

FRC, MAG

**U.S. District Court
Middle District of Florida (Tampa)
CIVIL DOCKET FOR CASE #: 8:83-cv-00039-WJC**

Gonzales, et al v. Rivkind, et al
Assigned to: Senior Judge William J. Castagna
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 12/01/1988
Date Terminated: 03/06/1992
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Manuel Gonzales

represented by **Nora Leto**
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LEAD ATTORNEY
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Plaintiff

Tommy Ramos

Plaintiff

Luis Armas-Sanchez

Plaintiff

Manuel Larios

represented by **Nora Leto**
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LEAD ATTORNEY
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Plaintiff

Alberto Cabrera

Plaintiff

Manuel Moreno

represented by **Nora Leto**
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V.

Defendant**Perry A. Rivkind**

represented by **William C. Brown**
 U.S. Dept. of Justice
 P.O. Box 887
 Ben Franklin Station
 Washington, DC 20044-0887
 202/724-6899
LEAD ATTORNEY
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Defendant**Robert Adams**

represented by **William C. Brown**
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Defendant**Alan Nelson**

represented by **William C. Brown**
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Defendant**United States of America**

represented by **William C. Brown**
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Date Filed	#	Docket Text
01/10/1983	1	COMPLAINT filed for Declaratory and Injunctive Relief. (lgl) (Entered: 12/12/1991)
01/10/1983	2	MOTION by Plaintiffs Tommy Ramos and Manuel Gonzales for appointment of Special Process Server. (lgl) (Entered: 12/12/1991)
01/10/1983	3	ORDER granting [2-1] motion for appointment of Special Process Server. (Signed by Judge Ben Krentzman) (lgl) (Entered: 12/12/1991)
01/10/1983	4	MOTION by Plaintiffs Tommy Ramos, Manuel Gonzales for preliminary injunction. (lgl) (Entered: 12/12/1991)
01/10/1983	5	MEMORANDUM by Plaintiffs Tommy Ramos, Manuel Gonzales in support of [4-1] motion for preliminary injunction. (lgl) (Entered: 12/12/1991)
01/10/1983		SUMMONS(ES) issued for Alan Nelson, Robert Adams, Joe Howerton . Consent(s) issued. (lgl) (Entered: 12/12/1991)

01/10/1983		CASE REFERRED to Judge Thomas G. Wilson for discovery. (lgl) (Entered: 12/13/1991)
01/13/1983	6	ORDER Transferring Case to Hon. William J. Castagna with his consent for all further proceedings. (Signed by Judge Ben Krentzman) (lgl) (Entered: 12/12/1991)
01/17/1983	7	ORDER: DENYING Plaintiffs' [4-1] motion for preliminary injunction without prejudice. Plaintiffs shall have leave to amend their complaint and to file any necessary supporting papers within ten days from this date.(Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
01/19/1983	8	MOTION by Plaintiffs Tommy Ramos, Manuel Gonzales for Class Certification. (lgl) (Entered: 12/12/1991)
01/19/1983	9	MEMORANDUM by Plaintiffs Tommy Ramos, Manuel Gonzales in support of [8-1] motion for Class Certification. (lgl) (Entered: 12/12/1991)
01/26/1983	10	NOTICE by Plaintiffs Tommy Ramos, Manuel Gonzales of withdrawal of Plaintiffs' Motion for Preliminary Injunction. (lgl) (Entered: 12/12/1991)
02/04/1983	11	RETURN OF SERVICE executed as to Alan Nelson, Robert Adams, Joe Howerton 1/14/83 pursuant to Affidavit of Federico Hernandez. Answer due on 2/3/83 for Joe Howerton, for Robert Adams, for Alan Nelson (lgl) (Entered: 12/12/1991)
02/07/1983	12	NOTICE by Plaintiffs Tommy Ramos, Manuel Gonzales of taking deposition of Robert Adams, Lloyd Lofland and Frank Wilson, 2/24/83. (lgl) (Entered: 12/12/1991)
02/07/1983	13	NOTICE by Plaintiffs Tommy Ramos, Manuel Gonzales of taking deposition of Calvin Vaughn, Agent Powell and Agent Nelson, 2/21/83. (lgl) (Entered: 12/12/1991)
02/07/1983	14	NOTICE by Plaintiffs Tommy Ramos, Manuel Gonzales of taking deposition of Dan Gibson, 2/23/83. (lgl) (Entered: 12/12/1991)
02/07/1983	15	RENEWED request of Plaintiff for production of documents. (lgl) (Entered: 12/12/1991)
02/28/1983	16	AMENDED COMPLAINT by Plaintiffs Tommy Ramos, Manuel Gonzales. (Answer due 3/10/83 for Joe Howerton, for Perry A. Rivkind, for Robert Adams, for Alan Nelson) amending [1-1] complaint against USA. (lgl) (Entered: 12/12/1991)
03/10/1983	17	MOTION by Defendants to dismiss the Complaint for failure to state a claim upon which relief can be granted. (lgl) (Entered: 12/12/1991)
03/10/1983	18	MEMORANDUM by Defendants in support of Defendants [17-1] motion to dismiss the Complaint for failure to state a claim upon which relief can be granted. (lgl) (Entered: 12/12/1991)
03/10/1983	19	MOTION by Defendants for protective order re: discovery. referred to Judge Thomas G. Wilson (lgl) (Entered: 12/12/1991)

03/14/1983	20	ORDER denying without prejudice Defendants' [19-1] motion for protective order re: discovery. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
03/15/1983	21	MOTION by Defendants for protective order staying discovery. referred to Judge William J. Castagna (lgl) (Entered: 12/12/1991)
03/15/1983	22	MEMORANDUM by Defendants in support of [21-1] motion for protective order staying discovery. (lgl) (Entered: 12/12/1991)
03/15/1983	23	RESPONSE by Plaintiffs to Defendants' [21-1] motion for protective order staying discovery. (lgl) (Entered: 12/12/1991)
03/15/1983	24	ORDER denying Defendants [21-1] motion for protective order staying discovery. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
03/24/1983	25	RESPONSE by Plaintiffs to [17-1] motion to dismiss the Complaint for failure to state a claim upon which relief can be granted. (lgl) (Entered: 12/12/1991)
04/04/1983	26	NOTICE of attorney appearance of Jeffrey D. Fisher, Special Assistant U. S. Attorney for Defendants Alan Nelson, Robert Adams, Perry A. Rivkind, Joe Howerton, USA. (lgl) (Entered: 12/12/1991)
04/04/1983	27	MOTION by Defendants with memorandum in support for protective order re: depositions. referred to Judge Thomas G. Wilson (lgl) (Entered: 12/12/1991)
04/07/1983	28	ORDER denying Defendants' [27-1] motion for protective order re: depositions. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
04/07/1983	29	RESPONSE by Plaintiffs to Defendants [27-1] motion for protective order re: depositions. (lgl) (Entered: 12/12/1991)
04/07/1983	30	MOTION & Memorandum by Plaintiffs for an Order compelling Defendant Adams and his employee Border Patrol Agents to appear for deposition. (lgl) (Entered: 12/12/1991)
04/26/1983	31	ORDER denying without prejudice Plaintiffs' [30-1] motion for an Order compelling Defendant Adams and his employee Border Patrol Agents to appear for deposition. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
04/26/1983	32	ORDER denying Defendants' [17-1] motion to dismiss the Complaint for failure to state a claim upon which relief can be granted. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
05/17/1983	35	ANSWER to Complaint by Defendant. (lgl) (Entered: 12/12/1991)
06/06/1983	33	RENOTICE of taking deposition of Robert Adams, et al. (lgl) (Entered: 12/12/1991)
06/06/1983	34	CERTIFICATE of Service of Plaintiffs' First Interrogatories. (lgl) (Entered: 12/12/1991)
06/24/1983	35	(35-A) ORDER Requiring Status Information. Status information due by 7/10/83. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)

06/24/1983	35	(35-B) MEMORANDUM AND ORDER re: Status of Case Conference, Discovery Procedure and Pretrial Conference in Civil Cases Assigned to Judge William J. Castagna.(Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
07/13/1983	36	(35-C) RESPONSE to Order Requiring Status Information by Plaintiffs. Discovery: Five months; Trial: Four to Five days; Settlement Probability: Unknown. (lgl) Modified on 12/12/1991 (Entered: 12/12/1991)
07/28/1983	35	(35-D) NOTICE of frist status conference, October 6, 1983. (lgl) (Entered: 12/12/1991)
07/28/1983	35	(35-E) ORDER for limiting discovery to March 2, 1984; Pre-trial conference March 20, 1984 at 11:30 a.m.; Non-jury trial for the weeks of April 2, 9, 16, 23, 1984. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
10/26/1983	35	(35-F) SUGGESTION by Defendants of Mootness of Motion to Dismiss for lack of subject matter jurisdiction and memorandum. (lgl) (Entered: 12/12/1991)
11/21/1983	35	(35-G) ORDER: Plaintiffs shall respond to Defendants' Suggestion of Mootness within ten days of the date of this order, when the Court will rule with or without a response. s/11/17/83. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
12/01/1983	35	(35-H) MEMORANDUM by Plaintiffs in opposition to Defendants [35-1] Suggestion of Mootness and Motion for lack of subject matter jurisdiction. (Defendants filed 11/25/83) (lgl) (Entered: 12/12/1991)
12/01/1983	35	(35-I) ORDER: Defendant's Suggestion of Mootness and Motion to Dismiss are DENIED. Defendants' are directed to respond to Plaintiff's Motion for Class Certification within ten days of the date of this Order. If Defendants do not file such a response, the Court will rule on the Motion and may grant relief requested. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
12/07/1983	35	(35-J) AFFIDAVIT of Tillie Lacayo. (lgl) (Entered: 12/12/1991)
12/07/1983	36	MOTION by Plaintiffs to compel response to Plaintiffs' Interrogatories. (lgl) (Entered: 12/12/1991)
12/07/1983	37	MEMORANDUM by Plaintiffs in support of [36-1] motion to compel response to Plaintiffs' Interrogatories. (lgl) (Entered: 12/12/1991)
12/16/1983	38	MOTION & Memorandum by Plaintiffs for an enlargement of time to respond to Plaintiff's Motion for Class Certification. (lgl) (Entered: 12/12/1991)
12/16/1983	39	UNOPPOSED MOTION by Defendants for enlargement of time to respond to the Motion to Compel. (lgl) (Entered: 12/12/1991)
12/19/1983	40	ORDER granting [38-1] motion for an enlargement of time to respond to Plaintiff's Motion for Class Certification and granting [36-1] motion to compel response to Plaintiffs' Interrogatories. Defendants shall have until December 23, 1983 to respond. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)

01/06/1984	41	RESPONSE by Defendants to Plaintiffs [36-1] motion to compel response to Plaintiffs' Interrogatories. (Filed 12/30/83) (lgl) (Entered: 12/12/1991)
01/07/1984	42	MOTION by Defendants with memorandum in support for summary judgment. (Filed 1/3/84) (Exhibits attached) (lgl) (Entered: 12/12/1991)
01/07/1984	43	SECOND UNOPPOSED MOTION & Memorandum by Defendants for an enlargement of time to respond to the Motion for Class Certification. (lgl) (Entered: 12/12/1991)
01/07/1984	44	REQUEST & Memorandum for Oral Argument on the Motion for Summary Judgment, by Defendants. (Filed 1/3/84) (lgl) (Entered: 12/12/1991)
01/07/1984	45	NOTICE by Defendants of filing Exhibits E and F to the Motion for Summary Judgment. (lgl) Modified on 12/12/1991 (Entered: 12/12/1991)
01/09/1984	46	MEMORANDUM by Defendants in opposition to Plaintiffs' [8-1] motion for Class Certification. (lgl) (Entered: 12/12/1991)
01/13/1984	47	MEMORANDUM by Plaintiffs in opposition to Defendants [42-1] motion for summary judgment. (lgl) (Entered: 12/12/1991)
02/07/1984	48	ORDER: (1) Defendants' [42-1] Motion for Summary Judgment is DENIED. (2) Plaintiff's [36-1] Motion to Compel answers to Interrogatories is GRANTED. (3) The Court defers ruling on Plaintiff's Motion for Class Certification. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
02/10/1984	49	DEFENDANTS NOTICE of substitution of Parties (filed to substitute Perry Rivkind as current Director, INS in place of Joe Howerton, retired). (lgl) (Entered: 12/12/1991)
03/12/1984	50	STIPULATION extending time for discovery until 3/30/84. (lgl) (Entered: 12/12/1991)
03/14/1984	51	MOTION by Plaintiffs to extend time. (lgl) (Entered: 12/12/1991)
03/14/1984	52	MEMORANDUM by Plaintiffs in support of [51-1] motion to extend time. (lgl) (Entered: 12/12/1991)
03/15/1984	53	MOTION by Defendants for a continuance of the pretrial Order, the pretrial conference and the trial. (lgl) (Entered: 12/12/1991)
03/16/1984	54	ORDER: (1) Plaintiffs' [51-1] motion for extension is GRANTED. (2) Defendants' [53-1] Motion for continuance is GRANTED. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
03/30/1984	55	MOTION by Plaintiffs to extend time. (lgl) (Entered: 12/12/1991)
03/30/1984	56	MEMORANDUM by Plaintiffs in support of [55-1] motion to extend time. (lgl) (Entered: 12/12/1991)
04/03/1984	57	ORDER: (1) Plaintiffs' [55-1] Second Motion for extension of time is GRANTED and Plaintiffs shall move for class certification within two weeks of the date of this Order, after which defendants shall have ten days to file a response to such motion. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)

04/16/1984	58	RENEWED MOTION by Plaintiffs for Class Certification. (lgl) (Entered: 12/12/1991)
04/16/1984	59	MEMORANDUM by Plaintiffs in support of [58-1] motion for Class Certification. (with Exhibits A-H -- in separate folder) (lgl) (Entered: 12/12/1991)
05/03/1984	60	RESPONSE by Defendants to Plaintiffs' [58-1] motion for Class Certification. (lgl) (Entered: 12/12/1991)
05/14/1984	61	REPLY by Plaintiffs to Defendants' response to [58-1] motion for Class Certification. (lgl) (Entered: 12/12/1991)
05/25/1984	62	ORDER: 1) Perry Rivkind is substituted for Joe Howerton as Defendant in this action. (Signed 5/24/84 by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
05/25/1984	63	ORDER: 1) Plaintiffs' [58-1] Motion for Class Action Certification is GRANTED. 2) The Court certifies the following class of plaintiffs: All persons whose vehicles have been or will be seized by agents from District 6 of the Immigration and Naturalization Service and who have not been or will not be afforded a prompt probable cause hearing before an impartial individual; 3) The Court further certifies the following sub-class of Plaintiffs: All vehicle owners whose vehicles were not used in violation of 8 U.S.C. Section 1324(a), but who must pay costs of seizure and release Defendants from liability in order to get their vehicles returned. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
06/26/1984	64	SCHEDULING ORDER (re: estimate of time required to complete discovery, trial, pending motions and/or probability of settlement. (lgl) (Entered: 12/12/1991)
07/23/1984		SCHEDULING ORDER returned: discovery complete 0-60 days; trial 3-5 days; remote possibility of settlement, no pending motions. (lgl) (Entered: 12/12/1991)
07/23/1984	65	NOTICE OF STATUS CONFERENCE: 8/22/84 at 2:00 p.m., 611 N. Florida Avenue, Tampa, Florida. s/WJC/Notified. (lgl) (Entered: 12/12/1991)
07/23/1984	66	SCHEDULING ORDER setting Discovery cutoff 1/4/85 ; Pretrial conference for 1:30 1/22/85 ; Case set for non-jury trial during the weeks of February 4, 11, 18 and 25, 1985, before Judge Castagna.(signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
07/23/1984		MAGISTRATE CONSENT FORMS mailed. (lgl) (Entered: 12/12/1991)
07/31/1984	67	MOTION by Plaintiffs for protective order regarding matters raised in Defendants' Motion to Compel Answers. (lgl) (Entered: 12/12/1991)
08/16/1984	68	MOTION by Defendants with memorandum in support to compel answers to certified questions. Exhibits A, B and C attached. (lgl) (Entered: 12/12/1991)
08/16/1984	69	MOTION by attorney Nora Leto to leave to file withdraw as counsel for Plaintiffs Alberto Cabrera and Tommy Ramos. (lgl) (Entered: 12/12/1991)
08/16/1984	70	MEMORANDUM by Alberto Cabrera, Tommy Ramos in support of [69-1] motion to leave to file withdraw as counsel for Plaintiffs Alberto Cabrera and Tommy Ramos. (lgl) (Entered: 12/12/1991)

08/17/1984	71	RESPONSE by Defendants to [67-1] motion for protective order regarding matters raised in Defendants' Motion to Compel Answers. (lgl) (Entered: 12/12/1991)
08/20/1984	72	ORDER: 1) Defendants' [68-1] motion to compel is GRANTED; 2) Plaintiffs' [67-1] Motion for Protective Order is DENIED except that Plaintiffs in subsequent depositions may assert the privilege against selfincrimination for those questions indicated above. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
08/24/1984	73	NOTICE OF STATUS CONFERENCE: 11/28/84 at 2:00 p.m. before Judge Castagna. (lgl) (Entered: 12/12/1991)
11/19/1984	74	MOTION by Defendants with memorandum in support to continue status conference scheduled for 11/28/84. (lgl) (Entered: 12/12/1991)
11/21/1984	75	ORDER: 1) That the status conference scheduled for November 28, 1984 at 2:00 p.m. is rescheduled for the 19th day of December 1984 at 2:00 o'clock. miscellaneous hearing to 2:00 11/28/84 for [73-1] notice (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
02/04/1985	76	MOTION by Plaintiffs (with propsoed Memorandum of law of 45 pages) for summary judgment. Exhibits 1 through 28 in support of Memorandum [in separate folder] (lgl) (Entered: 12/12/1991)
02/04/1985	77	REQUEST for permission to file a memorandum in excess of 20 pages in length. (lgl) (Entered: 12/12/1991)
02/04/1985	78	MOTION & Memorandum by Plaintiffs for oral argument on the Motion for summary Judgment. (lgl) (Entered: 12/12/1991)
03/04/1985	79	MOTION by Defendants for extension of time to Respond to Plaintiffs' Motion for Summary Judgment. (lgl) (Entered: 12/12/1991)
03/08/1985	80	RESPONSE by Plaintiffs to Defendants' [79-1] motion for extension of time to Respond to Plaintiffs' Motion for Summary Judgment. (lgl) (Entered: 12/12/1991)
03/08/1985	81	MOTION by counsel for Plaintiff Luis Armas-Sanchez for leave to withdraw as counsel. (lgl) (Entered: 12/12/1991)
03/08/1985	82	MOTION by Plaintiffs for protective order. -Returned per #87. (lgl) (Entered: 12/12/1991)
03/13/1985	83	ORDER: 1) that the Plaintiffs' [77-1] Motion is GRANTED; 2) That the Defendants' [79-1] Motion for enlargement of time is GRANTED and they shall file their response to the Plaintiffs' Motion for Summary Judgment within 20 days of receiving transcripts of Plaintiffs' depositions. (Signed 3/12/85 by Judge William J. Castagna) (Notified 3/13/85) (lgl) (Entered: 12/12/1991)
03/13/1985	84	MEMORANDUM by Plaintiffs in support of Plaintiffs' [76-1] motion for summary judgment. - Returned per #100 see #102. (lgl) (Entered: 12/12/1991)
03/18/1985	85	RESPONSE by Defendants in opposition to [81-1] motion for leave to withdraw as counsel. (lgl) (Entered: 12/12/1991)

03/18/1985	86	REPLY by Defendants to Plaintiffs response to Defendants [79-1] motion for extension of time to Respond to Plaintiffs' Motion for Summary Judgment. (lgl) (Entered: 12/12/1991)
03/21/1985	87	ORDER: 1) That the [82-1] motion for protective order is denied without prejudice; 2) That the Clerk shall return the Motion for Protective Order and the attached Memorandum of law with Exhibits to Plaintiffs' counsel. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/12/1991)
03/28/1985	88	MOTION by Defendants with memorandum in support to compel to produce documents and for for sanctions. (lgl) (Entered: 12/12/1991)
03/29/1985	89	REPLY by Plaintiffs to Defendants response to Plaintiffs [81-1] motion for leave to withdraw as counsel. (lgl) (Entered: 12/12/1991)
03/29/1985	90	MOTION by Plaintiffs for a discovery conference. (lgl) (Entered: 12/12/1991)
03/29/1985	91	RENEWED MOTION by Plaintiffs for protective order regarding depositions. (lgl) (Entered: 12/12/1991)
03/29/1985	92	ORDER: That the Defendants [88-1] motion to compel and [88-2] motion for sanctions is hereby DENIED without prejudice.(Signed by Thomas Wilson 3/29/85 and Notified 4/185.) (lgl) (Entered: 12/12/1991)
04/08/1985	93	RESPONSE by Defendants in opposition to Plaintiffs [90-1] motion for a discovery conference. (lgl) (Entered: 12/12/1991)
04/08/1985	94	RESPONSE by Defendants to Plaintiffs [91-1] motion for protective order regarding depositions. (lgl) (Entered: 12/12/1991)
04/08/1985	95	RENEWED MOTION by Defendants to compel deposition , and for for sanctions. referred to Judge Thomas G. Wilson (lgl) (Entered: 12/12/1991)
04/08/1985	96	NOTICE of filing an exhibit to Defendant's Motion to Compel and for Sanctions. re: [88-1] (lgl) (Entered: 12/12/1991)
04/16/1985	97	RESPONSE by Plaintiffs to Defendants [95-1] motion to compel deposition and [95-2] motion for sanctions. (lgl) (Entered: 12/12/1991)
04/18/1985	98	ORDER: 1) That the [90-1] motion for a discovery conference filed by the Plaintiffs is hereby DENIED; 2) That the [91-1] renewed motion for protective order filed by the Plaintiffs is hereby DENIED. 3) That the Defendant's [95-1] renewed Motion to Compel and [95-2] motion for sanctions s hereby GRANTED to the extent that Plaintiff Manuel Moreno and Luis Armas Sanchez shall each be required to appear at least once for their depositions in the Middle District of Florida. The Defendants shall give Plaintiffs Moreno and Sanchez 20 days written notice of the depositions. If plaintiffs Moreno and Sanchez fail to appear at depositions scheduled in accordance with this Order, the Court will consider appropriate sanctions, including the dismissal of the claim of any plaintiff who fails to appear for deposition. (Signed by Judge Thomas G. Wilson) (lgl) (Entered: 12/12/1991)
06/06/1985	99	NOTICE of filing attached to Reporter's CERTIFICATE OF NON-APPEARANCE. (lgl) (Entered: 12/13/1991)

08/28/1985	100	ORDER: 1) That Plaintiffs' counsel's Motions [81-1] and [69-1] to withdraw as counsel for named plaintiffs and class representatives Luis Armas Sanchez, Alberto Cabrera and Tommy Ramos are GRANTED, etc. [see file]. As a further and additional basis for the dismissal of Luis Armas Sanchez the Court notes that he failed to appear for his scheduled deposition on 5/20/85. The record indicates that none of these three plaintiffs have cooperated with their attorneys or otherwise assisted in the prosecution of this cause; 2) That plaintiff Manuel Moreno is DISMISSED for failure to appear for his deposition on May 30, 1985 and for want of prosecution; 3) That within 20 days of this Order plaintiff's counsel shall file their double-spaced pages in length. The 48 page memorandum filed 3/13/85 shall be removed by the Clerk and returned to Counsel [see file]; 4) Within 20 days of receiving the plaintiff's edited memorandum the defendants' counsel shall file their reply. -See original in file for exact wording- (Signed by Judge William J. Castagna) (lgl) (Entered: 12/13/1991)
09/04/1985	101	MOTION by Plaintiffs for an Amended Order. With exhibits A and B. (lgl) (Entered: 12/13/1991)
09/16/1985	102	MEMORANDUM by Plaintiffs in support of [76-1] motion for summary judgment. (lgl) (Entered: 12/13/1991)
09/16/1985	103	MOTION by Plaintiffs for summary judgment. Same as #76. (lgl) (Entered: 12/13/1991)
09/18/1985	104	MOTION by Defendants for enlargement of time to comply with the Court's Order re: #100. (lgl) (Entered: 12/13/1991)
09/18/1985	105	ORDER: That the Court's 8/28/85 Order is amended to delete paragraph #2 and Manuel Moreno remains a Plaintiff in this case.(Granting [101-1] Motion.) (Signed by Judge William J. Castagna) (lgl) (Entered: 12/13/1991)
09/24/1985	106	MOTION by Defendants for extension of time to respond to Plaintiff's Motion for Summary Judgment. (lgl) (Entered: 12/13/1991)
10/03/1985	107	ORDER: 1) That the Defendants' ([106-1] motion) shall have until 11/1/85 in which to file its response to the Plaintiff's motion for summary judgment. That the Government is advised that no further extension of time will be allowed. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/13/1991)
10/19/1985	108	ORDER Limiting Time for Completion of Discovery and Scheduling Accelerated Trial: Discovery cutoff is 2/28/85; case set for non-jury trial during the weeks of April 7, 14 and 21, 1986; Pretrial stipulation shall be filed not later than 3/10/86. See original in file for additional provisions. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/13/1991)
10/29/1985	109	NOTICE OF TRIAL BEFORE VISITING JUDGE during the month of February 1986; a calendar will follow listing the order of cases to be tried; although this case was previously set on the Court's Accelerated Trial Calendar for April 1986, this notice supersedes that previous order; in the event this case is not reached by the visiting Judge, it will automatically be reset, without notice, on the April Accelerated Trial Calendar. (lgl) (Entered: 12/13/1991)

10/31/1985	110	MEMORANDUM by Defendants in opposition to Plaintiffs' [76-1] motion for summary judgment. With attached Exhibits A through F. (lgl) (Entered: 12/13/1991)
11/19/1985	111	REPLY by Plaintiffs to Defendants [110] response to Plaintiffs [76-1] motion for summary judgment. (lgl) (Entered: 12/13/1991)
11/20/1985	111	ORDER FOR LIMITING DISCOVERY, PRETRIAL CONFERENCE DATE, AND SCHEDULING TRIAL BEFORE VISITING JUDGE: Discovery cut-off, January 3, 1986; pre-trial conference set for January 23, 1986 at 10:15 a.m.; non-jury trial before visiting judge during the weeks of February 3, 10, 17 & 24 and March 3 & 10, 1986.(Signed by Judge William J. Castagna) (lgl) Modified on 12/13/1991 (Entered: 12/13/1991)
11/27/1985	112	MOTION by Defendants to strike [111-1] response reply , or, in the alternative for leave to file further response. (lgl) (Entered: 12/13/1991)
12/12/1985	113	RESPONSE by Plaintiffs to Defendants [112-1] motion to strike [111-1] response reply, [112-2] motion for leave to file further response. (lgl) (Entered: 12/13/1991)
01/03/1986	114	ORDER: 1) Defendant's [112-1] Motion to Strike Plaintiff's Reply to Defendants' opposition to summary judgment is GRANTED and the Clerk shall remove the reply memoranda from the file and return it [111--1] to Plaintiffs' counsel. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/13/1991)
01/15/1986	115	ORDER: 1) Defendants are restrained from seizing without warrant automobiles and trucks in their efforts to enforce 8 U.S.C. Section 1324(b) unless: A) Within 72 hours of the seizure of any automobile or truck (vehicle) suspected of having been involved in a violation of 8 U.S.C. Section 1324(a) the owner of the seized vehicle, at his request, is provided the opportunity of a hearing before a judicial officer at which hearing it shall be the seizing agency's burden to show probable cause to believe that the vehicle was involved in such violation. If the owner is notified of the seizure some time after the seizure or if the owner later requests a hearing such hearing shall be provided within 72 hours of the vehicle owner's request. At the time of the seizure, the vehicle owner, or the driver if the owner is not present, shall be notified of the owner's right to a probable cause hearing verbally and in writing and so told how the owner should request such a hearing. The vehicle owner shall have the right to attend the hearing and shall be afforded 24 hours notice of the time and place. If the seizing agency fails to bring the matter before a judicial officer within the 72 hours period from the request, the vehicle shall be released to the owner who shall not be charged any costs related to the seizure or caused to execute any limitation of liability; and B) No vehicle owner shall be charged any costs related to seizure or impoundment of a vehicle that is not found to have been involved in a violation of 8 U.S.C. Section 1324(a), nor shall such owner be required to execute any limitation of liability as a condition precedent to the return of a vehicle that is not found to have been involved in a violation of 8 U.S.C. 1324(a). 2) That the INS shall refund to all members of the class any costs paid by such members to secure the release of vehicles seized that were not proven to have been involved in violations of 8 U.S.C. 1324(a); 3) That judgment be entered for the plaintiff class and subclass and against the defendants on Counts One and Two; 4) That Count Three is

		MOOT; 5) That the plaintiffs' attorney shall within 20 days file memoranda setting forth the legal basis for their request for attorneys fees in this case. The defendants shall have ten days to respond. The issue of the amount of attorneys fees, if appropriate, will be heard at a later date.(Signed by Judge William J. Castagna) MFR Number 90, #2450. (lgl) (Entered: 12/13/1991)
01/16/1986	116	JUDGMENT entered in accordance with the Order of January 15, 1986. (Signed by Judge William J. Castagna) MFR Number 90. #2463. (lgl) (Entered: 12/13/1991)
01/18/1986	117	NOTICE of re-setting Trial date. (MOOT). s/VH. (lgl) (Entered: 12/13/1991)
01/24/1986	118	MOTION by Defendants to stay. (lgl) (Entered: 12/13/1991)
01/24/1986	119	MOTION & Memorandum by Defendants to amend the Court's [115-1] order of 1/15/86. Attachments. (lgl) (Entered: 12/13/1991)
02/04/1986	120	ORDER: The Court's 1/15/86 order is amended by adding the following sentence to numbered paragrah 1(A) as the new penultimate sentence of that subsection A: No vehicle owner shall be required to post any cost or claim bond of any kind or amount as a prerequisite to such a hearing. The Government's motion [119-1] is denied. The Government's [118-1] motion to stay of execution is denied. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/13/1991)
02/05/1986	121	MEMORANDUM in support of Plaintiffs' Claim for Attorneys' Fees and Reimbursement of Litigation Expenses [pursuant to Order of 1/16/86] (lgl) (Entered: 12/13/1991)
02/24/1986	122	MEMORANDUM in response to Plaintiffs' [121-1] Claim for Attorneys Fees and Reimbursement of Litigation Expenses. (lgl) (Entered: 12/13/1991)
03/03/1986	123	MOTION & Memorandum by Plaintiffs for leave to file reply to Defendants' Memorandum in support of Attorneys Fees. (lgl) (Entered: 12/13/1991)
03/03/1986	124	REPLY by Plaintiffs to Defendants Response to Memorandum in support of Attorneys Fees. [okay to file without ruling on #123, per Paul 3/3/86] (lgl) (Entered: 12/13/1991)
03/06/1986	125	RESPONSE by Defendants to Plaintiffs [123-1] motion for leave to file reply to Defendants' Memorandum in support of Attorneys Fees. (lgl) (Entered: 12/13/1991)
03/25/1986	126	NOTICE OF APPEAL by Defendants from The Court's [115-1] order and [116-1] judgment and [120-1] order. Appeal Information Sheet to Appellant. Certificate of Readiness due on 4/9/86. (lgl) (Entered: 12/13/1991)
04/02/1986	127	MOTION by Defendants to stay Pending Appeal to the U.S. Court of Appeals for the 11th Circuit. (lgl) (Entered: 12/13/1991)
04/02/1986	128	MEMORANDUM by Defendants ` in support of [127-1] motion to stay Pending Appeal to the U.S. Court of Appeals for the 11th Circuit. (lgl) (Entered: 12/13/1991)
04/21/1986	129	RESPONSE by Plaintiffs to Defendants [127-1] motion to stay Pending Appeal to the U.S. Court of Appeals for the 11th Circuit. (lgl) (Entered: 12/13/1991)

04/30/1986	130	ORDER: In accordance with FRCivP 62, execution on the money judgment aspects of the court's January 15, 1986 Order is STAYED and to that extent only the Defendants' Motion for Stay is GRANTED. With respect to the injunctive aspects of the January 15, 1986 Order, as amended by the Court's February 3, 1986 Order, the Defendants' request for stay pending appeal is denied; 2) That consideration of the attorneys fees and costs issues shall be continued pending appeal. (Signed by Judge William J. Castagna) (lgl) (Entered: 12/13/1991)
05/22/1986		APPEAL RECORD (3 Vol & 2 envelopes) sent to USCA. (lgl) (Entered: 12/13/1991)
11/21/1988		ENTIRE FILE and exhibits returned from U.S.C.A. (lgl) (Entered: 12/13/1991)
11/21/1988	131	JUDGMENT OF USCA (certified copy) Re: [126-1] appeal UPON CONSIDERATION WHEREOF, it is now hereby ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby REVERSED in part; and that this cause be and the same is hereby REMANDED to said District Court for further proceedings i accordance with the opinion of this Court. MFR Number 95. #974. (lgl) (Entered: 12/16/1991)
02/24/1992	132	ORDER: Plaintiffs are directed to advise the Court of their intent to pursue any remaining claims in this cause within 10 days of the date of this order, failing which this cause will be closed without further notice or order of this Court. (Signed by Judge William J. Castagna) (kit) (Entered: 02/25/1992)
03/06/1992		Case closed (cek) (Entered: 03/18/1992)
11/22/1999		FRC record data: accession # 021 95 0711; agency box # 22; location # E1001511. (sak) (Entered: 11/22/1999)

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