

**U.S. District Court**  
**United States District Court for the District of Connecticut (New Haven)**  
**CIVIL DOCKET FOR CASE #: 3:12-cv-00355-WWE**

American Immigration Council et al v. Homeland Security  
Assigned to: Judge Warren W. Eginton  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/08/2012  
Date Terminated: 08/01/2013  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**American Immigration Council**

represented by **Anne Lai**  
Jerome N. Frank Legal Services  
Organization  
Yale Law School  
PO Box 209090  
New Haven, CT 06520-9090  
203-432-3928  
Fax: 203-432-1426  
Email: [annie.lai@yale.edu](mailto:annie.lai@yale.edu)  
*TERMINATED: 07/01/2013*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Emily J Creighton**  
American Immigration Council  
Legal Action Center  
1331 G Street, NW  
Suite 200  
Washington, DC 20005  
202-507-7505  
Fax: 202-742-5619  
Email: [ecreighton@immcouncil.org](mailto:ecreighton@immcouncil.org)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Melissa E. Crow**  
American Immigration Council's Legal  
Action Center  
Director  
1331 G St., N.W., Suite 200  
Washington, DC 20005  
202-507-7523  
Fax: 202-742-5619  
Email: [mcrow@immcouncil.org](mailto:mcrow@immcouncil.org)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Michael J. Wishnie**  
Jerome N. Frank Legal Services – Wall St  
Yale Law School  
127 Wall Street  
New Haven, CT 06511  
203-432-4800  
Fax: 203-432-1426  
Email: [michael.wishnie@yale.edu](mailto:michael.wishnie@yale.edu)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**American Immigration Lawyers  
Association Connecticut Chapter**

represented by **Anne Lai**  
(See above for address)  
*TERMINATED: 07/01/2013*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Emily J Creighton**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Melissa E. Crow**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Michael J. Wishnie**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Department of Homeland Security**

represented by **Lisa E. Perkins**  
U.S. Attorney's Office-HFD  
450 Main St. Room 328  
Hartford, CT 06103  
860-947-1101  
Fax: 860-760-7979  
Email: [lisa.perkins@usdoj.gov](mailto:lisa.perkins@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Marcia Berman**  
U.S. Department of Justice – Civ Div, Fed  
Prog, MA Ave  
Civil Division, Federal Programs Branch  
20 Massachusetts Avenue, N.W.  
Washington, DC 20530  
202-514-3330  
Fax: 202-616-8470  
Email: [marcia.berman@usdoj.gov](mailto:marcia.berman@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Michelle Lynn McConaghy**  
U.S. Attorney's Office-NH  
157 Church St., 23rd floor  
New Haven, CT 06510  
203-821-3700  
Fax: 203-773-5373  
Email: [michelle.mcconaghy@usdoj.gov](mailto:michelle.mcconaghy@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
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03/08/2012	<u>1</u>	COMPLAINT against Department of Homeland Security ( Filing fee \$350 receipt number 0205-2428757.), filed by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Wishnie, Michael) (Entered: 03/08/2012)
03/08/2012		Request for Clerk to issue summons as to Department of Homeland Security. (Wishnie, Michael) (Entered: 03/08/2012)
03/08/2012		Judge Warren W. Eginton added. (Oliver, T.) (Entered: 03/09/2012)
03/08/2012	<u>2</u>	ELECTRONIC FILING ORDER – PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER. Signed by Judge Warren W. Eginton on 3/8/2012. (Fazekas, J.) (Entered: 03/09/2012)
03/09/2012	<u>3</u>	NOTICE TO COUNSEL: Counsel initiating or removing this action is responsible for serving all parties with attached documents and copies of <u>2</u> Electronic Filing Order, <u>1</u> Complaint, filed by American Immigration Lawyers Association Connecticut Chapter, American Immigration Council. Signed by Clerk on 3/9/2012. (Fazekas, J.) (Entered: 03/09/2012)
03/09/2012	<u>4</u>	ELECTRONIC SUMMONS ISSUED in accordance with Fed. R. Civ. P. 4 and LR 4 as to *Department of Homeland Security* with answer to complaint due within *30* days. Attorney *Michael J. Wishnie* *Jerome N. Frank Legal Services – Wall St, Yale Law School* *127 Wall Street* *New Haven, CT 06511*. (Fazekas, J.) (Entered: 03/09/2012)
03/09/2012	<u>5</u>	ENTERED IN ERROR – CERTIFICATE OF SERVICE by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter (Wishnie, Michael) Modified on 3/12/2012 (Torrenti, R.). (Entered: 03/09/2012)
03/09/2012	<u>6</u>	SUMMONS Returned Executed by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter. Department of Homeland Security served on 3/9/2012, answer due 5/9/2012. Document <u>5</u> corrected. (Torrenti, R.) Modified on 3/12/2012 to fix answer ddl (Pesta, J.). (Entered: 03/12/2012)
03/12/2012		Answer deadline updated for Department of Homeland Security to 5/9/2012. (Pesta, J.) (Entered: 03/12/2012)
03/15/2012		DOCKET ENTRY CORRECTION: Answer deadline updated for Department of Homeland Security to 4/9/2012 as per Freedom of Information Act. (Pesta, J.) (Entered: 03/15/2012)
04/09/2012	<u>7</u>	NOTICE of Appearance by Michelle Lynn McConaghy on behalf of Department of Homeland Security (McConaghy, Michelle) (Entered: 04/09/2012)
04/09/2012	<u>8</u>	MOTION for Extension of Time until May 11, 2012 to Respond to <u>1</u> Complaint, by Department of Homeland Security. (McConaghy, Michelle) (Entered: 04/09/2012)
04/10/2012	<u>9</u>	MOTION for Attorney(s) Melissa E. Crow to be Admitted Pro Hac Vice (paid \$25 PHV fee; receipt number 0205-2462223) by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter. (Attachments: # <u>1</u> Exhibit A)(Wishnie, Michael) (Entered: 04/10/2012)
04/10/2012	<u>10</u>	NOTICE of Appearance by Lisa E. Perkins on behalf of Department of Homeland Security (Perkins, Lisa) (Entered: 04/10/2012)
04/10/2012	<u>11</u>	MOTION for Attorney(s) Emily J. Creighton to be Admitted Pro Hac Vice (paid \$25 PHV fee; receipt number 0205-2462243) by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter. (Attachments: # <u>1</u> Exhibit A)(Wishnie, Michael) (Entered: 04/10/2012)
04/11/2012	<u>12</u>	ORDER granting <u>8</u> MOTION for Extension of Time until May 11, 2012 to Respond to <u>1</u> Complaint. Signed by Judge Warren W. Eginton on 4/11/12. (Ladd-Smith, I.) (Entered: 04/11/2012)

04/11/2012	<u>13</u>	ORDER granting <u>9</u> MOTION for Attorney(s) Melissa E. Crow to be Admitted Pro Hac Vice. Certificate of Good Standing due by 6/10/2012. Signed by Judge Warren W. Eginton on 4/11/12. (Ladd-Smith, I.) (Entered: 04/11/2012)
04/11/2012	<u>14</u>	ORDER granting <u>11</u> MOTION for Attorney Emily J. Creighton to be Admitted Pro Hac Vice. Certificate of Good Standing due by 6/10/2012. Signed by Judge Warren W. Eginton on 4/11/12. (Ladd-Smith, I.) (Entered: 04/11/2012)
04/11/2012	<u>15</u>	CERTIFICATE OF GOOD STANDING re <u>9</u> MOTION for Attorney(s) Melissa E. Crow to be Admitted Pro Hac Vice (paid \$25 PHV fee; receipt number 0205-2462223) MOTION for Attorney(s) Melissa E. Crow to be Admitted Pro Hac Vice (paid \$25 PHV fee; receipt number 0205-2462223) by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter. (Wishnie, Michael) (Entered: 04/11/2012)
04/11/2012	<u>16</u>	CERTIFICATE OF GOOD STANDING re <u>11</u> MOTION for Attorney(s) Emily J. Creighton to be Admitted Pro Hac Vice (paid \$25 PHV fee; receipt number 0205-2462243) MOTION for Attorney(s) Emily J. Creighton to be Admitted Pro Hac Vice (paid \$25 PHV fee; receipt number 0205-2462243) by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter. (Wishnie, Michael) (Entered: 04/11/2012)
04/11/2012	<u>17</u>	MOTION for Leave to File <i>Law Student Intern Appearances</i> by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter. (Attachments: # <u>1</u> Exhibit A)(Wishnie, Michael) (Entered: 04/11/2012)
04/12/2012	<u>18</u>	ORDER granting <u>17</u> MOTION for Leave to File Law Student Intern Appearances. Signed by Judge Warren W. Eginton on 4/12/12. (Ladd-Smith, I.) (Entered: 04/12/2012)
04/12/2012	<u>19</u>	CERTIFICATE OF SERVICE by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter re <u>15</u> Certificate of Good Standing, (Wishnie, Michael) (Entered: 04/12/2012)
04/12/2012	<u>20</u>	CERTIFICATE OF SERVICE by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter re <u>16</u> Certificate of Good Standing, (Wishnie, Michael) (Entered: 04/12/2012)
04/16/2012	<u>21</u>	NOTICE of Appearance by Melissa E. Crow on behalf of American Immigration Council, American Immigration Lawyers Association Connecticut Chapter (Crow, Melissa) (Entered: 04/16/2012)
04/16/2012	<u>22</u>	NOTICE of Appearance by Emily J Creighton on behalf of American Immigration Council, American Immigration Lawyers Association Connecticut Chapter (Creighton, Emily) (Entered: 04/16/2012)
05/10/2012	<u>23</u>	NOTICE of Appearance by Marcia Berman on behalf of Department of Homeland Security (Berman, Marcia) (Entered: 05/10/2012)
05/10/2012	<u>24</u>	ANSWER to <u>1</u> Complaint, with Affirmative Defenses by Department of Homeland Security.(Berman, Marcia) (Entered: 05/10/2012)
07/03/2012	<u>25</u>	MOTION for Extension of Time <i>establishing briefing schedule</i> by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter, Department of Homeland Security. (Wishnie, Michael) Modified on 7/5/2012 to correct motion event. (Torrenti, R.). (Entered: 07/03/2012)
07/06/2012	<u>26</u>	ORDER granting <u>25</u> Motion for Extension of Time. Defendant's motion for summary judgment to be filed on or before July 13, 2012; Plaintiffs' opposition to Defendant's motion to be filed on or before September 21, 2012; Defendant's reply in support of its motion for summary judgment to be filed on or before October 19, 2012. Signed by Judge Warren W. Eginton on 7/6/12. (Ladd-Smith, I.) (Entered: 07/06/2012)
07/13/2012	<u>27</u>	MOTION for Summary Judgment by Department of Homeland Security. Responses due by 8/3/2012 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Statement of Material Facts, # <u>9</u> Text of Proposed Order)(Berman, Marcia) (Entered: 07/13/2012)

09/21/2012	<u>28</u>	Memorandum in Opposition re <u>27</u> MOTION for Summary Judgment filed by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter. (Attachments: # <u>1</u> Affidavit of Michael Wishnie, # <u>2</u> Exhibit A of Wishnie Decl, # <u>3</u> Exhibit B of Wishnie Decl, # <u>4</u> Exhibit C of Wishnie Decl, # <u>5</u> Exhibit D of Wishnie Decl, # <u>6</u> Exhibit E of Wishnie Decl, # <u>7</u> Statement of Material Facts)(Wishnie, Michael) (Entered: 09/21/2012)
09/21/2012	<u>29</u>	MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter. Responses due by 10/12/2012 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Wishnie, Michael) (Entered: 09/21/2012)
10/03/2012	<u>30</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>29</u> MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment until October 19, 2012 by Department of Homeland Security. (Attachments: # <u>1</u> Text of Proposed Order)(Berman, Marcia) (Entered: 10/03/2012)
10/05/2012	31	ORDER granting <u>30</u> Motion for Extension of Time to File Response/Reply as to <u>29</u> MOTION until October 19, 2012. Signed by Judge Warren W. Eginton on 10/5/12. (Ladd-Smith, I.) (Entered: 10/05/2012)
10/05/2012		Reset Deadlines as to <u>29</u> MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment. Responses due by 10/19/2012 (Corriette, M.) (Entered: 10/09/2012)
10/19/2012	<u>32</u>	MOTION for Extension of Time until October 29, 2012 To Respond to the <u>28</u> Memorandum in Opposition to Motion, <u>29</u> MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment by Department of Homeland Security. (McConaghy, Michelle) Modified on 10/22/2012 to correct event relief(Pesta, J.). (Entered: 10/19/2012)
10/22/2012	33	ORDER granting <u>32</u> MOTION for Extension of Time until October 29, 2012 To Respond to <u>28</u> Memorandum in Opposition to Motion, <u>29</u> MOTION to Defer Consideration of Government Summary Judgment Motion. Signed by Judge Warren W. Eginton on 10/22/12. (Ladd-Smith, I.) (Entered: 10/22/2012)
10/22/2012		Set Deadlines as to <u>29</u> MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment. Responses due by 10/29/2012 (Ghilardi, K.) (Entered: 10/23/2012)
10/31/2012	<u>34</u>	REPLY to Response to <u>27</u> MOTION for Summary Judgment filed by Department of Homeland Security. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Response to Plaintiffs' Statement of Material Facts Not in Dispute)(Berman, Marcia) (Entered: 10/31/2012)
10/31/2012	<u>35</u>	RESPONSE re <u>29</u> MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment filed by Department of Homeland Security. (Berman, Marcia) (Entered: 10/31/2012)
11/11/2012	<u>36</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>29</u> MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment until 11/30/12 by American

		Immigration Council, American Immigration Lawyers Association Connecticut Chapter. (Wishnie, Michael) (Entered: 11/11/2012)
11/13/2012	37	ORDER granting <u>36</u> Consent MOTION for Extension of Time to File Response/Reply as to <u>29</u> MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment until 11/30/12. Signed by Judge Warren W. Eginton on 11/13/12. (Ladd-Smith, I.) (Entered: 11/13/2012)
11/13/2012		Set Deadlines as to <u>29</u> MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment, <u>27</u> MOTION for Summary Judgment. Responses due by 11/30/2012 (Ghilardi, K.) (Entered: 11/15/2012)
11/29/2012	<u>38</u>	REPLY to Response to <u>29</u> MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment MOTION to Defer Consideration of Government Summary Judgment Motion and for Limited Discovery re <u>27</u> MOTION for Summary Judgment filed by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter. (Wishnie, Michael) (Entered: 11/29/2012)
12/06/2012	39	ORDER granting <u>29</u> Motion to permit limited discovery in the form of the deposition of Jamison Matuszewski and defer ruling on defendants <u>27</u> motion for summary judgment. Plaintiff may file a supplemental response to <u>27</u> motion for summary judgment within 14 days of completing the deposition. Defendant may file a reply within 14 days of plaintiff's supplemental response. Signed by Judge Warren W. Eginton on 12/6/12. (Ladd-Smith, I.) (Entered: 12/06/2012)
02/05/2013	40	ORDER finding as moot <u>27</u> Motion for Summary Judgment in light of 39 ORDER granting <u>29</u> Motion to permit limited discovery in the form of the deposition of Jamison Matuszewski and defer ruling on defendants <u>27</u> motion for summary judgment. Defendant should refile its motion for summary judgment upon completion of the extended discovery. Signed by Judge Warren W. Eginton on 2/5/13. (Ladd-Smith, I.) (Entered: 02/05/2013)
03/25/2013	<u>41</u>	NOTICE of Appearance by Anne Lai on behalf of American Immigration Council, American Immigration Lawyers Association Connecticut Chapter (Lai, Anne) (Entered: 03/25/2013)
06/30/2013	<u>42</u>	MOTION for Anne Lai to Withdraw as Attorney by American Immigration Council, American Immigration Lawyers Association Connecticut Chapter. (Lai, Anne) (Entered: 06/30/2013)
07/01/2013	43	ORDER granting <u>42</u> Motion to Withdraw as Attorney. Attorney Anne Lai terminated. Signed by Judge Warren W. Eginton on 7/1/13. (Ladd-Smith, I.) (Entered: 07/01/2013)
07/31/2013	<u>44</u>	Joint STIPULATION <i>and Order of Settlement and Dismissal</i> by Department of Homeland Security. (Attachments: # <u>1</u> Exhibit 1, Attachment A, # <u>2</u> Exhibit 1, Attachment B)(Berman, Marcia) (Entered: 07/31/2013)
08/01/2013	45	ORDER approving and so ordered re <u>44</u> Stipulation filed by Department of Homeland Security Signed by Judge Warren W. Eginton on 8/1/2013.(Ghilardi, K.) (Entered: 08/01/2013)
08/01/2013		JUDICIAL PROCEEDINGS SURVEY: The following link to the confidential survey requires you to log into CM/ECF for SECURITY purposes. Once in CM/ECF you will be prompted for the case number. Although you are receiving this survey through CM/ECF, it is hosted on an independent website called SurveyMonkey. Once in SurveyMonkey, the survey is located in a secure account. The survey is not docketed and it is not sent directly to the judge. To ensure anonymity, completed surveys are held up to 90 days before they are sent to the judge for review. We hope you will take this opportunity to participate, please click on this link:

		<a href="https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey">https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey</a> (Ghilardi, K.) (Entered: 08/01/2013)
10/04/2013	<u>46</u>	Consent MOTION to Stay re 45 Order <i>Defendant's Performance Obligations in Settlement Agreement in Light of Lapse of Appropriations</i> by Department of Homeland Security. Responses due by 10/25/2013 (Attachments: # <u>1</u> Text of Proposed Order)(Berman, Marcia) (Entered: 10/04/2013)
10/24/2013	47	ORDER granting <u>46</u> Consent MOTION to Stay re 45 Order Defendant's Performance Obligations in Settlement Agreement in Light of Lapse of Appropriations by Department of Homeland Security. So ordered. If the application for stay is moot, the parties may simply move for extension of deadlines commensurate with the duration of the lapse in appropriations. Signed by Judge Warren W. Eginton on 10/24/13. (Ladd-Smith, I.) (Entered: 10/24/2013)
10/29/2013	<u>48</u>	Consent MOTION for Extension of Time of <i>Defendant's Performance Obligations in Settlement Agreement Commensurate with Lapse in Appropriations</i> by Department of Homeland Security. (Attachments: # <u>1</u> Text of Proposed Order)(Berman, Marcia) (Entered: 10/29/2013)
10/30/2013	49	ORDER granting <u>48</u> Consent MOTION for Extension of Time of Defendant's performance obligations in the Settlement Agreement commensurate with the lapse in appropriations by Department of Homeland Security. Defendant's performance obligations are extended by sixteen days. Signed by Judge Warren W. Eginton on 10/30/13. (Ladd-Smith, I.) (Entered: 10/30/2013)