# U.S. District Court District of Columbia (Washington, DC) CIVIL DOCKET FOR CASE #: 1:19-cv-02676-RDM

L.M.-M. et al v. CUCCINELLI et al Assigned to: Judge Randolph D. Moss Case in other court: USCA, 20-05141

Cause: 05:0706 Judicial Review of Agency Actions

Date Filed: 09/06/2019 Date Terminated: 08/19/2021

Jury Demand: None

Nature of Suit: 899 Administrative Procedure Act/Review or Appeal of

**Agency Decision** 

Jurisdiction: U.S. Government

Defendant

# **Plaintiff**

L.M.-M.

represented by John T. Lewis, III

DEMOCRACY FORWARD

FOUNDATION P.O. Box 34553

Washington, DC 20043

(202) 448-9090

Email:

ilewis@democracyforward.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## Manoj Govindaiah

**IMMIGRANT LEGAL DEFENSE** 

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LEAD ATTORNEY

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## **Tamara Goodlette**

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**Bradley Jenkins** 

CATHOLIC LEGAL IMMIGRATION NETWORK, INC. 8757 Georgia Avenue Suite 850 Silver Spring, MD 20910 301-565-4820 Fax: 301-565-4820 Email: bjenkins@cliniclegal.org

## **Plaintiff**

**B.M.-M.** 

A minor, by and through her Next Friend, L.M.-M.

represented by John T. Lewis, III

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

ATTORNEY TO BE NOTICED

Manoj Govindaiah

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Tamara Goodlette** 

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Bradley Jenkins** 

(See above for address)

ATTORNEY TO BE NOTICED

## **Plaintiff**

**V.M.-M.** 

A minor, by and through her Next Friend, L.M.-M.

represented by John T. Lewis, III

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## Manoj Govindaiah

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

# **Tamara Goodlette**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## **Bradley Jenkins**

(See above for address)

ATTORNEY TO BE NOTICED

## **Plaintiff**

**M.A.-H.** 

# represented by John T. Lewis, III

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

# Manoj Govindaiah

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

### **Tamara Goodlette**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## **Bradley Jenkins**

(See above for address)

ATTORNEY TO BE NOTICED

## **Plaintiff**

#### I.M.-A.

A minor, by and through her Next Friend, M.A.-H.

# represented by John T. Lewis, III

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## Manoj Govindaiah

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## **Tamara Goodlette**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## **Bradley Jenkins**

(See above for address)

ATTORNEY TO BE NOTICED

## **Plaintiff**

S.G.-C.

## represented by John T. Lewis, III

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

# Manoj Govindaiah

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

# **Tamara Goodlette**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## **Bradley Jenkins**

(See above for address)

ATTORNEY TO BE NOTICED

### **Plaintiff**

**B.O.-G.** 

A minor, by and through her Next Friend, S.G.-C.

# represented by John T. Lewis, III

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## Manoj Govindaiah

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## **Tamara Goodlette**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## **Bradley Jenkins**

(See above for address)

ATTORNEY TO BE NOTICED

# **Plaintiff**

REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES represented by John T. Lewis, III

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## Manoj Govindaiah

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

### **Tamara Goodlette**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

# **Bradley Jenkins**

(See above for address)

ATTORNEY TO BE NOTICED

V.

## **Defendant**

## KENNETH T. CUCCINELLI, II

In his purported official capacity as acting Director of U.S. Citizenship and Immigration Services

represented by Brian C. Rosen-Shaud

U.S. DEPARTMENT OF JUSTICE Federal Programs Branch 1100 L Street Rm. 12022 Washington, DC 20530 202-305-7667 Email: brian.c.rosenshaud@usdoj.gov LEAD ATTORNEY ATTORNEY TO BE NOTICED

## Julian Michael Kurz

U.S. DEPARTMENT OF JUSTICE Office of Immigration Litigation P.O. Box 868 Ben Franklin Station

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### **Archith Ramkumar**

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TERMINATED: 10/23/2020

## **James Mahoney Burnham**

U.S. DEPARTMENT OF JUSTICE Civil Division 950 Pennsylvania Avenue, NW Washington, DC 20530 (202) 353-5049 Email: james.burnham@usdoj.gov TERMINATED: 02/07/2020 ATTORNEY TO BE NOTICED

## **Defendant**

### KEVIN K. MCALEENAN

In his official capacity as acting Secretary of Homeland Security

### represented by Brian C. Rosen-Shaud

(See above for address) LEAD ATTORNEY ATTORNEY TO BE NOTICED

#### Julian Michael Kurz

(See above for address) LEAD ATTORNEY ATTORNEY TO BE NOTICED

#### **Archith Ramkumar**

(See above for address) TERMINATED: 10/23/2020

### **James Mahoney Burnham**

(See above for address) TERMINATED: 02/07/2020 ATTORNEY TO BE NOTICED

## **Defendant**

U.S. DEPARTMENT OF HOMELAND SECURITY represented by Brian C. Rosen-Shaud

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Julian Michael Kurz

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Archith Ramkumar** 

(See above for address) *TERMINATED: 10/23/2020* 

**James Mahoney Burnham** 

(See above for address)

TERMINATED: 02/07/2020

ATTORNEY TO BE NOTICED

# **Defendant**

U.S. CITIZENSHIP & IMMIGRATION SERVICES

represented by Brian C. Rosen-Shaud

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Julian Michael Kurz

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Archith Ramkumar** 

(See above for address) *TERMINATED: 10/23/2020* 

**James Mahoney Burnham** 

(See above for address)
TERMINATED: 02/07/2020
ATTORNEY TO BE NOTICED

### **Amicus**

MORTON ROSENBERG

represented by Gregory M. Lipper

CLINTON & PEED 1775 Eye Street NW Suite 1150

Washington, DC 20006 202-996-0919

Fax: 202-204-6320

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/06/2019	1	COMPLAINT against KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY (Filing fee \$ 400, receipt number 4616100516) filed by S.GC., B.MM., M.AH., I.MA., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, L.MM., B.OG., V.MM (Attachments: # 1 Civil Cover Sheet, # 2 Certificate of Service)(ztd) (Entered: 09/10/2019)
09/06/2019	2	SEALED MOTION filed by B.MM., B.OG., I.MA., L.MM., M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, S.GC., V.MM (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Certificate of Service, # 2 Text of Proposed Order, # 3 Exhibit)(ztd) (Entered: 09/10/2019)
09/06/2019	3	SEALED ORDER re 2 SEALED MOTION filed by B.MM., B.OG., I.MA., L.MM., M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, S.GC., V.MM (This document is SEALED and only available to authorized persons.) filed by M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, B.OG., S.GC., L.MM., B.MM., V.MM., I.MA (This document is SEALED and only available to authorized persons.) Signed by Chief Judge Beryl A. Howell on 9/6/19.(ztd) (Entered: 09/10/2019)
09/10/2019	4	SUMMONS (6) Issued Electronically as to KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (Attachments: # 1 Summons, # 2 Summons, # 3 Summons, # 4 Summons, # 5 Summons)(ztd) (Entered: 09/10/2019)
09/11/2019	<u>5</u>	STANDING ORDER: The parties are hereby ORDERED to comply with the directives set forth in the attached Standing Order.

		See document for details. Signed by Judge Randolph D. Moss on 09/11/2019. (lcrdm2, ) (Entered: 09/11/2019)
09/11/2019	<u>6</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES (Lewis, John) (Entered: 09/11/2019)
09/13/2019	7	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. KENNETH T. CUCCINELLI, II served on 9/12/2019; KEVIN K. MCALEENAN served on 9/12/2019; U.S. CITIZENSHIP & IMMIGRATION SERVICES served on 9/12/2019; U.S. DEPARTMENT OF HOMELAND SECURITY served on 9/12/2019, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 9/13/19., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/13/2019. (Answer due for ALL FEDERAL DEFENDANTS by 11/12/2019.) (Attachments: # 1 Declaration)(Lewis, John) (Entered: 09/13/2019)
09/19/2019	<u>8</u>	Joint MOTION for Briefing Schedule <i>and Stipulation</i> by B.MM., B.OG., I.MA., L.MM., M.AH., S.GC., V.MM. (Attachments: # 1 Text of Proposed Order)(Lewis, John) (Entered: 09/19/2019)
09/20/2019	9	NOTICE of Appearance by Manoj Govindaiah on behalf of All Plaintiffs (Govindaiah, Manoj) (Entered: 09/20/2019)
09/25/2019	<u>10</u>	NOTICE of Appearance by Julian Michael Kurz on behalf of All Defendants (Kurz, Julian) (Entered: 09/25/2019)
09/26/2019		MINUTE ORDER: Upon consideration of the parties' joint proposed briefing schedule, Dkt. 8, it is hereby ORDERED that the motion is GRANTED. The following schedule shall govern future proceedings in this matter: Plaintiffs shall file their motion for preliminary injunction on or before September 27, 2019; Defendants shall file their opposition on or before October 21, 2019; and Plaintiffs shall file their reply on or before October 28, 2019. It is further ORDERED that the parties shall appear for oral argument on Plaintiffs' motion for preliminary injunction on December 3, 2019, at 10:00a.m. in Courtroom 21. Signed by Judge Randolph D. Moss on 09/26/2019. (lcrdm2, ) (Entered: 09/26/2019)
09/26/2019		Set/Reset Deadlines/Hearings: Plaintiffs shall file their motion for preliminary injunction on or before 9/27/2019; Plaintiffs shall file

		their motion for preliminary injunction on or before 10/21/2019; Plaintiffs shall file their reply on or before 10/28/2019. Motion Hearing set for 12/3/2019, at 10:00 AM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 09/26/2019)
09/27/2019	11	MOTION for Leave to Appear Pro Hac Vice :Attorney Name-Bradley Jenkins, :Firm- Catholic Legal Immigration Network, Inc., :Address- 8757 Georgia Ave., Suite 850, Silver Spring, MD 20910. Phone No (301) 565-4820. Filing fee \$ 100, receipt number 0090-6404536. Fee Status: Fee Paid. by B.MM., B.OG., I.MA., L.MM., M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, S.GC., V.MM. (Attachments: # 1 Declaration, # 2 Text of Proposed Order)(Lewis, John) (Entered: 09/27/2019)
09/27/2019	12	MOTION for Preliminary Injunction by B.MM., B.OG., I.MA., L.MM., M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, S.GC., V.MM. (Attachments: # 1 Declaration of Bridget Cambria, # 2 Declaration of Shalyn Fluharty, # 3 Declaration of L.MM., # 4 Declaration of M.AH., # 5 Declaration of Andrea Meza, # 6 Declaration of Catherine Monk and Exhibits, # 7 Declaration of Dr. Anita Ravi, # 8 Text of Proposed Order)(Lewis, John) Modified on
		1/8/2020 to correct docket event/text (jf). (Entered: 09/27/2019)
09/27/2019	29	MOTION for Partial Summary Judgment by B.MM., B.OG., I.MA., L.MM., M.AH., S.GC., V.MM. (See Minute Order filed on 01/09/2020) (jf) (Entered: 01/24/2020)
09/28/2019		MINUTE ORDER: Upon consideration of Plaintiffs' Motion for Leave to Appear Pro Hac Vice, Dkt. 11, it is hereby ORDERED that the motion is GRANTED. Bradley Jenkins is hereby granted leave to appear pro hac vice in this case. Signed by Judge Randolph D. Moss on 09/28/2019. (lcrdm2, ) (Entered: 09/28/2019)
10/07/2019	13	Consent MOTION for Leave to File Amicus Brief by MORTON ROSENBERG (Attachments: # 1 Exhibit Amicus Brief) (jf) (Entered: 10/08/2019)
10/08/2019	14	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- J. Carl Cecere, :Firm- Cecere PC, :Address- 6035 McCommas Blvd Phone No 469-600-9455. Fax No NA Filing fee \$ 100, receipt number ADCDC-6430083. Fee Status: Fee Paid. by MORTON ROSENBERG (Attachments: # 1 Affidavit Declaration of J. Carl Cecere, # 2 Text of Proposed Order Proposed Order)(Lipper, Gregory) (Entered: 10/08/2019)

10/08/2019		MINUTE ORDER: Upon consideration of Morton Rosenberg's unopposed motion for leave to file an amicus curiae brief, Dkt. 13, it is hereby ORDERED that the motion is GRANTED. The brief that Mr. Rosenberg attached to his motion, Dkt. 13-1, is hereby deemed FILED. Signed by Judge Randolph D. Moss on 10/08/2019. (lcrdm2, ) (Entered: 10/08/2019)
10/08/2019	<u>15</u>	AMICUS BRIEF by MORTON ROSENBERG. (ztd) (Entered: 10/09/2019)
10/21/2019	<u>16</u>	NOTICE of Appearance by Archith Ramkumar on behalf of All Defendants (Ramkumar, Archith) (Entered: 10/21/2019)
10/21/2019	<u>17</u>	Memorandum in opposition to re 12 MOTION for Preliminary Injunction filed by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # 1 Declaration of Ashley Caudill-Mirillo, # 2 Declaration of Paul Johnson, # 3 Declaration of Michelle Monroe, # 4 Declaration of Julianna Blackwell)(Ramkumar, Archith) (Entered: 10/21/2019)
10/21/2019	18	ADMINISTRATIVE RECORD <i>Notice of Electronic Filing</i> by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # 1 Exhibit Index-Administrative Record, # 2 Exhibit Certification of Administrative Record, # 3 Exhibit Administrative Record)(Ramkumar, Archith) (Entered: 10/21/2019)
10/22/2019		MINUTE ORDER: Upon consideration of Amici's Motion for Leave to Appear Pro Hac Vice, Dkt. 14, it is hereby ORDERED that the motion is GRANTED. Joseph Carl Cecere is hereby granted leave to appear pro hac vice in this case. Signed by Judge Randolph D. Moss on 10/21/2019. (lcrdm2, ) (Entered: 10/22/2019)
10/28/2019	<u>19</u>	REPLY to opposition to motion re 12 MOTION for Preliminary Injunction filed by B.MM., B.OG., I.MA., L.MM., M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, S.GC., V.MM (Lewis, John) (Entered: 10/28/2019)
11/19/2019	<u>20</u>	Consent MOTION for Extension of Time to File Answer re 1 Complaint, by KENNETH T. CUCCINELLI, II, KEVIN K.

11/20/2019		MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY (Attachments: # 1/2 Text of Proposed Order)(Ramkumar, Archith) (Entered: 11/19/2019)  MINUTE ORDER: Upon consideration of Defendants' Consent Motion for an Extension of Time for Defendants to Answer or Otherwise Respond to the Complaint, Dkt. 20, it is hereby ORDERED that Defendants' Motion is GRANTED. Defendants shall file their answer or otherwise respond to the Complaint within fourteen days of the Court's issuance of its ruling on Plaintiffs'
12/01/2019	21	pending preliminary injunction motion. Signed by Judge Randolph D. Moss on 11/20/2019. (lcrdm2, ) (Entered: 11/20/2019)  NOTICE of Appearance by James Mahoney Burnham on behalf of All Defendants (Burnham, James) (Entered: 12/01/2019)
12/03/2019		Minute Entry for proceedings held before Judge Randolph D. Moss:  Motion Hearing held on 12/3/2019 re: 12 MOTION for Preliminary Injunction filed by M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, B.OG., S.GC., L.MM., B.MM., V.MM., and I.MA. Plaintiffs' statement of material facts and any additional factual submission, in support thereof, are due by 12/10/2019; Defendants' response and supplemental brief are due 12/17/2019; Plaintiffs' response to Defendants' supplemental brief is due by 12/24/2019. Briefs shall be no more than 25 pages. (Court Reporter: Sara Wick.) (kt) (Entered: 12/03/2019)
12/10/2019	22	NOTICE of Filing Statement of Undisputed Material Facts by B.MM., B.OG., I.MA., L.MM., M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL  SERVICES, S.GC., V.MM. re 12 MOTION for Preliminary Injunction (Attachments: # 1 Statement of Facts, # 2 Declaration Supplemental Declaration of Shalyn Fluharty, # 3 Declaration Declaration of I.MA., # 4 Declaration Supplemental Declaration of L.MM., # 5 Declaration Supplemental Declaration of M.AH., # 6 Declaration Supplemental Declaration of Andrea Meza, # 7 Text of Proposed Order)(Lewis, John) (Entered: 12/10/2019)
12/10/2019	23	NOTICE of Voluntary Dismissal re S.GC. and B.OG. (Lewis, John) (Entered: 12/10/2019)
12/11/2019	24	TRANSCRIPT OF PROCEEDINGS before Judge Randolph D. Moss held on 12/3/19; Page Numbers: 1-122. Court

		Reporter/Transcriber Sara A. Wick, RPR, CRR, Telephone number 202-354-3284, Transcripts may be ordered by submitting the <u>Transcript Order Form</u> 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 www.dcd.uscourts.gov.
		Redaction Request due 1/1/2020. Redacted Transcript Deadline set for 1/11/2020. Release of Transcript Restriction set for 3/10/2020.(ztnr) (Entered: 12/11/2019)
12/17/2019	<u>25</u>	SUPPLEMENTAL MEMORANDUM re 12 Motion for Preliminary Injunction by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # 1 Declaration Supplemental Declaration of Ashley Caudill-Mirillo)(Ramkumar, Archith) Modified text and linkage on 12/18/2019 (ztd). (Entered: 12/17/2019)
12/17/2019	<u>26</u>	RESPONSE re 22 Notice (Other),, filed by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Ramkumar, Archith) (Entered: 12/17/2019)
12/17/2019	27	SUPPLEMENTAL MEMORANDUM to re Motion Hearing,,, Set Deadlines,, <i>Defendants' Statement of Undisputed Material Facts</i> filed by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Ramkumar, Archith) (Entered: 12/17/2019)

12/24/2019	<u>28</u>	SUPPLEMENTAL MEMORANDUM to re 12 MOTION for Partial Summary Judgment filed by B.MM., I.MA., L.MM., M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, V.MM (Attachments: # 1 Opposition to Defendants' Statement of Undisputed Material Facts)(Lewis, John) (Entered: 12/24/2019)
01/09/2020		MINUTE ORDER: As previously advised, and with consent of the parties, it is hereby ORDERED that, pursuant to Federal Rule of Civil Procedure 65(a)(2), the pending motion for preliminary injunction, Dkt. 12, shall be treated as a partial motion for summary judgment. The Clerk of the Court is directed to create the following events on the docket: (i) Plaintiffs' Motion for Partial Summary Judgment, dated September 27, 2019, and (ii) Defendants' Motion for Partial Summary Judgment, dated December 17, 2019. Signed by Judge Randolph D. Moss on 01/09/2020. (lcrdm2, ) (Entered: 01/09/2020)
01/09/2020	30	MOTION for Partial Summary Judgment by KENNETH T. CUCCINELLI, II, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (See Minute Order filed on 01/09/2020) (jf) (Entered: 01/24/2020)
01/24/2020	31	NOTICE Regarding Relevant Pending D.C. Circuit Cases by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY (Ramkumar, Archith) (Entered: 01/24/2020)
01/27/2020	32	RESPONSE re 31 Notice (Other) filed by B.MM., I.MA., L.MM., M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, V.MM (Lewis, John) (Entered: 01/27/2020)
02/04/2020	33	MOTION to Withdraw as Attorney by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY (Burnham, James) (Entered: 02/04/2020)
02/07/2020		MINUTE ORDER: Upon consideration of Attorney Burnham's motion to withdraw appearance 33, it is hereby ORDERED that the motion is GRANTED. Signed by Judge Randolph D. Moss on 02/07/2020. (lcrdm2, ) (Entered: 02/07/2020)

03/01/2020	34	MEMORANDUM OPINION AND ORDER: granting in part and denying in part Plaintiffs' partial motion for summary judgment, Dkt. 29, and granting in part and denying in part Defendants' partial motion for summary judgment, Dkt. 30. See document for details. Signed by Judge Randolph D. Moss on 03/01/2020. (lcrdm2, ) Modified on 3/2/2020 to change document type to "Opinion" (kt). (Main Document 34 replaced on 10/29/2020 to correct typo (kt). (Entered: 03/01/2020)
03/01/2020		MINUTE ORDER: In light of the Court's Memorandum Opinion and Order, Dkt. 34 , the parties are hereby ORDERED to file a joint status report on or before March 13, 2020, proposing recommended next steps for this litigation, including whether the Court should enter final judgment pursuant to Rule 54(b). Signed by Judge Randolph D. Moss on 03/01/2020. (lcrdm2, ) (Entered: 03/01/2020)
03/13/2020	<u>35</u>	Joint STATUS REPORT by B.MM., I.MA., L.MM., M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, V.MM (Lewis, John) (Entered: 03/13/2020)
03/18/2020		MINUTE ORDER: Before the Court is the parties' joint status report setting forth the parties' separate proposals for further proceedings. Dkt. 35. Defendants contend that, in light of the Court's resolution of Plaintiffs' claim that Cuccinelli was not appointed in compliance with the FVRA, "the only logical next step is for the Court to enter final judgment" pursuant to Federal Rule of Civil Procedure 54(b). <i>Id.</i> at 4. The Court is hesitant to enter partial final judgment as to that claim, however, until USCIS clarifies whether it intends to ratify (that is, whether it will seek to give retroactive effect to) the Asylum Directives vacated by the Court. If so, RAICES might still have a live claim and that claim might be intertwined with the merits of the claim as to which Defendants ask the Court to enter partial final judgment. Accordingly, it is hereby ORDERED that the parties shall file a joint status report on or before April 10, 2020, updating the Court regarding the status of the Asylum Directives vacated by the Court and again proposing recommended next steps, including whether the Court should enter final judgment pursuant to Rule 54(b). Signed by Judge Randolph D. Moss on 03/18/2020. (lcrdm2, ) (Entered: 03/18/2020)
04/10/2020	<u>36</u>	Joint STATUS REPORT by KENNETH THOMAS CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF

		HOMELAND SECURITY. (Ramkumar, Archith) (Entered: 04/10/2020)
04/16/2020	37	MEMORANDUM OPINION: Because there is no just reason for delay, the Court will enter partial final judgment as to the individual Plaintiffs' FVRA claims pursuant to Federal Rule of Civil Procedure 54(b). A separate order will issue. See document for details. Signed by Judge Randolph D. Moss on 04/16/2020. (lcrdm2, ) (Entered: 04/16/2020)
04/16/2020	38	ORDER: For the reasons stated in the accompanying Memorandum Opinion, Dkt. 37, and because there is no just reason for delay, it is hereby ORDERED that, pursuant to Federal Rule of Civil Procedure 54(b), final judgment is entered as to the individual Plaintiffs' Federal Vacancies Reform Act of 1998 claim consistent with the Court's Memorandum Opinion and Order, Dkt. 34. See document for details. Signed by Judge Randolph D. Moss on 04/16/2020. (lcrdm2, ) (Entered: 04/16/2020)
04/17/2020		MINUTE ORDER: In light of the Court's Order entering partial final judgment, Dkt. 38, the parties are hereby ORDERED to file a joint status report on or before May 14, 2020, proposing next steps for this litigation, including whether the Court should stay proceedings pending appeal or the ratification of the vacated directives. Signed by Judge Randolph D. Moss on 04/17/2020. (lcrdm2, ) (Entered: 04/17/2020)
05/14/2020	39	Joint STATUS REPORT by KENNETH THOMAS CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Ramkumar, Archith) (Entered: 05/14/2020)
05/14/2020		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. 39, it is hereby ORDERED that this case is STAYED. It is further ORDERED that Defendants shall file a status report the earlier of: (1) any decision as to whether it will appeal the Court's decision and Order entering partial final judgment, (2) any decision to ratify or reissue the set-aside directives, or (3) June 22, 2020, informing the Court of any developments in the case. Signed by Judge Randolph D. Moss on 05/14/2020. (lcrdm2, ) (Entered: 05/14/2020)
05/15/2020		Case STAYED. (kt) (Entered: 05/15/2020)
05/15/2020	<u>40</u>	WITHDRAWN PURSUANT TO NOTICE FILED ON 8/19/2020NOTICE OF APPEAL TO DC CIRCUIT COURT as

		to 38 Order, 34 Order on Motion for Partial Summary Judgment,,,, Order on Motion for Preliminary Injunction, by KENNETH THOMAS CUCCINELLI, II, U.S. CITIZENSHIP & IMMIGRATION SERVICES, KEVIN K. MCALEENAN, U.S. DEPARTMENT OF HOMELAND SECURITY. Fee Status: No Fee Paid. Parties have been notified. (Ramkumar, Archith); Modified on 8/19/2020 (ztth). (Entered: 05/15/2020)
05/18/2020	41	Transmission of the Notice of Appeal, Order Appealed (Memorandum Opinion), and Docket Sheet to US Court of Appeals. The Court of Appeals docketing fee was not paid because the
		appeal was filed by the government re 40 Notice of Appeal to DC Circuit Court,. (ztd) (Entered: 05/18/2020)
05/19/2020		USCA Case Number 20-5141 for 40 Notice of Appeal to DC Circuit Court, filed by KEVIN K. MCALEENAN, KENNETH THOMAS CUCCINELLI, II, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (zrdj) (Entered: 05/19/2020)
06/22/2020	42	STATUS REPORT by KENNETH THOMAS CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Ramkumar, Archith) (Entered: 06/22/2020)
08/19/2020	43	NOTICE of withdrawal of appeal by KENNETH THOMAS CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY (Ramkumar, Archith) (Entered: 08/19/2020)
08/19/2020	44	Supplemental Record on Appeal transmitted to US Court of
		Appeals re <u>40</u> Notice of Appeal to DC Circuit Court, <u>43</u>
		Notice of withdrawal of appeal; USCA Case Number 20-5141. (ztth) (Entered: 08/19/2020)
08/19/2020		MINUTE ORDER: In light of Defendants' withdrawal of their
		notice of appeal, Dkt. <u>43</u> , the parties are hereby ORDERED to meet and confer and to file a joint status report on or before September 2, 2020, proposing next steps, if any, in the litigation.

		Signed by Judge Randolph D. Moss on 8/19/20. (lcrdm2) (Entered: 08/19/2020)
08/25/2020	45	ORDER of USCA as to 40 Notice of Appeal to DC Circuit Court, filed by KEVIN K. MCALEENAN, KENNETH THOMAS CUCCINELLI, II, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY; USCA Case Number 20-5141. (zrdj) (Entered: 08/27/2020)
09/02/2020	46	Joint STATUS REPORT by B.MM., B.OG., I.MA., L.MM., M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, S.GC., V.MM (Lewis, John) (Entered: 09/02/2020)
09/03/2020		MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. 46 , it is hereby ORDERED that further proceedings in this case are STAYED. It is further ORDERED that Defendants shall promptly file a status report notifying the Court if they purport to ratify or reissue the directives that the Court previously set aside; that Plaintiffs shall be permitted to file a motion, if necessary, related to Defendants' compliance with the Court's decision; and that the parties shall file a further joint status report on or before February 1, 2021. Signed by Judge Randolph D. Moss on 9/3/2020. (lcrdm2) (Entered: 09/03/2020)
09/24/2020	47	WITHDRAWN PURSUANT TO DOCKET ENTRY NO. 63 MOTION for Attorney Fees by B.MM., I.MA., L.MM., M.AH., V.MM. (Attachments: # 1 Exhibit - Billing Statements, # 2 Exhibit USAO Attorney's - Fees Matrix - 2015-2020, # 3 Declaration of L.MM., # 4 Declaration of M.AH., # 5 Declaration of Michelle N. Mendez, # 6 Declaration of Adriana C. Zambrano, # 7 Text of Proposed Order)(Jenkins, Bradley) Modified on 7/21/2021 (ztd). (Entered: 09/24/2020)
09/30/2020	48	Consent MOTION for Extension of Time to File Response/Reply as to 47 MOTION for Attorney Fees by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY (Attachments: # 1 Proposed Order)(Ramkumar, Archith) (Entered: 09/30/2020)
09/30/2020		MINUTE ORDER: Upon consideration of Defendants' unopposed motion for extension of time, Dkt. <u>48</u> , it is hereby ORDERED that the motion is GRANTED. Defendants shall respond to Plaintiffs'

		motion for attorneys' fees, Dkt. <u>47</u> , on or before October 29, 2020. Signed by Judge Randolph D. Moss on 9/30/2020. (lcrdm2) (Entered: 09/30/2020)
10/23/2020	49	NOTICE of Appearance by Brian C. Rosen-Shaud on behalf of All Defendants (Rosen-Shaud, Brian) (Entered: 10/23/2020)
10/23/2020	50	NOTICE OF WITHDRAWAL OF APPEARANCE as to KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. Attorney Archith Ramkumar terminated. (Ramkumar, Archith) (Entered: 10/23/2020)
10/23/2020	<u>51</u>	Joint MOTION to Stay re <u>47</u> MOTION for Attorney Fees by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order)(Rosen-Shaud, Brian) (Entered: 10/23/2020)
10/23/2020		MINUTE ORDER: Upon consideration of the parties' joint motion to stay, Dkt. 51, it is hereby ORDERED that the motion is GRANTED, and the briefing deadlines for Plaintiffs' motion for EAJA fees are STAYED. It is further ORDERED that the parties shall file a joint status report on or before December 22, 2020. Signed by Judge Randolph D. Moss on 10/23/2020. (lcrdm2) (Entered: 10/23/2020)
11/22/2020	52	ENTERED IN ERROR NOTICE of Voluntary Dismissal re J.M.W.; J.M.P., a minor; M.Y.H.; M.R.P., a minor; W.D.P., a minor; and K.L.P., a minor, <i>Pursuant to F.R.C.P.</i> 41(A)(1)(a)(i) (Maldonado, Amy) Modified on 11/23/2020 (ztd). (Entered: 11/22/2020)
11/23/2020		NOTICE OF CORRECTED DOCKET ENTRY: re <u>52</u> Notice of Voluntary Dismissal/Party was entered in error per counsel and counsel will refile said pleading in the correct case. (ztd) (Entered: 11/23/2020)
12/22/2020	53	Joint STATUS REPORT by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Rosen-Shaud, Brian) (Entered: 12/22/2020)

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12/22/2020		MINUTE ORDER: Upon consideration of the parties' joint status		
		report and motion for a further stay, Dkt. <u>53</u> , it is hereby ORDERED that the motion is GRANTED. The stay in the case shall remain in place, and the parties shall file a further joint status report on or before February 22, 2021. Signed by Judge Randolph D. Moss on 12/22/2020. (lcrdm2) (Entered: 12/22/2020)		
12/22/2020	54	MOTION to Stay by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY		
		(ztd); (See docket entry no. <u>53</u> to view document.) (Entered: 12/27/2020)		
02/22/2021	<u>55</u>	Joint STATUS REPORT by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Rosen-Shaud, Brian) (Entered: 02/22/2021)		
02/22/2021	<u>56</u>	Joint MOTION to Stay by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Rosen-Shaud, Brian) (Entered: 02/22/2021)		
02/22/2021		MINUTE ORDER: Upon consideration of the parties joint status		
		report, Dkt. <u>55</u> , and joint motion for a further stay, Dkt. <u>56</u>		
		, it is hereby ORDERED that the motion is GRANTED. The stay in the case shall remain in place, and the parties shall file a further joint status report on or before April 23, 2021. Signed by Judge Randolph D. Moss on 2/22/2021. (lcrdm2) (Entered: 02/22/2021)		
04/21/2021	<u>57</u>	NOTICE of Appearance by Tamara Goodlette on behalf of All Plaintiffs (Goodlette, Tamara) (Entered: 04/21/2021)		
04/21/2021	<u>58</u>	ENTERED IN ERRORNOTICE of Appearance by Tamara Goodlette on behalf of All Plaintiffs (Goodlette, Tamara) Modified on 4/22/2021 (zeg). (Entered: 04/21/2021)		
04/22/2021		NOTICE OF CORRECTED DOCKET ENTRY: re <u>58</u> Notice of Appearance was entered in error per counsel request. They will refile using correct login/password. (eg) (Entered: 04/22/2021)		

04/23/2021	<u>59</u>	Joint STATUS REPORT by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Rosen-Shaud, Brian) (Entered: 04/23/2021)		
04/23/2021	<u>60</u>	Joint MOTION to Stay by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Rosen-Shaud, Brian) (Entered: 04/23/2021)		
04/24/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>59</u> , and their joint motion to stay, Dkt. <u>60</u> , it is hereby ORDERED that the motion is GRANTED and the stay shall remain in place. It is further ORDERED that the parties shall file a further joint status report on or before June 22, 2021. Signed by Judge Randolph D. Moss on 4/24/2021. (lcrdm2) (Entered: 04/24/2021)		
06/22/2021	<u>61</u>	Joint STATUS REPORT by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Rosen-Shaud, Brian) (Entered: 06/22/2021)		
06/22/2021	<u>62</u>	Joint MOTION to Stay by KENNETH T. CUCCINELLI, II, KEVIN K. MCALEENAN, U.S. CITIZENSHIP & IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # 1/2 Text of Proposed Order)(Rosen-Shaud, Brian) (Entered: 06/22/2021)		
06/22/2021		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>61</u> , and their joint motion to stay, Dkt. <u>62</u> , it is hereby ORDERED that the motion is GRANTED and the stay shall remain in place. It is further ORDERED that the parties shall file a further joint status report on or before August 3, 2021. Signed by Judge Randolph D. Moss on 6/22/2021. (lcrdm2) (Entered: 06/22/2021)		
07/20/2021	<u>63</u>	NOTICE OF WITHDRAWAL OF MOTION by B.MM., I.MA., L.MM., M.AH., V.MM. re 47 MOTION for Attorney Fees (Jenkins, Bradley) (Entered: 07/20/2021)		

07/28/2021		MINUTE ORDER: In light of Plaintiffs' notice of withdrawal of		
		their motion for attorneys' fees and costs, Dkt. <u>63</u> , it is hereby ORDERED that the parties shall file a joint status report on or before August 11, 2021, proposing next steps in this litigation, if any. Signed by Judge Randolph D. Moss on 7/28/2021. (lcrdm2) (Entered: 07/28/2021)		
08/11/2021	64	Joint STATUS REPORT by B.MM., B.OG., I.MA., L.MM., M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, S.GC., V.MM (Lewis, John) (Entered: 08/11/2021)		
08/11/2021		MINUTE ORDER: Upon consideration of the parties' joint status		
		report, Dkt. <u>64</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before August 18, 2021. Signed by Judge Randolph D. Moss on 8/11/2021. (lcrdm2) (Entered: 08/11/2021)		
08/18/2021	65	Joint STATUS REPORT by B.MM., B.OG., I.MA., L.MM., M.AH., REFUGEE & IMMIGRANT CENTER FOR EDUCATION & LEGAL SERVICES, MORTON ROSENBERG, S.GC., V.MM (Attachments: # 1 Text of Proposed Order)(Lewis, John) (Entered: 08/18/2021)		
08/18/2021		MINUTE ORDER: Upon consideration of the parties' Joint Status  Report, Dkt. 65 , the Court determines that the remaining		
		claims set forth in Plaintiffs' Complaint 1 are moot and must be dismissed without prejudice for lack of subject-matter jurisdiction. Accordingly, it is hereby ORDERED that the remaining claims are DISMISSED. The Clerk of Court is directed to terminate this case. Signed by Judge Randolph D. Moss on 08/18/2021. (lcrdm2) (Entered: 08/18/2021)		

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