

CLOSED

**U.S. District Court
Southern District of California (San Diego)
CIVIL DOCKET FOR CASE #: 3:07-cv-01667-BEN-BLM**

Tartakovsky et al v. Pierre et al
Assigned to: Judge Roger T. Benitez
Referred to: Magistrate Judge Barbara Lynn Major
Case in other court: USCA, 08-56678
Cause: 8:1446 Petition for Naturalization Hearing

Date Filed: 08/22/2007
Date Terminated: 03/11/2008
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

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Date Filed	#	Docket Text
08/22/2007	<u>1</u>	COMPLAINT against Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales (Filing fee \$ 350 receipt number 141795.), filed by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan.(ldp)(bar). (Entered: 08/23/2007)
08/22/2007	<u>2</u>	Summons Issued as to Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales. (ldp) (Entered: 08/23/2007)
08/27/2007	<u>3</u>	CERTIFICATE OF SERVICE by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan re <u>1</u> Complaint, <i>Certificate of Service Regarding the United States of America</i> (Dix, Nancy) (Entered: 08/27/2007)
09/06/2007	<u>4</u>	CERTIFICATE OF SERVICE by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan re <u>1</u> Complaint, <i>Certificate of Service Regarding Michael Chertoff, Secretary of Homeland Security</i> (Dix, Nancy) (Entered: 09/06/2007)
09/06/2007	<u>5</u>	CERTIFICATE OF SERVICE by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan re <u>1</u> Complaint, <i>Certificate of Service Regarding Alberto Gonzales, Attorney General of the United States</i> (Dix, Nancy) (Entered: 09/06/2007)
09/06/2007	<u>6</u>	CERTIFICATE OF SERVICE by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan re <u>1</u> Complaint, <i>Certificate of Service Regarding Emilio T. Gonzales, Director, U.S. Dept. of Homeland Security, Bureau of Citizenship and Immigration Services</i> (Dix, Nancy) (Entered: 09/06/2007)
09/06/2007	<u>7</u>	CERTIFICATE OF SERVICE by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan re <u>1</u> Complaint, <i>Certificate of Service Regarding Robert S. Mueller, III, Director, Federal Bureau of Investigation</i> (Dix, Nancy) (Entered: 09/06/2007)
09/06/2007	<u>8</u>	CERTIFICATE OF SERVICE by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan re <u>1</u> Complaint, <i>Proof of Service of Summons and Complaint on Defendant, Paul M. Pierre, District Director, U.S. Dept. of Homeland Security, Bureau of Citizenship & Immigration Services</i> (Dix, Nancy) (Entered: 09/06/2007)
10/29/2007	<u>9</u>	MOTION to Dismiss by Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales. (Attachments: # <u>1</u> Notice of Motion to Dismiss# <u>2</u> Memo of Points and Authorities # <u>3</u> Exhibit to Motion to Dismiss# <u>4</u> Proof of Service)(Stahl, Thomas) (joeh,). (Entered: 10/29/2007)
11/06/2007	<u>10</u>	PRO HAC VICE APPOINTED: C. Barrington Wilkins appearing for Defendants Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales (mkz)(mam). (Entered: 11/06/2007)

11/08/2007	<u>11</u>	Minute Entry: Judge Cathy Ann Bencivengo hereby recuses herself and is no longer assigned to this case. Judge Barbara Lynn Major added. (vrp) (Entered: 11/08/2007)
12/03/2007	<u>12</u>	MOTION for Leave to File Excess Pages <i>Motion to Extend the Page Limit of Local Civil Rule 7.1(h)</i> by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Proof of Service)(Chen, Karen) (vet,). (Entered: 12/03/2007)
12/03/2007	<u>13</u>	RESPONSE in Opposition re <u>9</u> MOTION to Dismiss <i>Memorandum of Points and Authorities in Opposition to Defendants' Motion to Dismiss</i> filed by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Proof of Service)(Chen, Karen) Modified on 12/4/2007 (tkl,). Efiled in error. Atty to re-efile 12/4/07. (Entered: 12/03/2007)
12/04/2007	<u>14</u>	MOTION for Leave to File Excess Pages <i>Motion to Extend the Page Limit of Local Civil Rule 7.1(h)</i> by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Proof of Service)(Dix, Nancy) (joeh,). (Entered: 12/04/2007)
12/04/2007	<u>15</u>	RESPONSE in Opposition re <u>9</u> MOTION to Dismiss <i>Memorandum of Points and Authorities in Opposition to Defendants' Motion to Dismiss</i> filed by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Proof of Service)(Dix, Nancy) (joeh,). (Entered: 12/04/2007)
12/04/2007	<u>16</u>	NOTICE of Appearance by M Ray Hartman, III on behalf of Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan (Hartman, M) (joeh,). (Entered: 12/04/2007)
12/07/2007	<u>17</u>	ORDER granting <u>12</u> Motion for Leave to File Excess Pages; granting <u>14</u> Motion for Leave to File Excess Pages. Signed by Judge Roger T. Benitez on 12/07/07. (joeh)(mam). (Entered: 12/07/2007)
12/14/2007	<u>18</u>	MINUTE ORDER issued by the Honorable Roger T. Benitez submitting [9-1] Motion to Dismiss. Court to issue Order. Motion Hearing date of 12/17/2007 10:30AM is hereby vacated. (gxr) (Entered: 12/14/2007)
02/08/2008	<u>19</u>	MOTION to Certify Class <i>Notice of Motion and Motion for Class Certification</i> by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Memo of Points and Authorities # <u>2</u> Exhibit A)(Hartman, M)(joeh,). (Entered: 02/08/2008)
02/08/2008	<u>20</u>	CERTIFICATE OF SERVICE by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan re <u>19</u> MOTION to Certify Class <i>Notice of Motion and Motion for Class Certification Proof of Service</i> (Hartman, M) (joeh,). (Entered: 02/08/2008)
02/14/2008	<u>21</u>	Ex Parte MOTION to Stay <i>Ruling on Plaintiffs' Motion for Class Certification</i> by Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales. (Wilkins, C.) (joeh,). (Entered: 02/14/2008)
02/20/2008	<u>22</u>	RESPONSE in Opposition re <u>21</u> Ex Parte MOTION to Stay <i>Ruling on Plaintiffs' Motion for Class Certification Opposition to Defendants' Ex Parte Application Seeking a Stay on the Ruling of Plaintiffs' Motion for Class Certification</i> filed by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Proof of Service)(Hartman, M) (joeh,). (Entered: 02/20/2008)
02/20/2008	<u>23</u>	ORDER granting <u>21</u> Motion request for Defendant's opposition to Plaintiff's Motion for Class Certification be due 30 days after the Court's ruling on the Defendant's pending motion to dismiss or partial motion to dismiss. Dft's opposition ddl set for 30 calendar days after the Court's order on Defendants motion to dismiss is entered. Plaintiff's reply shall be due seven calendar days after the due date for Defendant's opposition. The hearing date for Plaintiffs Motion for Class Certification, currently set for April 7, 2008, is vacated. The motion for class certification shall be deemed taken under submission upon the receipt of the reply. Signed by Judge Roger T. Benitez on 02/20/08. (joeh) Modified text on 2/21/2008 (joeh,). (avl,). (Entered: 02/21/2008)

03/03/2008	<u>24</u>	RESPONSE in Opposition re <u>9</u> MOTION to Dismiss <i>Notice of Recent Authority</i> filed by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Proof of Service)(Hartman, M) (joeh,). (Entered: 03/03/2008)
03/06/2008	<u>25</u>	REPLY re <u>24</u> Response in Opposition to Motion <i>To Dismiss Notice of Recent Authority</i> filed by Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales. (Wilkins, C.) (joeh,). (Entered: 03/06/2008)
03/11/2008	<u>26</u>	ORDER DISMISSING CASE, Determination of Plaintiffs application for naturalization is remanded to United States Citizenship and Immigration Services, with instructions that USCIS adjudicate plaintiffs naturalization without unreasonable delay. Plaintiffs claim of unreasonable delay in violation of the Administrative Procedures Act (APA) is dismissed without prejudice. Plaintiffs claim for violation of the notice and comment provisions of the APA is dismissed without prejudice. Plaintiffs claim for violation of due process is dismissed without prejudice. Signed by Judge Roger T. Benitez on 03/11/08. CC to USCIS.(joeh) (Entered: 03/12/2008)
04/28/2008	<u>27</u>	STRIKEN PER ORDER <u>29</u> FIRST AMENDED COMPLAINT <i>First Amended Complaint for Declaratory and Injunctive Relief and Petition for Naturalization</i> against all defendants, filed by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Notice)(Hartman, M). Modified on 4/30/2008 (joeh, D). (Entered: 04/28/2008)
04/30/2008	<u>28</u>	STRIKEN PER ORDER <u>29</u> Amended MOTION to Certify Class <i>Plaintiff's Notice of Amended Motion and Amended Motion for Class Certification</i> by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Memo of Points and Authorities, # <u>2</u> Declaration David Blair-Loy, # <u>3</u> Exhibit Exhibits 1 – 5 of Blair-Loy Declaration, # <u>4</u> Declaration Aaron H. Caplan, # <u>5</u> Exhibit Exhibits A – D of Caplan Declaration, # <u>6</u> Declaration Karen C. Tumlin, # <u>7</u> Declaration Cecillia D. Wang, # <u>8</u> Proof of Service)(Chen, Karen) Modified on 4/30/2008 (joeh, D). (Entered: 04/30/2008)
04/30/2008	<u>29</u>	Discrepancy Order by Judge Roger T. Benitez rejecting document: First Amended Complaint, Amended Motion to Certify Class from Plaintiffs Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan, non-compliance with local rule s, Motions terminated: <u>28</u> Amended MOTION to Certify Class <i>Plaintiff's Notice of Amended Motion and Amended Motion for Class Certification</i> filed by Zahra Jamshidi, Mohammad Hashim Naseem, Mehdi Hormozan, Daniel Tartakovsky. Signed by Judge Roger T. Benitez on 04/30/08. (joeh) (av1). (Entered: 04/30/2008)
05/05/2008	<u>30</u>	MOTION for Reconsideration by Daniel Tartakovsky. (Attachments: # <u>1</u> Motion for Reconsideration, # <u>2</u> Declaration David Blair-Loy, # <u>3</u> Declaration Wang, # <u>4</u> Declaration Tumlin, # <u>5</u> Declaration Caplan, # <u>6</u> Proof of Service)(Chen, Karen) (ag). Modified on 6/8/2009 to terminate motion, per chambers (asw). (Entered: 05/05/2008)
05/05/2008	<u>31</u>	MOTION for Reconsideration by Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Motion for Reconsideration, # <u>2</u> Declaration David Blair-Loy, # <u>3</u> Declaration Wang, # <u>4</u> Declaration Tumlin, # <u>5</u> Declaration Caplan, # <u>6</u> Proof of Service)(Chen, Karen) (aje). Modified on 6/8/2009 to terminate motion, per chambers (asw). (Entered: 05/05/2008)
05/16/2008	<u>32</u>	Joint MOTION for Extension of Time to File Response/Reply / <i>Defendant's opposition</i> by Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales. (Norris, Raven) (joeh). (Entered: 05/16/2008)
05/22/2008	<u>33</u>	NOTICE of Appearance by John R. Bunker on behalf of all defendants (Bunker, John) (joeh). (Entered: 05/22/2008)
05/22/2008	<u>35</u>	ORDER granting <u>32</u> Motion for Extension of Time to File Response/Reply re <u>30</u> MOTION for Reconsideration, <u>31</u> MOTION for Reconsideration Responses due by 5/30/2008. Signed by Judge Roger T. Benitez on 05/22/08. (joeh) (av1). (Entered: 05/23/2008)

05/23/2008	<u>34</u>	RESPONSE in Opposition re <u>31</u> MOTION for Reconsideration, <u>28</u> Amended MOTION to Certify Class <i>Plaintiff's Notice of Amended Motion and Amended Motion for Class Certification</i> , <u>30</u> MOTION for Reconsideration, <u>32</u> Joint MOTION for Extension of Time to File Response/Reply / <i>Defendant's opposition</i> filed by Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales. (Attachments: # <u>1</u> Exhibit PLAINTIFFS' FIRST AMENDED COMPLAINT)(Bunker, John) (jpp). (Entered: 05/23/2008)
05/30/2008	<u>36</u>	Minute Order issued by the Honorable Roger T. Benitez: Submitting [30-1] Motion for Reconsideration; submitting [31-1] Motion for Reconsideration. Court to issue Order. Motion Hearing date of 6/2/2008 10:30AM is hereby vacated. (gxr) (Entered: 05/30/2008)
05/30/2008	<u>37</u>	REPLY re <u>31</u> MOTION for Reconsideration, <u>30</u> MOTION for Reconsideration <i>Reply Memorandum of Points and Authorities in Support of Plaintiffs' Motion to Reconsider Order Striking First Amended Complaint and Amended Motion for Class Certification, or in the Alternative, Requesting Leave to File</i> filed by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Proof of Service)(Chen, Karen) (joeh). (Entered: 05/30/2008)
06/18/2008	<u>38</u>	NOTICE by Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales <i>of adjudication of naturalization application of Cristobal Sanchez</i> (Attachments: # <u>1</u> Exhibit Copy of Naturalization Certificate of Cristobal Sanchez, # <u>2</u> Declaration Declaration of Celia Kynoch)(Bunker, John)(joeh). (Entered: 06/18/2008)
07/08/2008	<u>39</u>	NOTICE by Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales <i>of ADJUDICATION of NATURALIZATION APPLICATION of YULIYA PAST</i> (Attachments: # <u>1</u> Exhibit A—Declaration of Michael Hartsfield, # <u>2</u> Exhibit B—Copy of Naturalization Certificate of Yuliya Past)(Bunker, John) (mdc) (Entered: 07/08/2008)
10/07/2008	<u>40</u>	NOTICE OF APPEAL as to <u>29</u> Discrepancy Order Rejecting Document, <u>26</u> Order Dismissing Case, by Cristobal Sanchez, Yuliya Past, Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Filing Fee: Paid, Receipt No. 155783). (akr) (Entered: 10/08/2008)
10/08/2008		Transmission of Notice of Appeal (t/w Representation Statement) and Docket Sheet to US Court of Appeals re <u>40</u> Notice of Appeal. (akr) (Entered: 10/08/2008)
10/10/2008	<u>41</u>	USCA Case Number 08-56678 for <u>40</u> Notice of Appeal, filed by Cristobal Sanchez, Yuliya Past, Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (akr) (Entered: 10/10/2008)
10/10/2008	<u>42</u>	USCA Time Scheduling Order as to <u>40</u> Notice of Appeal, filed by Cristobal Sanchez, Yuliya Past, Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (akr) (Entered: 10/10/2008)
10/14/2008	<u>43</u>	TRANSCRIPT REQUEST by Cristobal Sanchez, Yuliya Past, Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan: No Transcripts Designated re <u>40</u> Notice of Appeal. (akr) (Entered: 10/14/2008)
10/14/2008	<u>44</u>	Certificate of Record transmitted to USCA re <u>40</u> Notice of Appeal. (akr) (Entered: 10/14/2008)
10/20/2008	<u>45</u>	PRO HAC VICE APPOINTED: Kathryn Moore appearing for Defendants Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales (mkz) (Entered: 10/21/2008)
10/22/2008	<u>46</u>	ORDER Staying Plaintiffs' Motions for Reconsideration <u>30</u> and <u>31</u> . Signed by Judge Roger T. Benitez on 10/22/08. (All non-registered users served via U.S. Mail Service).(asw) (av1). (Entered: 10/23/2008)
10/27/2008	<u>47</u>	NOTICE of USCA Receipt of Certificate of Record re <u>40</u> Notice of Appeal, filed by Cristobal Sanchez, Yuliya Past, Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. USCA Case Number 08-56678. (akr) (Entered: 10/27/2008)

11/05/2008	<u>48</u>	NOTICE of Appearance by Sean Connor Riordan on behalf of Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan (Attachments: # <u>1</u> Proof of Service)(Riordan, Sean)(asw). (Entered: 11/05/2008)
11/05/2008	<u>49</u>	MOTION for Attorney Fees <i>and Costs</i> by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Memo of Points and Authorities In Support of Motion for Attorneys Fees and Costs, # <u>2</u> Declaration Cecillia D. Wang, # <u>3</u> Exhibit EX.1 to Cecillia Wang Declaration, # <u>4</u> Declaration David Blair-Loy, # <u>5</u> Exhibit EX.1 to David Blair-Loy Declaration, # <u>6</u> Declaration EX.2 to David Blair-Loy Declaration, # <u>7</u> Declaration Sean Riordan, # <u>8</u> Exhibit EX.1 to Sean Riordan Declaration, # <u>9</u> Exhibit EX.2 to Sean Riordan Declaration, # <u>10</u> Declaration Karen S. Chen, # <u>11</u> Exhibit EX.1 to Karen Chen Declaration, # <u>12</u> Exhibit EX.2 to Karen Chen Declaration, # <u>13</u> Declaration M. Ray Hartman III, # <u>14</u> Declaration Nancy Dix, # <u>15</u> Declaration Mohammad Hashim Naseem, # <u>16</u> Proof of Service)(Blair-Loy, John)(asw). (Entered: 11/05/2008)
11/13/2008	<u>50</u>	DECLARATION of Daniel Tartakovsky re <u>49</u> MOTION for Attorney Fees <i>and Costs Declaration of Daniel Tartakovsky</i> by Plaintiffs Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Proof of Service)(Blair-Loy, John) Modified on 11/19/2008 to clarify text (asw). (Entered: 11/13/2008)
11/18/2008	<u>51</u>	DECLARATION of Zahra Jamshidi re <u>49</u> MOTION for Attorney Fees <i>and Costs Zahra Jamshidi Declaration</i> by Plaintiffs Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Proof of Service)(Blair-Loy, John) Modified on 11/19/2008 to clarify text (asw). (Entered: 11/18/2008)
11/20/2008	<u>52</u>	DECLARATION re <u>49</u> MOTION for Attorney Fees <i>and Costs Declaration of Mehdi Hormozan</i> by Plaintiffs Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Proof of Service)(Blair-Loy, John)(asw). (Entered: 11/20/2008)
11/21/2008	<u>53</u>	Joint MOTION for Extension of Time to File Response/Reply by Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales. (Moore, Kathryn)(asw). (Entered: 11/21/2008)
11/26/2008	<u>54</u>	NOTICE by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan re <u>49</u> MOTION for Attorney Fees <i>and Costs</i> (Attachments: # <u>1</u> Declaration, # <u>2</u> Declaration, # <u>3</u> Declaration, # <u>4</u> Declaration, # <u>5</u> Proof of Service)(Blair-Loy, John)(asw). (Entered: 11/26/2008)
12/02/2008	<u>55</u>	ORDER granting <u>53</u> Joint Motion to Continue Hearing and Briefing Schedule on Plaintiffs-Petitioners' Motion for Attorney's Fees: The Court GRANTS the Motion and ORDERS that the hearing date is continued until 1/5/09, at 10:30 AM. The Court further ORDERS that the parties' response and reply deadlines are based on the new hearing date. Signed by Judge Roger T. Benitez on 12/1/08. (asw) (kaj). Modified on 12/15/2008 to correct hearing time (asw). (Entered: 12/03/2008)
12/10/2008	<u>56</u>	Joint MOTION to Continue <i>Hearing and Response and Reply Dates For Plaintiffs-Petitioners' Motion for Attorneys Fees</i> by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. (Attachments: # <u>1</u> Proof of Service)(Blair-Loy, John)(asw). (Entered: 12/10/2008)
12/17/2008	<u>57</u>	Minute Order issued by the Honorable Roger T. Benitez: The Court GRANTS the Joint Motion to Continue Hearing and Briefing Schedule on Plaintiffs Motion for Attorney's Fees (Dkt. No. 56) and orders the hearing date continued from 1/5/09 to 2/2/09 10:30 AM in Courtroom 03 before Judge Roger T. Benitez. Deadlines for briefing the Motion (Dkt. No 49) are based on the new hearing date. (gxr) (Entered: 12/17/2008)
01/16/2009	<u>58</u>	RESPONSE in Opposition re <u>49</u> MOTION for Attorney Fees <i>and Costs</i> filed by Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales. (Moore, Kathryn) (cap). (Entered: 01/16/2009)
01/26/2009	<u>59</u>	REPLY to Response to Motion re <u>49</u> MOTION for Attorney Fees <i>and Costs</i> filed by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi

		Hormozan. (Attachments: # <u>1</u> Declaration Sean Riordan, # <u>2</u> Exhibit to declaration, # <u>3</u> Exhibit to declaration, # <u>4</u> Proof of Service)(Blair-Loy, John)(asw). (Entered: 01/26/2009)
01/28/2009	<u>60</u>	Minute Order issued by the Honorable Roger T. Benitez: Submitting <u>49</u> MOTION for Attorney Fees and Costs. Court to issue Order. Motion Hearing date of 2/2/2009 10:30AM is hereby vacated. (gxr) (Entered: 01/28/2009)
01/29/2009	<u>61</u>	NOTICE by Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan re <u>49</u> MOTION for Attorney Fees <i>and Costs</i> (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Proof of Service)(Blair-Loy, John)(asw). (Entered: 01/29/2009)
04/06/2009	<u>62</u>	ORDER of USCA as to <u>40</u> Notice of Appeal, filed by Cristobal Sanchez, Yuliya Past, Daniel Tartakovsky, Mohammad Hashim Naseem, Zahra Jamshidi, Mehdi Hormozan. Pursuant to the stipulation of the parties, this appeal is voluntarily dismissed. The parties shall bear their own costs and attorneys' fees on appeal. This order served on the USDC shall act as and for the mandate of the USCA. (akr) (Entered: 04/06/2009)
04/22/2009	<u>63</u>	NOTICE re <u>58</u> Response in Opposition to Motion <i>Relevant Recent Decisions</i> by Paul M. Pierre, Emilio T. Gonzalez, Michael Chertoff, Robert S Mueller, III, Alberto Gonzales (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Moore, Kathryn)(asw). (Entered: 04/22/2009)
08/10/2009	<u>64</u>	ORDER denying <u>49</u> Motion for Attorney Fees and Costs. Because the Court finds that Plaintiffs are not prevailing parties, the motion is DENIED. Signed by Judge Roger T. Benitez on 8/10/09. (asw) (jrl). (Entered: 08/10/2009)