

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:11-cv-00541-RBW**

CANTU et al v. UNITED STATES OF AMERICA et al
Assigned to: Judge Reggie B. Walton

Case: 1:00-cv-02445-RBW

Case in other court: 13-05044

Cause: 42:1983 Civil Rights Act

Plaintiff

DAVID CANTU

Date Filed: 03/15/2011

Date Terminated: 12/22/2011

Jury Demand: None

Nature of Suit: 440 Civil Rights: Other

Jurisdiction: U.S. Government Defendant

represented by **Adam P. Feinberg**
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Plaintiff

GUADALUPE GARCIA

represented by **Adam P. Feinberg**
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Andrew Dewald Herman
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Robert F. Ruyak
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Stephen S Hill
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Plaintiff

NOE OBREGON

represented by **Adam P. Feinberg**
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Andrew Dewald Herman
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Robert F. Ruyak
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephen S Hill
(See above for address)
TERMINATED: 07/03/2012

Plaintiff

RUPERTO RODRIGUEZ
doing business as
RODRIGUEZ BROTHERS, INC.

represented by **Adam P. Feinberg**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Andrew Dewald Herman
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Laura G. Ferguson
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephen S Hill
(See above for address)
TERMINATED: 07/03/2012

Plaintiff

MODESTO RODRIGUEZ
doing business as
RODRIGUEZ BROTHERS, INC.

represented by **Adam P. Feinberg**
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Stephen S Hill
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TERMINATED: 07/03/2012
LEAD ATTORNEY
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Plaintiff

MODESTA SALAZAR
*For themselves and on behalf of all other
similarly situated persons*

represented by **Adam P. Feinberg**
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Stephen S Hill
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TERMINATED: 07/03/2012

V.

Defendant

UNITED STATES OF AMERICA

represented by **Lisa Ann Olson**
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Defendant**UNITED STATES DEPARTMENT OF JUSTICE**represented by **Lisa Ann Olson**
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ATTORNEY TO BE NOTICED**Defendant****UNITED STATES DEPARTMENT OF AGRICULTURE**represented by **Lisa Ann Olson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Defendant****ERIC H. HOLDER, JR.**
*in his official and individual capacities*represented by **Lisa Ann Olson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Defendant****THOMAS J. VILSACK**
*his official and individual capacities*represented by **Lisa Ann Olson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/15/2011	<u>1</u>	COMPLAINT against ERIC HOLDER, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK (Filing fee \$ 350, receipt number 4616037209) filed by MODESTA SALAZAR, NOE OBREGON, GUADALUPE GARCIA, DAVID CANTU, RUPERTO RODRIGUEZ, MODESTO RODRIGUEZ. (Attachments: # <u>1</u> Exhibit s 1-11, # <u>2</u> Civil Cover Sheet)(jf,) (Entered: 03/15/2011)
03/15/2011		SUMMONS (8) Issued as to ERIC HOLDER, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK and U.S. Attorney.(jf,) (Entered: 03/15/2011)
03/15/2011	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by MODESTO RODRIGUEZ, RUPERTO RODRIGUEZ (jf,) (Entered: 03/15/2011)
03/21/2011	<u>3</u>	NOTICE OF RELATED CASE by UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA. Case related to Case No. 1:00cv02445. (Olson, Lisa) (Entered: 03/21/2011)
03/22/2011	<u>4</u>	Case reassigned to Judge Reggie B. Walton. Judge Richard W. Roberts no longer assigned to the case. (ds) (Entered: 03/22/2011)
03/31/2011	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. TOM VILSACK served on 3/16/2011 (Hill, Stephen) Modified served date to 3/16/11 on 4/1/2011 (td,). (Entered: 03/31/2011)
03/31/2011	<u>6</u>	ENTERED IN ERROR. . . . DUPLICATE OF NO. <u>5</u> RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. (Hill, Stephen) Modified on 4/1/2011 (td,). (Entered: 03/31/2011)
03/31/2011	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF AGRICULTURE served on 3/15/2011 (Hill, Stephen) (Entered: 03/31/2011)

03/31/2011	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF JUSTICE served on 3/16/2011 (Hill, Stephen) Modified date served to 3/16/11 on 4/1/2011 (td,). (Entered: 03/31/2011)
03/31/2011	<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 3/16/2011. Answer due for ALL FEDERAL DEFENDANTS by 5/15/2011. (Hill, Stephen) (Entered: 03/31/2011)
03/31/2011	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 03/16/2011. (Hill, Stephen) (Entered: 03/31/2011)
03/31/2011	<u>11</u>	ENTERED IN ERROR. . . .DUPLICATE OF NO. <u>10</u>RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 03/16/2011. (Hill, Stephen) Modified on 4/1/2011 (td,). (Entered: 03/31/2011)
05/11/2011	<u>12</u>	MOTION to Dismiss by ERIC HOLDER, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Olson, Lisa) (Entered: 05/11/2011)
05/25/2011	<u>13</u>	Memorandum in opposition to re <u>12</u> MOTION to Dismiss filed by DAVID CANTU. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order to Dismiss)(Hill, Stephen) (Entered: 05/25/2011)
05/31/2011	<u>14</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>12</u> MOTION to Dismiss by ERIC HOLDER, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK (Attachments: # <u>1</u> Text of Proposed Order)(Olson, Lisa) (Entered: 05/31/2011)
06/06/2011		MINUTE ORDER granting <u>14</u> Motion for Extension of Time. The Court having considered the Defendants' Unopposed Motion for Extension of Time, and it appearing to the Court that there is good cause to grant the relief requested therein based upon the consent of the plaintiffs as represented to the Court by the defendants, it is ORDERED that the motion is GRANTED. It is further ORDERED that with regard to the defendants' motion to dismiss, the defendants shall file their brief in reply to the plaintiffs' opposition memorandum on or before June 6, 2011. Signed by Judge Reggie B. Walton on 6/6/2011 (lcrbw1). (Entered: 06/06/2011)
06/06/2011	<u>15</u>	REPLY to opposition to motion re <u>12</u> MOTION to Dismiss filed by ERIC HOLDER, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK. (Olson, Lisa) (Entered: 06/06/2011)
06/10/2011	<u>16</u>	MOTION to Certify Class by DAVID CANTU (Attachments: # <u>1</u> Exhibit Exhibits 1 through 6, # <u>2</u> Exhibit Exhibits 7 through 16, # <u>3</u> Text of Proposed Order Proposed Order)(Hill, Stephen) (Entered: 06/10/2011)
06/14/2011	<u>17</u>	MOTION to Stay re <u>16</u> MOTION to Certify Class <i>or Alternatively</i> ,, MOTION to Strike <u>16</u> MOTION to Certify Class by ERIC HOLDER, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Olson, Lisa) (Entered: 06/14/2011)
06/17/2011	<u>18</u>	Memorandum in opposition to re <u>17</u> MOTION to Stay re <u>16</u> MOTION to Certify Class <i>or Alternatively</i> , MOTION to Strike <u>16</u> MOTION to Certify Class MOTION to Stay re <u>16</u> MOTION to Certify Class <i>or Alternatively</i> , MOTION to Strike <u>16</u> MOTION to Certify Class filed by DAVID CANTU. (Attachments: # <u>1</u> Exhibit Supreme Court Decision, # <u>2</u> Text of Proposed Order Proposed Order To Deny Defendants' Motion)(Hill, Stephen) (Entered: 06/17/2011)
06/24/2011	<u>19</u>	REPLY to opposition to motion re <u>17</u> MOTION to Stay re <u>16</u> MOTION to Certify Class <i>or Alternatively</i> , MOTION to Strike <u>16</u> MOTION to Certify Class MOTION to Stay re <u>16</u> MOTION to Certify Class <i>or Alternatively</i> , MOTION to Strike <u>16</u>

		MOTION to Certify Class filed by ERIC HOLDER, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK. (Olson, Lisa) (Entered: 06/24/2011)
09/02/2011	<u>20</u>	NOTICE of Change of Address by Stephen S Hill (Hill, Stephen) (Entered: 09/02/2011)
11/01/2011	<u>21</u>	ORDER. The plaintiffs shall file a supplemental memorandum on or before November 15, 2011, addressing the questions identified by the Court in the attached Order. The defendants shall file their response to the plaintiffs' supplemental memorandum, if any, on or before November 29, 2011. The plaintiffs shall file their brief in reply to the defendants' response, if any, on or before December 6, 2011. The parties' supplemental briefing shall discuss any new developments concerning the defendants' proposed alternative dispute resolution program that have arisen since the completion of briefing on the defendants' motion to dismiss in June 2011 that may affect the plaintiffs' claims in this case. Signed by Judge Reggie B. Walton on 11-1-11 (lcrbw3). Modified on 11/1/2011 (lcrbw3,). (Main Document 21 replaced on 11/1/2011) (td,). (Entered: 11/01/2011)
11/02/2011		Set/Reset Deadlines: Supplemental Memorandum due by 11/15/2011. Response due by 11/29/2011 Reply due by 12/6/2011. (mpt) (Entered: 11/02/2011)
11/15/2011	<u>22</u>	MEMORANDUM by DAVID CANTU. (Attachments: # <u>1</u> Exhibit Cantu Exhibits 1-8)(Hill, Stephen) (Entered: 11/15/2011)
11/22/2011	<u>23</u>	MOTION for Extension of Time to File, Unopposed MOTION for Extension of Time to File Response/Reply by UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK (Attachments: # <u>1</u> Text of Proposed Order)(Olson, Lisa) (Entered: 11/22/2011)
11/28/2011		MINUTE ORDER granting <u>23</u> Motion for Extension of Time to File; granting <u>23</u> Motion for Extension of Time to File Response/Reply. The Court having considered the Defendants' Unopposed Motion for Extension of Time, and it appearing that there is good cause to grant the relief requested therein based upon the plaintiffs' consent to the motion, it is ORDERED that the motion is GRANTED. It is further ORDERED that the defendants shall file their supplemental brief in response to the Plaintiffs' Memorandum in Response to the Court's November 1, 2011 Order on or before December 5, 2011. It is further ORDERED that the plaintiffs shall file their reply to the defendants' supplemental brief on or before December 12, 2011. Signed by Judge Reggie B. Walton on 11-28-11 (lcrbw3). (Entered: 11/28/2011)
11/29/2011		Set/Reset Deadlines: Supplemental Memorandum Brief due by 12/5/2011; Reply to Supplemental Brief 12/12/11. (mpt) (Entered: 11/29/2011)
12/05/2011	<u>24</u>	ENTERED IN ERROR. . . .MOTION to Dismiss <i>Supplemental Brief in Support</i> by UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK (Olson, Lisa) Modified on 12/6/2011 (td,). (Entered: 12/05/2011)
12/05/2011	<u>25</u>	SUPPLEMENTAL MEMORANDUM to re <u>12</u> MOTION to Dismiss filed by ERIC HOLDER, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK. (td,) (Entered: 12/06/2011)
12/05/2011		NOTICE OF CORRECTED DOCKET ENTRY: <u>24</u> was entered in error and refiled as docket entry no. <u>25</u> using the correct event. (td,) (Entered: 12/06/2011)
12/12/2011	<u>26</u>	Memorandum in opposition to re <u>25</u> MOTION to Dismiss <i>Supplemental Brief in Support</i> filed by DAVID CANTU. (Attachments: # <u>1</u> Exhibit)(Hill, Stephen) Modified on 12/13/2011 to correct linkage (td,). (Entered: 12/12/2011)
12/21/2011	<u>27</u>	ORDER denying <u>12</u> Motion to Dismiss; denying <u>16</u> Motion to Certify Class; denying <u>17</u> Motion to Stay; denying <u>17</u> Motion to Strike. For the reasons set forth in the attached order, it is ORDERED that all pending motions in this case are denied without prejudice. It is further ORDERED that the parties shall notify the Court if and when the defendants finalize the ADR program for Hispanic farmers. At that time, the

		parties shall advise the Court whether they desire to have the pending motions in this case reinstated and taken under advisement by the Court. If such a request is made, the defendants shall submit for the Court's review a copy of the final version of the defendants' ADR program for Hispanic farmers. It is further ORDERED that the defendants shall submit status reports to the Court and the plaintiffs every 30 days, starting from the date of entry of this order and until the ADR program is finalized, addressing the progress that has been made toward the finalization of the ADR program for Hispanic farmers. It is further ORDERED that this case is ADMINISTRATIVELY CLOSED pending further order of the Court. Signed by Judge Reggie B. Walton on 12-21-11 (lcrbw3). (Entered: 12/21/2011)
12/30/2011	<u>28</u>	Unopposed MOTION to Withdraw as Attorney by DAVID CANTU (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Murray, Christopher) (Entered: 12/30/2011)
12/30/2011	<u>29</u>	NOTICE of Change of Address by Stephen S Hill (Hill, Stephen) (Entered: 12/30/2011)
01/06/2012		MINUTE ORDER granting <u>28</u> Motion to Withdraw as Attorney. In accordance with the oral rulings issued by the Court at the hearing held on this same date, it is ORDERED that the Motion to Withdraw Howrey, LLP, and Christopher Murray as Counsel Submitted by the Chapter 11 Bankruptcy Trustee of Howrey, LLP is GRANTED. Signed by Judge Reggie B. Walton on 1-6-11 (lcrbw3). (Entered: 01/06/2012)
01/20/2012	<u>30</u>	STATUS REPORT <i>First</i> by ERIC HOLDER, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK. (Attachments: # <u>1</u> Exhibit Framework)(Olson, Lisa) (Entered: 01/20/2012)
01/26/2012	<u>31</u>	NOTICE of Charging Lien of Howrey LLP by DAVID CANTU (Murray, Christopher) (Entered: 01/26/2012)
02/21/2012	<u>32</u>	STATUS REPORT <i>Second</i> by UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK. (Olson, Lisa) (Entered: 02/21/2012)
03/23/2012	<u>33</u>	STATUS REPORT <i>Third</i> by ERIC HIMPTON HOLDER, JR, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK. (Olson, Lisa) (Entered: 03/23/2012)
04/23/2012	<u>34</u>	STATUS REPORT <i>Fourth</i> by UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK. (Olson, Lisa) (Entered: 04/23/2012)
05/23/2012	<u>35</u>	ENTERED IN ERROR.....STATUS REPORT <i>Fifth</i> by UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK. (Olson, Lisa) Modified on 5/24/2012 (znmw,). (Entered: 05/23/2012)
05/23/2012	<u>36</u>	STATUS REPORT <i>Fifth</i> by UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK. (Olson, Lisa) (Entered: 05/23/2012)
05/24/2012		NOTICE OF CORRECTED DOCKET ENTRY: Docket Entry <u>35</u> Status Report was entered in error and was refiled by counsel as Docket Entry <u>36</u> Status Report. (znmw,) (Entered: 05/24/2012)
06/20/2012	<u>37</u>	ORDER. Per the attached Order, the plaintiffs shall amend their complaint on or before July 13, 2012. The deadline for the defendants' response to the plaintiffs' forthcoming amended complaint is stayed pending further Order of the Court. Consistent with the government's request at the hearing held on June 19, 2012, the government shall submit to the Court and the plaintiffs on or before August 3, 2012, a final version of the claims form that it plans to use in connection with its forthcoming administrative claims process. This case shall be referred to a Magistrate Judge for a period beginning on July 13, 2012, and continuing until August 24, 2012, for the purpose of formulating a schedule governing the litigation of this case. The Magistrate Judge shall issue a report and recommendation to the undersigned setting forth his or

		her proposal on or before August 24, 2012. The parties shall appear before the Court for a status conference at 10:00 a.m. on August 28, 2012. Signed by Judge Reggie B. Walton on 6-20-12. (lcrbw3) (Entered: 06/20/2012)
06/21/2012		Set/Reset Deadlines/Hearings: Amended Complaint due by 7/13/2012. Final Version of Administrative Claim due by 8/3/2012. Status Conference set for 8/28/2012 10:00 AM in Courtroom 16 before Judge Reggie B. Walton. (mpt) (Entered: 06/21/2012)
06/22/2012	<u>38</u>	STATUS REPORT <i>Sixth</i> by UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM VILSACK. (Olson, Lisa) (Entered: 06/22/2012)
06/22/2012	<u>39</u>	Unopposed MOTION to Withdraw as Attorney <i>Unopposed Motion of Stephen S. Hill to Withdraw as Counsel of Record filed on behalf of all plaintiffs</i> by NOE OBREGON, MODESTO RODRIGUEZ, RUPERTO RODRIGUEZ, MODESTA SALAZAR (Attachments: # <u>1</u> Text of Proposed Order)(Hill, Stephen) (Entered: 06/22/2012)
06/25/2012	<u>40</u>	NOTICE of Appearance by Richard A. Hibey on behalf of DAVID CANTU, GUADALUPE GARCIA, NOE OBREGON, MODESTA SALAZAR (Hibey, Richard) (Entered: 06/25/2012)
06/26/2012	<u>41</u>	NOTICE of Appearance by Robert F. Ruyak on behalf of DAVID CANTU, GUADALUPE GARCIA, NOE OBREGON, MODESTA SALAZAR (Ruyak, Robert) (Entered: 06/26/2012)
06/26/2012	<u>42</u>	NOTICE of Appearance by Adam P. Feinberg on behalf of DAVID CANTU, GUADALUPE GARCIA, NOE OBREGON, MODESTA SALAZAR (Feinberg, Adam) (Entered: 06/26/2012)
07/03/2012	<u>43</u>	ORDERED that the <u>39</u> Motion to Withdraw as Attorney for NOE OBREGON, MODESTO RODRIGUEZ, RUPERTO RODRIGUEZ, MODESTA SALAZAR is GRANTED. Attorney Stephen S Hill terminated. Signed by Judge Reggie B. Walton on 6/27/12. (mpt) (Entered: 07/03/2012)
07/13/2012	<u>44</u>	ENTERED IN ERROR.....CASE REFERRED to Magistrate Judge Alan Kay for Report and Recommendation. (sth,) Modified on 7/16/2012 (jeb,). (Entered: 07/13/2012)
07/13/2012	<u>46</u>	FIRST AMENDED COMPLAINT against ERIC HIMPTON HOLDER, JR, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM J. VILSACK filed by MODESTA SALAZAR, NOE OBREGON, GUADALUPE GARCIA, DAVID CANTU, RUPERTO RODRIGUEZ, MODESTO RODRIGUEZ. (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)(znmw,) (Entered: 07/16/2012)
07/16/2012	<u>45</u>	CASE REFERRED to Magistrate Judge John M. Facciola for a report and recommendation. (jeb,) (Entered: 07/16/2012)
07/16/2012		NOTICE OF CORRECTED DOCKET ENTRY: re <u>44</u> Case Referred to Magistrate Judge was entered in error. This case was inadvertently assigned to Magistrate Judge Alan Kay. The case is correctly assigned to Magistrate Judge John M. Facciola.(jeb,) (Entered: 07/16/2012)
07/24/2012	<u>47</u>	STATUS REPORT <i>Seventh</i> by UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM J. VILSACK. (Attachments: # <u>1</u> Exhibit Claim Form)(Olson, Lisa) (Entered: 07/24/2012)
07/25/2012	<u>48</u>	ORDER re referral to Judge Facciola for a Report and Recommendation. Signed by Magistrate Judge John M. Facciola on 7/25/12. (SP,) (Entered: 07/25/2012)
08/17/2012		Set/Reset Hearings: Status Conference set for 8/24/2012 10:00 AM in Courtroom 6 before Magistrate Judge John M. Facciola. (lcjmf1,) (Entered: 08/17/2012)
08/24/2012	<u>49</u>	Report and Recommendation re <u>37</u> Order. Signed by Magistrate Judge John M. Facciola on 8/24/12. (lcjmf1,) (Entered: 08/24/2012)

08/24/2012		MINUTE ORDER. Having considered the Magistrate Judge's Report and Recommendation <u>49</u> , the Court agrees with the recommendations made therein, and it is accordingly ORDERED that the Report and Recommendation is ADOPTED in its entirety. It is further ORDERED that this case shall proceed as follows: (1) the stay on litigation proceedings is lifted, but not the stay as to the statute of limitations for bringing new claims and adding new plaintiffs to the respective cases; (2) the defendants shall file a partial motion to dismiss addressing the four new claims in the amended complaints by September 24, 2012; (3) the plaintiffs shall file their responses to the motion to dismiss, and if they deem necessary, an affirmative motion for summary judgment by October 15, 2012; (4) the defendants shall file their reply to the opposition to the motion to dismiss, and if necessary, a response to the motion for summary judgment by November 15, 2012; (5) the plaintiffs shall file their reply to the defendant's opposition to the motion for summary judgment by November 29, 2012. It is further ORDERED that the status conference originally set for 10:00 a.m. on August 28, 2012, is CANCELED, it being unnecessary in light of the foregoing schedule. Signed by Judge Reggie B. Walton on 8-24-12 (lcrbw3). (Entered: 08/24/2012)
08/24/2012		Minute Entry for proceedings held before Magistrate Judge John M. Facciola: Status Conference held on 8/24/2012. (Court Reporter Bowles Reporting.) (lm,) (Entered: 08/28/2012)
08/30/2012		Set/Reset Deadlines: Partial Motion to Dismiss due by 9/24/2012; Summary Judgment motion due by 10/15/2012. Response to Motion for Summary Judgment due by 11/15/2012. Reply to Motion for Summary Judgment due by 11/29/2012. (mpt) (Entered: 08/30/2012)
09/24/2012	<u>50</u>	MOTION for Protective Order <i>Regarding Defendants' Solicitation of Settlements with Putative Class Members</i> by DAVID CANTU, GUADALUPE GARCIA, NOE OBREGON, MODESTO RODRIGUEZ, RUPERTO RODRIGUEZ, MODESTA SALAZAR (Attachments: # <u>1</u> Exhibit A – Flyer/Poster, # <u>2</u> Exhibit B – Fact Sheet, # <u>3</u> Text of Proposed Order)(Feinberg, Adam) (Entered: 09/24/2012)
09/24/2012	<u>51</u>	MOTION to Dismiss <i>First Amended Class Action Complaint</i> by ERIC HIMPTON HOLDER, JR, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM J. VILSACK (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Olson, Lisa) (Entered: 09/24/2012)
09/28/2012	<u>52</u>	MOTION to Stay re <u>50</u> MOTION for Protective Order <i>Regarding Defendants' Solicitation of Settlements with Putative Class Members</i> by ERIC HIMPTON HOLDER, JR, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM J. VILSACK (Attachments: # <u>1</u> Text of Proposed Order)(Olson, Lisa) (Entered: 09/28/2012)
10/01/2012	<u>53</u>	RESPONSE re <u>52</u> MOTION to Stay re <u>50</u> MOTION for Protective Order <i>Regarding Defendants' Solicitation of Settlements with Putative Class Members</i> filed by DAVID CANTU, GUADALUPE GARCIA, NOE OBREGON, MODESTO RODRIGUEZ, RUPERTO RODRIGUEZ, MODESTA SALAZAR. (Attachments: # <u>1</u> Text of Proposed Order)(Feinberg, Adam) (Entered: 10/01/2012)
10/03/2012	<u>54</u>	REPLY to opposition to motion re <u>52</u> MOTION to Stay re <u>50</u> MOTION for Protective Order <i>Regarding Defendants' Solicitation of Settlements with Putative Class Members</i> filed by ERIC HIMPTON HOLDER, JR, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM J. VILSACK. (Olson, Lisa) (Entered: 10/03/2012)
10/15/2012	<u>55</u>	ORDER denying <u>52</u> Motion to Stay. For the reasons set forth in the attached Order, it is ORDERED that the Defendants' Motion to Stay Consideration of Plaintiffs' Motion for Protective Order is DENIED. It is further ORDERED that the defendants shall file their memorandum in opposition to the plaintiffs' motion on or before October 22, 2012. Signed by Judge Reggie B. Walton on 10-15-12. (lcrbw3) (Entered: 10/15/2012)
10/15/2012	<u>56</u>	Memorandum in opposition to re <u>51</u> MOTION to Dismiss <i>First Amended Class Action Complaint</i> filed by DAVID CANTU, GUADALUPE GARCIA, NOE OBREGON, MODESTO RODRIGUEZ, RUPERTO RODRIGUEZ, MODESTA SALAZAR.

		(Attachments: # <u>1</u> Text of Proposed Order)(Feinberg, Adam) (Entered: 10/15/2012)
10/16/2012		Set/Reset Deadlines: Opposition due by 10/22/2012 (mpt) (Entered: 10/16/2012)
10/22/2012	<u>57</u>	Memorandum in opposition to re <u>50</u> MOTION for Protective Order <i>Regarding Defendants' Solicitation of Settlements with Putative Class Members</i> filed by ERIC HIMPTON HOLDER, JR, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM J. VILSACK. (Olson, Lisa) (Entered: 10/22/2012)
10/31/2012	<u>58</u>	REPLY to opposition to motion re <u>50</u> MOTION for Protective Order <i>Regarding Defendants' Solicitation of Settlements with Putative Class Members</i> filed by DAVID CANTU, GUADALUPE GARCIA, NOE OBREGON, MODESTO RODRIGUEZ, RUPERTO RODRIGUEZ, MODESTA SALAZAR. (Feinberg, Adam) (Entered: 10/31/2012)
11/15/2012	<u>59</u>	REPLY to opposition to motion re <u>51</u> MOTION to Dismiss <i>First Amended Class Action Complaint</i> filed by ERIC HIMPTON HOLDER, JR, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, TOM J. VILSACK. (Olson, Lisa) (Entered: 11/15/2012)
12/11/2012	<u>60</u>	ORDER denying <u>50</u> Motion for Protective Order; granting <u>51</u> Motion to Dismiss. In accordance with the Memorandum Opinion issued this same date, it is ORDERED that the defendants' motion to dismiss is GRANTED. It is further ORDERED that this case is CLOSED, and all pending motions are DENIED as moot. Signed by Judge Reggie B. Walton on 12-11-12. (lcrbw3) (Entered: 12/11/2012)
12/11/2012	<u>61</u>	MEMORANDUM OPINION. Signed by Judge Reggie B. Walton on 12-11-12. (lcrbw3) (Entered: 12/11/2012)
02/05/2013	<u>62</u>	NOTICE OF APPEAL TO DC CIRCUIT COURT as to <u>60</u> Order on Motion for Protective Order, Order on Motion to Dismiss,, <u>61</u> Memorandum & Opinion by DAVID CANTU, GUADALUPE GARCIA, NOE OBREGON, MODESTO RODRIGUEZ, RUPERTO RODRIGUEZ, MODESTA SALAZAR. Filing fee \$ 455, receipt number 0090-3208723. Fee Status: Fee Paid. Parties have been notified. (Feinberg, Adam) (Entered: 02/05/2013)
02/06/2013	<u>63</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals fee was paid this date 2/5/13 re <u>62</u> Notice of Appeal to DC Circuit Court,. (td,) (Entered: 02/06/2013)
02/08/2013		USCA Case Number 13-5044 for <u>62</u> Notice of Appeal to DC Circuit Court, filed by MODESTA SALAZAR, MODESTO RODRIGUEZ, DAVID CANTU, RUPERTO RODRIGUEZ, GUADALUPE GARCIA, NOE OBREGON. (td,) (Entered: 02/08/2013)
04/05/2013	<u>64</u>	TRANSCRIPT OF PROCEEDINGS before Magistrate Judge John M. Facciola. Status Conference held on 8/24/2012; Page Numbers: 1-47. Court Reporter/Transcriber Bowles Reporting Service, Court Reporter Email Address : brs-ct@sbcglobal.net. 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 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 ww.dcd.uscourts.gov. Redaction Request due 4/26/2013. Redacted Transcript Deadline set for 5/6/2013. Release of Transcript Restriction set for 7/4/2013.(znmw,) (Entered: 04/08/2013)

08/13/2014	<u>65</u>	MANDATE of USCA (certified copy) as to <u>62</u> Notice of Appeal to DC Circuit Court, filed by MODESTA SALAZAR, MODESTO RODRIGUEZ, DAVID CANTU, RUPERTO RODRIGUEZ, GUADALUPE GARCIA, NOE OBREGON ; USCA Case Number 13-5044. ORDERED and ADJUDGED that the judgment of dismissal be reversed and the case remanded to the district court. (kb) (Entered: 08/13/2014)
10/09/2014	<u>66</u>	NOTICE of Appearance by Laura G. Ferguson on behalf of DAVID CANTU, GUADALUPE GARCIA, NOE OBREGON, MODESTO RODRIGUEZ, RUPERTO RODRIGUEZ, MODESTA SALAZAR (Ferguson, Laura) (Entered: 10/09/2014)
10/09/2014	<u>67</u>	NOTICE of Appearance by Andrew Dewald Herman on behalf of All Plaintiffs (Herman, Andrew) (Entered: 10/09/2014)
11/07/2014	<u>68</u>	Consent MOTION for Briefing Schedule <i>Regarding Defendants' Motion to Dismiss</i> by DAVID CANTU, GUADALUPE GARCIA, NOE OBREGON, MODESTO RODRIGUEZ, RUPERTO RODRIGUEZ, MODESTA SALAZAR (Attachments: # <u>1</u> Text of Proposed Order)(Feinberg, Adam) (Entered: 11/07/2014)
11/25/2014	<u>69</u>	MOTION to Dismiss by ERIC H. HOLDER, JR, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, THOMAS J. VILSACK (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Olson, Lisa) (Entered: 11/25/2014)
12/18/2014	<u>70</u>	NOTICE of Appearance by Jonathan D. Kossak on behalf of DAVID CANTU, GUADALUPE GARCIA, NOE OBREGON, MODESTO RODRIGUEZ, RUPERTO RODRIGUEZ, MODESTA SALAZAR (Kossak, Jonathan) (Entered: 12/18/2014)
01/09/2015	<u>71</u>	Memorandum in opposition to re <u>69</u> MOTION to Dismiss <i>First Amended Class Action Complaint</i> filed by DAVID CANTU, GUADALUPE GARCIA, NOE OBREGON, MODESTO RODRIGUEZ, RUPERTO RODRIGUEZ, MODESTA SALAZAR. (Attachments: # <u>1</u> Text of Proposed Order)(Feinberg, Adam) (Entered: 01/09/2015)
01/28/2015	<u>72</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>69</u> MOTION to Dismiss by ERIC H. HOLDER, JR, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, THOMAS J. VILSACK (Attachments: # <u>1</u> Text of Proposed Order)(Olson, Lisa) (Entered: 01/28/2015)
01/29/2015		MINUTE ORDER granting <u>72</u> Defendants' Unopposed Motion for Extension of Time. For good cause shown, and in light of the parties' consent, it is hereby ORDERED that the Defendants' Unopposed Motion for Extension of Time is GRANTED, and their reply in support of their motion to dismiss shall be filed on or before February 13, 2015. Signed by Judge Reggie B. Walton on 1/29/2015. (lcrbw3,) (Entered: 01/29/2015)
01/30/2015		Set/Reset Deadlines: Reply due by 2/13/2015. (mpt,) (Entered: 01/30/2015)
02/11/2015	<u>73</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>69</u> MOTION to Dismiss by ERIC H. HOLDER, JR, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, THOMAS J. VILSACK (Attachments: # <u>1</u> Text of Proposed Order)(Olson, Lisa) (Entered: 02/11/2015)
02/16/2015		MINUTE ORDER granting <u>73</u> Motion for Extension of Time to File Response/Reply. Upon consideration of the Defendants' Second Unopposed Motion for Extension of Time, and in light of the parties' consent, it is hereby ordered that the motion is GRANTED nunc pro tunc to February 13, 2015. It is further ORDERED that the defendants shall file their reply in support of their motion to dismiss on or before February 27, 2015. Signed by Judge Reggie B. Walton on February 16, 2015. (lcrbw2) (Entered: 02/16/2015)
02/18/2015		Set/Reset Deadlines: Reply due by 2/27/2015. (mpt,) (Entered: 02/18/2015)
02/27/2015	<u>74</u>	REPLY to opposition to motion re <u>69</u> MOTION to Dismiss filed by ERIC H. HOLDER, JR, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, THOMAS J. VILSACK. (Olson, Lisa) (Entered: 02/27/2015)

05/14/2015		MINUTE ORDER. In light of the pending motions before the Court, it is hereby ORDERED that the case is ADMINISTRATIVELY REOPENED. Signed by Judge Reggie B. Walton on May 14, 2015. (lcrbw1) (Entered: 05/14/2015)
06/08/2015	<u>75</u>	STATUS REPORT by ERIC H. HOLDER, JR, UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES OF AMERICA, THOMAS J. VILSACK. (Attachments: # <u>1</u> Exhibit Exhibit A)(Olson, Lisa) (Entered: 06/08/2015)
09/21/2015		MINUTE ORDER denying <u>68</u> Motion for Briefing Schedule. As the parties have already completed briefing for the defendants' pending motion to dismiss, it is hereby ORDERED that the plaintiffs' Consent Motion to Establish a Briefing Schedule for Defendants' Motion to Dismiss is DENIED AS MOOT. Signed by Judge Reggie B. Walton on September 21, 2015. (lcrbw1) (Entered: 09/21/2015)
10/26/2015	<u>76</u>	STATUS REPORT <i>Eleventh</i> by ERIC H. HOLDER, JR, UNITED STATES DEPARTMENT OF AGRICULTURE. (Olson, Lisa) (Entered: 10/26/2015)
03/01/2016	<u>77</u>	ORDER granting <u>69</u> Motion to Dismiss. For the reasons set forth in the attached Order, it is hereby ORDERED that the Defendants' Motion to Dismiss is GRANTED. It is further ORDERED that the plaintiffs' claims are DISMISSED. It is further ORDERED that this case is CLOSED. Signed by Judge Reggie B. Walton on March 1, 2016. (lcrbw1) (Entered: 03/01/2016)
03/21/2016	<u>78</u>	NOTICE of Change of Address by Adam P. Feinberg (Feinberg, Adam) (Entered: 03/21/2016)