Arthur B. Spitzer on behalf of All Plaintiffs (Spitzer, Arthur) (Entered: 01/22/2020)
01/23/2020	<u>12</u>	STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 01/23/20. (Attachment: Exhibit 1) (mac) (Entered: 01/23/2020)
01/23/2020	<u>13</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Katrina Eiland, Filing fee \$ 100, receipt number ADCDC–6760596. Fee Status: Fee Paid. by E.R., H.D., H.R., J.R., LAS AMERICAS IMMIGRANT ADVOCACY CENTER, M.H., TAHIRIH JUSTICE CENTER, U.T. (Zwick, Keren) (Entered: 01/23/2020)
01/23/2020	<u>14</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Omar Jadwat, Filing fee \$ 100, receipt number ADCDC–6760625. Fee Status: Fee Paid. by E.R., H.D., H.R., J.R., LAS AMERICAS IMMIGRANT ADVOCACY CENTER, M.H., TAHIRIH JUSTICE CENTER, U.T. (Zwick, Keren) (Entered: 01/23/2020)
01/23/2020	<u>15</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Morgan Russell, Filing fee \$ 100, receipt number ADCDC–6760697. Fee Status: Fee Paid. by E.R., H.D., H.R., J.R., LAS AMERICAS IMMIGRANT ADVOCACY CENTER, M.H., TAHIRIH JUSTICE CENTER, U.T. (Zwick, Keren) (Entered: 01/23/2020)
01/23/2020	<u>16</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Lee Gelernt, Filing fee \$ 100, receipt number ADCDC–6760919. Fee Status: Fee Paid. by E.R., H.D., H.R., J.R., LAS AMERICAS IMMIGRANT ADVOCACY CENTER, M.H., TAHIRIH JUSTICE CENTER, U.T. (Zwick, Keren) (Entered: 01/23/2020)
01/24/2020		MINUTE ORDER granting <u>13</u> Motion for Leave to Appear Pro Hac Vice. Attorney Katrina Eiland is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Emmet G. Sullivan on

		1/24/2020. (lcegs3) (Entered: 01/24/2020)
01/24/2020		MINUTE ORDER granting <u>14</u> Motion for Leave to Appear Pro Hac Vice. Attorney Omar Cassim Jadwat is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Emmet G. Sullivan on 1/24/2020. (lcegs3) Modified on 1/24/2020 (lcegs3). (Entered: 01/24/2020)
01/24/2020		MINUTE ORDER granting <u>15</u> Motion for Leave to Appear Pro Hac Vice. Attorney Morgan Russell is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Emmet G. Sullivan on 1/24/2020. (lcegs3) (Entered: 01/24/2020)
01/24/2020		MINUTE ORDER granting <u>16</u> Motion for Leave to Appear Pro Hac Vice. Attorney Lee Gelernt is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Emmet G. Sullivan on 1/24/2020. (lcegs3) (Entered: 01/24/2020)
01/24/2020	<u>17</u>	NOTICE of Appearance by Hardy Vieux on behalf of All Plaintiffs (Vieux, Hardy) (Entered: 01/24/2020)
01/24/2020	<u>18</u>	NOTICE of Appearance by Patricia Stottlemeyer on behalf of All Plaintiffs (Stottlemeyer, Patricia) (Entered: 01/24/2020)
01/24/2020	<u>19</u>	RESPONSE TO ORDER OF THE COURT re Order,, (<i>joint scheduling proposal</i>) filed by MATTHEW T. ALBENCE, WILLIAM BARR, KENNETH T. CUCCINELLI, EXECUTIVE OFFICE OF IMMIGRATION REVIEW, JAMES MCHENRY, MARK MORGAN, U.S. CITIZEN AND IMMIGRATION SERVICE, U.S. DEPARTMENT OF JUSTICE, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, CHAD F. WOLF. (Reuveni, Erez) (Entered: 01/24/2020)
01/24/2020	<u>20</u>	NOTICE of Appearance by Katrina Eiland on behalf of All Plaintiffs (Eiland, Katrina) (Entered: 01/24/2020)
01/24/2020	<u>21</u>	NOTICE of Appearance by Omar C. Jadwat on behalf of All Plaintiffs (Jadwat, Omar) (Entered: 01/24/2020)
01/24/2020	<u>22</u>	NOTICE of Appearance by Lee Gelernt on behalf of All Plaintiffs (Gelernt, Lee) (Entered: 01/24/2020)
01/27/2020		MINUTE ORDER. In view of the parties' <u>19</u> Response to Order of the Court, the parties shall adhere to the following schedule: (1) Defendants shall produce the Administrative Record by no later than February 13, 2020; (2) Plaintiffs shall file their motion for summary judgment, which shall not exceed 45 pages, by no later than February 28, 2020; (3) any motions seeking leave to file an amicus curiae brief in support of Plaintiffs shall be filed by no later than March 6, 2020; (4) Defendants shall file their cross-motion for summary judgment and opposition, which shall not exceed 65 pages, by no later than March 25, 2020; (5) any motions seeking leave to file an amicus curiae brief in support of Defendants shall be filed by no later than April 1, 2020; (6) Plaintiffs shall file their opposition and reply, which shall not exceed 45 pages, by no later than April 10, 2020; and (7) Defendants shall file their reply, which shall not exceed 25 pages, by no later than April 29, 2020. It is FURTHER ORDERED that the parties shall adhere to the following deadlines to resolve any disputes concerning the Administrative Record: (1) Plaintiffs shall lodge any written objections to the Administrative Record to Defendants by no later than February 19, 2020; (2) the parties shall meet and confer to attempt to resolve any dispute by no later than February 20, 2020; and (3) if any disputes exist and remain unresolved, the parties shall file a joint status report by no later than February 24, 2020, concerning how to proceed, including what disputes remain, what briefing may be necessary to resolve those disputes, a schedule for that briefing, and the parties' positions on whether the dispute necessitates resolving the record disputes before merits briefing occurs. Signed by Judge Emmet G. Sullivan on 1/27/2020. (lcegs3) (Entered: 01/27/2020)
01/27/2020		MINUTE ORDER GOVERNING THE FILING OF AMICUS CURIAE BRIEFS. Any party seeking leave of the Court to file an amicus curiae brief in this case must

		comply with the rules and procedures set forth in this Order and Local Civil Rule 7(o). See LCvR 7(o). Pursuant to Local Civil Rule 7(o), an attorney seeking to file an amicus curiae brief shall attach the brief as an exhibit to the motion seeking leave to file the brief, which shall be filed in accordance with the Scheduling Order entered in this case. The motion seeking leave to file the amicus curiae brief shall identify the pending motion to which the proposed amicus curiae brief relates. Non-members of this Court's Bar seeking leave to file an amicus curiae brief shall comply with the applicable provisions of Local Civil Rule 83.2. See LCvR 83.2. Signed by Judge Emmet G. Sullivan on 1/27/2020. (lcegs3) (Entered: 01/27/2020)
01/28/2020		Set/Reset Deadlines: Defendants To Produce Administrative Record due by 2/13/2020. Plaintiff Motion For Summary Judgment due by 2/28/2020. Motions Seeking Leave To File An Amicus Curiae Brief In Support Of Plaintiffs due by 3/6/2020. Defendants Cross- Motion For Summary Judgment And Opposition due by 3/25/2020. Motions Seeking Leave To File An Amicus Curiae Brief In Support Of Defendants due by 4/1/2020. Plaintiffs Opposition And Reply due by 4/10/2020. Defendants Reply due by 4/29/2020. Plaintiffs To Lodge Any Written Objections To The Administrative Record To Defendants due by 2/19/2020. Parties Meet and Confer Conference due by 2/20/2020. Joint Status Report due by 2/24/2020. (mac) (Entered: 01/28/2020)
01/28/2020	<u>23</u>	NOTICE of Appearance by Brian Christopher Ward on behalf of All Defendants (Ward, Brian) (Entered: 01/28/2020)
02/03/2020	<u>24</u>	NOTICE of Appearance by Morgan Russell on behalf of All Plaintiffs (Russell, Morgan) (Entered: 02/03/2020)
02/05/2020	<u>25</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 1/28/2020. (Eiland, Katrina) (Entered: 02/05/2020)
02/05/2020	<u>26</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. MATTHEW T. ALBENCE served on 1/27/2020; KENNETH T. CUCCINELLI served on 1/27/2020; EXECUTIVE OFFICE OF IMMIGRATION REVIEW served on 1/28/2020; JAMES MCHENRY served on 1/27/2020; MARK MORGAN served on 1/27/2020; U.S. CITIZEN AND IMMIGRATION SERVICE served on 1/27/2020; U.S. DEPARTMENT OF JUSTICE served on 1/30/2020; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT served on 1/27/2020; CHAD F. WOLF served on 1/27/2020 (Eiland, Katrina) (Entered: 02/05/2020)
02/07/2020		MINUTE ORDER. The Court has learned that the petitioners in H G-M, et al. v. Alex M. Azar II et al., Civil Action No. 7:20-cv-00010 (S.D. Tex.) (the "Southern District of Texas Action") challenge the removal procedures for asylum-seekers in accordance with the "Agreement Between the Government of the United States of America and the Government of the Republic of Guatemala on Cooperation Regarding the Examination of Protection Claims." Under the Local Civil Rules, civil cases can be deemed related when they involve common issues of fact or grow out of the same event or transaction. See LCvR 40.5(a)(3). The parties are directed to file a joint submission by no later than February 12, 2020, addressing the following issues: (1) whether the Southern District of Texas Action is related to this case within the meaning of the applicable Local Civil Rules; and (2) whether the parties should submit a Notice of Designation of Related Case pursuant to Local Civil Rule 40.5(b). Signed by Judge Emmet G. Sullivan on 2/7/2020. (lcegs3) (Entered: 02/07/2020)
02/07/2020		Set/Reset Deadlines: Joint Submission due by 2/12/2020. (mac) (Entered: 02/07/2020)
02/07/2020		MINUTE ORDER. The Court has been informed that H G-M, et al. v. Alex M. Azar II et al., Civil Action No. 7:20-cv-00010 (S.D. Tex.) will proceed in the Southern District of Texas with the approval of the Honorable Ricardo H. Hinojosa of the United States District Court for the Southern District of Texas. The Court's Minute Order of February 7, 2020, directing the parties to file the joint submission is hereby VACATED. Signed by Judge Emmet G. Sullivan on 2/7/2020. (lcegs3) (Entered: 02/07/2020)
02/10/2020	<u>27</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Annie Daher, Filing fee \$ 100, receipt number ADCDC-6815374. Fee Status: Fee Paid. by E.R., H.D., H.R., J.R., LAS AMERICAS IMMIGRANT ADVOCACY CENTER, M.H., TAHIRIH JUSTICE CENTER, U.T. (Zwick, Keren) (Entered: 02/10/2020)

02/10/2020	<u>28</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Blaine Bookey, Filing fee \$ 100, receipt number ADCDC-6815458. Fee Status: Fee Paid. by E.R., H.D., H.R., J.R., LAS AMERICAS IMMIGRANT ADVOCACY CENTER, M.H., TAHIRIH JUSTICE CENTER, U.T. (Zwick, Keren) (Entered: 02/10/2020)
02/10/2020	<u>29</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Karen Musalo, Filing fee \$ 100, receipt number ADCDC-6815489. Fee Status: Fee Paid. by E.R., H.D., H.R., J.R., LAS AMERICAS IMMIGRANT ADVOCACY CENTER, M.H., TAHIRIH JUSTICE CENTER, U.T. (Zwick, Keren) (Entered: 02/10/2020)
02/10/2020	<u>30</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Sayoni Maitra, Filing fee \$ 100, receipt number ADCDC-6815503. Fee Status: Fee Paid. by E.R., H.D., H.R., J.R., LAS AMERICAS IMMIGRANT ADVOCACY CENTER, M.H., TAHIRIH JUSTICE CENTER, U.T. (Zwick, Keren) (Entered: 02/10/2020)
02/10/2020		MINUTE ORDER granting <u>27</u> Motion for Leave to Appear Pro Hac Vice. Attorney Annie P. Daher is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Emmet G. Sullivan on 2/10/2020. (lcegs3) (Entered: 02/10/2020)
02/10/2020		MINUTE ORDER granting <u>28</u> Motion for Leave to Appear Pro Hac Vice. Attorney Blaine M. Bookey is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Emmet G. Sullivan on 2/10/2020. (lcegs3) (Entered: 02/10/2020)
02/10/2020		MINUTE ORDER granting <u>29</u> Motion for Leave to Appear Pro Hac Vice. Attorney Karen B. Musalo is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Emmet G. Sullivan on 2/10/2020. (lcegs3) (Entered: 02/10/2020)
02/10/2020		MINUTE ORDER granting <u>30</u> Motion for Leave to Appear Pro Hac Vice. Attorney Sayoni Maitra is hereby admitted pro hac vice to appear in this matter. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Emmet G. Sullivan on 2/10/2020. (lcegs3) (Entered: 02/10/2020)