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BEFORE THE UNITED STATES
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

FILED

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THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

IN RE AMERICAN CIVIL LIBERTIES
UNION FREEDOM OF INFORMATION
ACT REQUESTS REGARDING
EXECUTIVE ORDER 13769

MDL Docket No. _____

17 CV 2768

DEFENDANTS' MOTION FOR TRANSFER OF ACTIONS PURSUANT TO
28 U.S.C. § 1407 FOR COORDINATED OR CONSOLIDATED PRETRIAL
PROCEEDINGS

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Pursuant to 28 U.S.C. § 1407, Defendants, the U.S. Department of Homeland Security (“DHS”) and U.S. Customs and Border Protection (“CBP”), respectfully move the Judicial Panel on Multidistrict Litigation for an order transferring the actions listed on the Schedule of Actions (the “Related Actions”) attached to the accompanying memorandum to the United States District Court for the District of Columbia for coordinated or consolidated pretrial proceedings. Each of the thirteen cases at issue involves one or more Freedom of Information Act requests submitted by one or more affiliates of the American Civil Liberties Union to CBP about the implementation of Executive Order 13769, “Protecting the Nation from Terrorist Entry Into the United States,” 82 Fed. Reg. 8977 (Jan. 27, 2017). The reasons supporting consolidation and transfer are set forth in the accompanying memorandum.

WHEREFORE, Defendants respectfully request that the Panel issue an Order transferring the actions listed in the accompanying Schedule of Actions, as well as any subsequently filed related actions, for coordinated or consolidated pretrial proceedings in the United States District Court for the District of Columbia.

Dated: May 8, 2017

Respectfully submitted,

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SCHEDULE OF ACTIONS

No.	Case Caption	Court	Docket No.	Judge
1	Plaintiffs: American Civil Liberties Union of Maine; American Civil Liberties Union of New Hampshire; American Civil Liberties Union of Vermont; American Civil Liberties Union of Massachusetts; American Civil Liberties Union of Connecticut; American Civil Liberties Union of Rhode Island Defendants: U.S. Customs and Border Protection; U.S. Department of Homeland Security	District of Maine, Portland Division	2:17-cv-00132	Hon. George Z. Singal

No.	Case Caption	Court	Docket No.	Judge
2	Plaintiffs: American Civil Liberties Union of San Diego and Imperial Counties Defendants: U.S. Department of Homeland Security; U.S. Customs and Border Protection	Southern District of California, San Diego Division	3:17-cv-00733	Hon. M. James Lorenz
3	Plaintiffs: American Civil Liberties Union of Florida Defendants: U.S. Department of Homeland Security; U.S. Customs and Border Protection	Southern District of Florida, Miami Division	1:17-cv-21382	Hon. Darrin P. Gayles
4	Plaintiffs: American Civil Liberties Union of Washington; American Civil Liberties Union of Montana; American Civil Liberties Union of North Dakota Defendants: U.S. Department of Homeland Security; U.S. Customs and Border Protection	Western District of Washington, Seattle Division	2:17-cv-00562	Hon. Robert S. Lasnik

No.	Case Caption	Court	Docket No.	Judge
5	Plaintiffs: American Civil Liberties Union of Arizona Defendants: U.S. Department of Homeland Security; U.S. Customs and Border Protection	District of Arizona, Phoenix Division	2:17-cv-01083	Hon. Deborah M. Fine (M.J.)
6	Plaintiffs: American Civil Liberties Union of Virginia; American Civil Liberties Union of Maryland; American Civil Liberties Union of Pennsylvania; American Civil Liberties Union of Delaware Defendants: U.S. Department of Homeland Security; U.S. Customs and Border Protection	Eastern District of Virginia, Alexandria Division	1:17-cv-00441	Hon. Leonie M. Brinkema

No.	Case Caption	Court	Docket No.	Judge
7	Plaintiffs: American Civil Liberties Union of Illinois; American Civil Liberties Union of Indiana; American Civil Liberties Union of Iowa; American Civil Liberties Union of Kentucky; American Civil Liberties Union of Minnesota; American Civil Liberties Union of Missouri; American Civil Liberties Union of Nebraska; American Civil Liberties Union of Ohio; American Civil Liberties Union of South Dakota; American Civil Liberties Union of Wisconsin Defendants: U.S. Department of Homeland Security; U.S. Customs and Border Protection	Northern District of Illinois, Eastern Division	1:17-cv-02768	Hon. Robert M. Dow, Jr.
8	Plaintiffs: American Civil Liberties Union of Northern California; American Civil Liberties Union of Hawaii; American Civil Liberties Union of Utah Defendants: U.S. Department of Homeland Security; U.S. Customs and Border Protection	Northern District of California, Oakland Division	4:17-cv-01970	Hon. Sandra B. Armstrong

No.	Case Caption	Court	Docket No.	Judge
9	Plaintiffs: American Civil Liberties Union of Oregon; American Civil Liberties Union of Alaska; American Civil Liberties Union of Colorado; American Civil Liberties Union of Idaho; American Civil Liberties Union of Wyoming Defendants: U.S. Department of Homeland Security; U.S. Customs and Border Protection	District of Oregon, Portland Division	3:17-cv-00575	Hon. Marco A. Hernández
10	Plaintiffs: American Civil Liberties Union of Michigan Defendants: U.S. Department of Homeland Security; U.S. Customs and Border Protection	Eastern District of Michigan, Southern Division	5:17-cv-11149	Hon. Judith E. Levy
11	Plaintiffs: American Civil Liberties Union Foundation of Texas, Inc. Defendants: U.S. Customs and Border Protection; U.S. Department of Homeland Security	Southern District of Texas, Houston Division	4:17-cv-01128	Hon. Vanessa D. Gilmore

No.	Case Caption	Court	Docket No.	Judge
12	Plaintiffs: American Civil Liberties Union of Georgia, Inc.; American Civil Liberties Union of North Carolina, Inc.; American Civil Liberties Union of South Carolina, Inc.; American Civil Liberties Union of West Virginia, Inc. Defendants: U.S. Department of Homeland Security; U.S. Customs and Border Protection	Northern District of Georgia, Atlanta Division	1:17-cv-01309	Hon. Richard W. Story
13	Plaintiffs: American Civil Liberties Union of Southern California; American Civil Liberties Union of Nevada Defendants: U.S. Department of Homeland Security; U.S. Customs and Border Protection	Central District of California, Western Division	2:17-cv-02778	Hon. Beverly Reid O'Connell, Hon. Alka Sagar (M.J.)

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PROOF OF SERVICE

I hereby certify that a copy of the foregoing Motion, Brief, Schedule of Actions, and this Proof of Service was served by email or first class mail on May 8, 2017, to the following:

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Wilkie D. Ferguson, Jr. U.S. Courthouse
400 North Miami Avenue
Miami, FL 33128

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401 West Washington Street, SPC 1
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Albert V. Bryan U.S. Courthouse
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