

**U.S. District Court
District of Maryland (Baltimore)
CIVIL DOCKET FOR CASE #: 1:20-cv-01838-CCB**

Defy Ventures, Inc. et al v. United States Small Business
Administration et al

Assigned to: Judge Catherine C. Blake

Related Case: 1:20-cv-01736-CCB

Cause: 05:551 Administrative Procedures Act

Date Filed: 06/16/2020

Jury Demand: None

Nature of Suit: 899 Other Statutes:

Administrative Procedures Act/Review or

Appeal of Agency Decision

Jurisdiction: U.S. Government Defendant

Plaintiff

Defy Ventures, Inc.

represented by **Kali Bracey**
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Plaintiff

Sekwan Merritt

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Robert Niles-Weed
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Zachary D Tripp
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PRO HAC VICE
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Plaintiff

Prop Prep Properties, LLC
doing business as
Lightning Electric

represented by **Kali Bracey**
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Plaintiff

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Plaintiff

Sign Me Up Bethpage, Inc.
doing business as
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represented by **Kali Bracey**
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ATTORNEY TO BE NOTICED

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V.

Defendant

**United States Small Business
Administration**

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ATTORNEY TO BE NOTICED

Defendant

Jovita Carranza
in her official capacity as Administrator,
U.S. Small Business Administration

represented by **James Jordan Gilligan**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Indraneel Sur
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ATTORNEY TO BE NOTICED

Defendant

**United States Department of the
Treasury**

represented by **James Jordan Gilligan**
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Jacob D Alderdice

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Defendant

Steven Mnuchin
in his official capacity as Secretary, U.S.
Department of the Treasury

represented by **James Jordan Gilligan**
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Date Filed	#	Docket Text
06/16/2020	<u>1</u>	COMPLAINT against Jovita Carranza, Steven Mnuchin, United States Department of the Treasury, United States Small Business Administration (Filing fee \$ 400 receipt number 0416-8704711.), filed by Sekwan Merritt, John D. Garland, Defy Ventures, Inc., Sign Me Up Bethpage, Inc., Prop Prep Properties, LLC. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Index of Exhibits, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit B-1, # <u>6</u> Exhibit B-2, # <u>7</u> Exhibit B-3, # <u>8</u> Exhibit C, # <u>9</u> Exhibit D, # <u>10</u> Exhibit D-1, # <u>11</u> Exhibit E, # <u>12</u> Exhibit F, # <u>13</u> Exhibit G, # <u>14</u> Exhibit H, # <u>15</u> Exhibit I, # <u>16</u> Exhibit J, # <u>17</u> Exhibit K, # <u>18</u> Exhibit L, # <u>19</u> Exhibit M, # <u>20</u> Exhibit N, # <u>21</u> Exhibit O, # <u>22</u> Summons, # <u>23</u> Summons, # <u>24</u> Summons, # <u>25</u> Summons, # <u>26</u> Summons, # <u>27</u> Summons)(Bracey, Kali) (Entered: 06/16/2020)
06/16/2020	<u>2</u>	Emergency MOTION for Preliminary Injunction by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Order)(Bracey, Kali) (Entered: 06/16/2020)
06/16/2020	<u>3</u>	Local Rule 103.3 Disclosure Statement by Defy Ventures, Inc. identifying Other Affiliate Defy Ventures Colorado, Inc., Other Affiliate Defy Ventures Washington, Inc. for Defy Ventures, Inc..(Bracey, Kali) (Entered: 06/16/2020)
06/16/2020	<u>4</u>	Local Rule 103.3 Disclosure Statement by Sign Me Up Bethpage, Inc. identifying Corporate Parent Clic Clix Media Group, LLC for Sign Me Up Bethpage, Inc..(Bracey, Kali) (Entered: 06/16/2020)
06/16/2020	<u>5</u>	Local Rule 103.3 Disclosure Statement by Prop Prep Properties, LLC (Bracey, Kali) (Entered: 06/16/2020)
06/16/2020	<u>6</u>	MOTION to Appear Pro Hac Vice for ReNika C. Moore (Filing fee \$100, receipt number 0416-8704960.) by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc.(Bracey, Kali) (Entered: 06/16/2020)
06/16/2020	<u>7</u>	MOTION to Appear Pro Hac Vice for Alejandro A. Ortiz (Filing fee \$100, receipt number 0416-8704990.) by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc.(Bracey, Kali) (Entered: 06/16/2020)
06/16/2020	<u>8</u>	MOTION to Appear Pro Hac Vice for Claudia De Palma (Filing fee \$100, receipt number 0416-8705016.) by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc.(Bracey, Kali) (Entered: 06/16/2020)
06/16/2020	<u>9</u>	MOTION to Appear Pro Hac Vice for Elizabeth B. Deutsch (Filing fee \$100, receipt number 0416-8705025.) by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc.(Bracey, Kali) (Entered: 06/16/2020)
06/16/2020	<u>10</u>	MOTION to Appear Pro Hac Vice for Jacob D. Alderdice (Filing fee \$100, receipt number 0416-8705039.) by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc.(Bracey, Kali) (Entered: 06/16/2020)

		06/16/2020)
06/16/2020	<u>11</u>	MOTION to Appear Pro Hac Vice for Robert B. Niles-Wee (Filing fee \$100, receipt number 0416-8705049.) by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc.(Bracey, Kali) (Entered: 06/16/2020)
06/16/2020	<u>12</u>	MOTION to Appear Pro Hac Vice for Zachary D. Tripp (Filing fee \$100, receipt number 0416-8705064.) by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc.(Bracey, Kali) (Entered: 06/16/2020)
06/16/2020	<u>13</u>	MOTION to Appear Pro Hac Vice for Jennesa Calvo-Friedman (Filing fee \$100, receipt number 0416-8705073.) by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc.(Bracey, Kali) (Entered: 06/16/2020)
06/16/2020	<u>14</u>	Summons Issued 60 days as to Jovita Carranza, Steven Mnuchin, United States Department of the Treasury, United States Small Business Administration, U.S. Attorney and U.S. Attorney General(ds3, Deputy Clerk) (Entered: 06/16/2020)
06/16/2020	<u>15</u>	MOTION to Expedite <i>Briefing Schedule on Emergency Motion for a Preliminary Injunction</i> by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc. (Attachments: # <u>1</u> Proposed Order)(Bracey, Kali) (Entered: 06/16/2020)
06/17/2020	<u>16</u>	NOTICE by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc. re <u>1</u> Complaint,, / <i>Exhibit C-1 to Complaint</i> (Bracey, Kali) (Entered: 06/17/2020)
06/18/2020	<u>17</u>	RESPONSE in Opposition re <u>15</u> MOTION to Expedite <i>Briefing Schedule on Emergency Motion for a Preliminary Injunction</i> filed by Jovita Carranza, Steven Mnuchin, United States Department of the Treasury, United States Small Business Administration.(Lazerow, Alan) (Entered: 06/18/2020)
06/18/2020	18	PAPERLESS ORDER granting <u>6</u> Motion to Appear Pro Hac Vice on behalf of ReNika Moore. Directing attorney ReNika Moore to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 6/18/2020. (srds, Deputy Clerk) (Entered: 06/18/2020)
06/18/2020	19	PAPERLESS ORDER granting <u>7</u> Motion to Appear Pro Hac Vice on behalf of Alejandro A Ortiz. Directing attorney Alejandro A Ortiz to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 6/18/2020. (srds, Deputy Clerk) (Entered: 06/18/2020)
06/18/2020	20	PAPERLESS ORDER granting <u>8</u> Motion to Appear Pro Hac Vice on behalf of Claudia De Palma. Directing attorney Claudia De Palma to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 6/18/2020. (srds, Deputy Clerk) (Entered: 06/18/2020)
06/18/2020	21	PAPERLESS ORDER granting <u>9</u> Motion to Appear Pro Hac Vice on behalf of Elizabeth Deutsch. Directing attorney Elizabeth Deutsch to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 6/18/2020. (srds, Deputy Clerk) (Entered: 06/18/2020)
06/18/2020	22	PAPERLESS ORDER granting <u>10</u> Motion to Appear Pro Hac Vice on behalf of Jacob Alderdice. Directing attorney Jacob Alderdice to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 6/18/2020. (srds, Deputy Clerk) (Entered: 06/18/2020)
06/18/2020	23	PAPERLESS ORDER granting <u>11</u> Motion to Appear Pro Hac Vice on behalf of Robert Niles-Weed. Directing attorney Robert Niles-Weed to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 6/18/2020. (srds, Deputy Clerk) (Entered: 06/18/2020)
06/18/2020	24	PAPERLESS ORDER granting <u>12</u> Motion to Appear Pro Hac Vice on behalf of Zachary D Tripp. Directing attorney Zachary D Tripp to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on

		6/18/2020. (srds, Deputy Clerk) (Entered: 06/18/2020)
06/18/2020	<u>25</u>	PAPERLESS ORDER granting <u>13</u> Motion to Appear Pro Hac Vice on behalf of Jennesa Calvo Friedman. Directing attorney Jennesa Calvo Friedman to use the attorney's existing CM/ECF login and password previously issued in this Court. The account password can be reset at http://www.mdd.uscourts.gov/electronic-case-filing-password-reset . Signed by Clerk on 6/18/2020. (srds, Deputy Clerk) (Entered: 06/18/2020)
06/18/2020		Telephone Conference held on 6/18/2020 before Judge Catherine C. Blake. (kams, Deputy Clerk) (Entered: 06/29/2020)
06/19/2020	<u>26</u>	MOTION to Appear Pro Hac Vice for Lauren E. Morris (Filing fee \$100, receipt number 0416-8711569.) by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc.(Bracey, Kali) (Entered: 06/19/2020)
06/19/2020	<u>27</u>	ORDER confirming the results of the conference call held on 6/18/2020; granting <u>15</u> Motion to Expedite Briefing Schedule, to the extent that the defendants' response to the motions for preliminary injunction is due 6/24/2020. Signed by Judge Catherine C. Blake on 6/19/2020. (krs, Deputy Clerk) (Entered: 06/19/2020)
06/23/2020	<u>28</u>	PAPERLESS ORDER granting <u>26</u> Motion to Appear Pro Hac Vice on behalf of Lauren Morris. Directing attorney Lauren Morris to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 6/23/2020. (srds, Deputy Clerk) (Entered: 06/23/2020)
06/24/2020	<u>29</u>	RESPONSE in Opposition re <u>2</u> Emergency MOTION for Preliminary Injunction (<i>Defendants' Opposition to Plaintiffs' Motions for Temporary Restraining Order and Preliminary Injunctions</i>) filed by Jovita Carranza, Steven Mnuchin, United States Department of the Treasury, United States Small Business Administration. (Attachments: # <u>1</u> Affidavit (Declaration of John A. Miller), # <u>2</u> Affidavit (Declaration of James J. Gilligan))(Gilligan, James) (Entered: 06/24/2020)
06/24/2020	<u>30</u>	MOTION for Leave to File Excess Pages (<i>Defendants Motion For Leave To File Excess Pages In Opposition To Plaintiffs Motions For Temporary Restraining Orders Or Preliminary Injunctions</i>) by Jovita Carranza, Steven Mnuchin, United States Department of the Treasury, United States Small Business Administration(Gilligan, James) (Entered: 06/24/2020)
06/25/2020	<u>31</u>	NOTICE of Appearance by Indraneel Sur on behalf of All Defendants Associated Cases: 1:20-cv-01838-CCB, 1:20-cv-01736-CCB(Sur, Indraneel) (Entered: 06/25/2020)
06/25/2020	<u>32</u>	NOTICE by Small Business Administration re (29 in 1:20-cv-01838-CCB) Response in Opposition to Motion, (10 in 1:20-cv-01736-CCB) Response in Opposition to Motion, <i>of Supplemental Authority</i> (Attachments: # <u>1</u> Attachment Decision in Civil Action ELH-20-1324)Associated Cases: 1:20-cv-01838-CCB, 1:20-cv-01736-CCB(Sur, Indraneel) (Entered: 06/25/2020)
06/25/2020	<u>33</u>	NOTICE by Small Business Administration re (29 in 1:20-cv-01838-CCB) Response in Opposition to Motion, (10 in 1:20-cv-01736-CCB) Response in Opposition to Motion, <i>of Errata with Corrected Brief</i> (Attachments: # <u>1</u> Errata SBA Redline Corr. Opp.)Associated Cases: 1:20-cv-01838-CCB, 1:20-cv-01736-CCB(Sur, Indraneel) (Entered: 06/25/2020)
06/25/2020	<u>34</u>	REPLY to Response to Motion re <u>2</u> Emergency MOTION for Preliminary Injunction – <i>Plaintiffs' Reply Memorandum in Support of Emergency Motion for Preliminary Injunction</i> filed by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc.. (Attachments: # <u>1</u> Declaration of Afraz Khan, # <u>2</u> Exhibit 1 to Khan Declaration, # <u>3</u> Exhibit 2 to Khan Declaration, # <u>4</u> Exhibit 3 to Khan Declaration, # <u>5</u> Exhibit 4 to Khan Declaration, # <u>6</u> Exhibit 5 to Khan Declaration, # <u>7</u> Exhibit 6 to Khan Declaration, # <u>8</u> Supplemental Declaration of Andrew Glazier, # <u>9</u> Exhibit 1 to Glazier Supp. Declaration, # <u>10</u> Supplemental Declaration of Sekwan Merritt, # <u>11</u> Exhibit 1 to Merritt Supp. Declaration, # <u>12</u> Supplemental Declaration of John D. Garland, # <u>13</u> Exhibit 1 to Garland Supp. Declaration, # <u>14</u> Exhibit 2 to Garland Supp. Declaration, # <u>15</u> Exhibit 3 to Garland

		Supp. Declaration)(Bracey, Kali) (Entered: 06/25/2020)
06/26/2020	<u>35</u>	NOTICE of Appearance by Joanna Karolina Wasik on behalf of All Plaintiffs (Wasik, Joanna) (Entered: 06/26/2020)
06/26/2020	<u>36</u>	NOTICE by Small Business Administration re (29 in 1:20-cv-01838-CCB) Response in Opposition to Motion, (10 in 1:20-cv-01736-CCB) Response in Opposition to Motion, <i>of Supplemental Authority</i> (Attachments: # <u>1</u> Attachment Decision in WDNY No. 20cv665)Associated Cases: 1:20-cv-01838-CCB, 1:20-cv-01736-CCB(Sur, Indraneel) (Entered: 06/26/2020)
06/27/2020	<u>37</u>	NOTICE by Jovita Carranza, Steven Mnuchin, Small Business Administration, The United States of America, Jovita Carranza, Steven Mnuchin, United States Department of the Treasury, United States Small Business Administration re (34 in 1:20-cv-01838-CCB) Reply to Response to Motion,,, (15 in 1:20-cv-01736-CCB) Reply to Response to Motion (<i>Defendants' Notice of Filing</i>) Associated Cases: 1:20-cv-01736-CCB, 1:20-cv-01838-CCB(Gilligan, James) (Entered: 06/27/2020)
06/29/2020	<u>38</u>	NOTICE by Defy Ventures, Inc., John D. Garland, Sekwan Merritt, Prop Prep Properties, LLC, Sign Me Up Bethpage, Inc. / <i>Update in Response to Court's Request for Clarification at June 29, 2020 Conference Call</i> (Attachments: # <u>1</u> Proposed Order)(Bracey, Kali) (Entered: 06/29/2020)
06/29/2020	<u>39</u>	MEMORANDUM. Signed by Judge Catherine C. Blake on 6/29/2020. (krs, Deputy Clerk) (Entered: 06/30/2020)
06/29/2020	<u>40</u>	ORDER granting in part and denying in part <u>2</u> Motion for Preliminary Injunction; extending the application deadline until 7/21/2020; denying the additional injunctive relief requested by the plaintiffs; granting <u>30</u> Defendant's motion for leave to file excess pages. Signed by Judge Catherine C. Blake on 6/29/2020. (krs, Deputy Clerk) (Entered: 06/30/2020)