

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:17-cv-01055-CRC**

DILLEY PRO BONO PROJECT et al v. U.S. IMMIGRATION  
AND CUSTOMS ENFORCEMENT et al  
Assigned to: Judge Christopher R. Cooper  
Cause: 05:551 Administrative Procedure Act

Date Filed: 06/01/2017  
Date Terminated: 08/16/2017  
Jury Demand: None  
Nature of Suit: 899 Administrative  
Procedure Act/Review or Appeal of  
Agency Decision  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**DILLEY PRO BONO PROJECT**

represented by **Melissa E. Crow**  
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*ATTORNEY TO BE NOTICED*

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**Plaintiff**

**CAROLINE PERRIS**

represented by **Amanda Flug Davidoff**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Melissa E. Crow**  
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*LEAD ATTORNEY*  
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**Rebecca H. Scholtz**  
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**Richard H. Klapper**  
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**Veronica W. Ip**  
(See above for address)  
*LEAD ATTORNEY*  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**SHALYN FLUHARTY**

represented by **Melissa E. Crow**  
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*ATTORNEY TO BE NOTICED*

**Rebecca H. Scholtz**  
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**Amanda Flug Davidoff**  
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V.

**Defendant**

**U.S. IMMIGRATION AND  
CUSTOMS ENFORCEMENT**

represented by **Elianis N. Perez**  
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**Defendant**

**U.S. DEPARTMENT OF HOMELAND  
SECURITY**

represented by **Elianis N. Perez**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Sarah B. Fabian**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**JOHN F. KELLY**  
*Secretary of Homeland Security, in his  
official capacity*

represented by **Elianis N. Perez**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Sarah B. Fabian**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**THOMAS D. HOMAN**  
*Acting Director, U.S. Immigration and  
Customs Enforcement, in his official  
capacity*

represented by **Elianis N. Perez**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Sarah B. Fabian**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**DANIEL A. BIBLE**  
*Field Office Director, U.S. Immigration  
and Customs Enforcement, in his official  
capacity*

represented by **Elianis N. Perez**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Sarah B. Fabian**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/01/2017	<u>1</u>	COMPLAINT against ALL DEFENDANTS ( Filing fee \$ 400 receipt number 0090-4974628) filed by SHALYN FLUHARTY, Dilley Pro Bono Project. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Civil Cover Sheet, # <u>9</u> Summons, # <u>10</u> Summons, # <u>11</u> Summons, # <u>12</u> Summons, # <u>13</u> Summons)(Davidoff, Amanda) (Entered: 06/01/2017)
06/01/2017	<u>2</u>	MOTION for Preliminary Injunction by Dilley Pro Bono Project, SHALYN FLUHARTY, Caroline Perris (Attachments: # <u>1</u> Declaration of Shalyn Fluharty, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Declaration of Caroline Perris, # <u>8</u> Text of Proposed Order)(Davidoff, Amanda) (Entered: 06/01/2017)
06/01/2017	<u>3</u>	NOTICE of Appearance by Amanda Flug Davidoff on behalf of All Plaintiffs (Davidoff, Amanda) (Entered: 06/01/2017)
06/01/2017	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Richard H. Klapper, :Firm- Sullivan & Cromwell LLP, :Address- 125 Broad Street, New York, New York 10004. Phone No. - (212) 558-4000. Fax No. - (212) 291-9083 Filing fee \$ 100, receipt number 0090-4974640. Fee Status: Fee Paid. by Dilley Pro Bono Project, SHALYN FLUHARTY, Caroline Perris (Attachments: # <u>1</u> Declaration of Richard H. Klapper, # <u>2</u> Text of Proposed Order)(Davidoff, Amanda) (Entered: 06/01/2017)
06/01/2017	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Veronica W. Ip, :Firm- Sullivan & Cromwell LLP, :Address- 125 Broad Street, New York, New York 10004. Phone No. - (212) 558-4000. Filing fee \$ 100, receipt number 0090-4974642. Fee Status: Fee Paid. by Dilley Pro Bono Project, SHALYN FLUHARTY, Caroline Perris (Attachments: # <u>1</u> Declaration of Veronica W. Ip, # <u>2</u> Text of Proposed Order)(Davidoff, Amanda) (Entered: 06/02/2017)
06/02/2017	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Rebecca H. Scholtz, :Firm- Catholic Legal Immigration Network, Inc., :Address- University of St. Thomas Interprofessional Center, 30 S. 10th St., Minneapolis, MN 55403. Phone No. - (651) 962-4833. Filing fee \$ 100, receipt number 0090-4974644. Fee Status: Fee Paid. by Dilley Pro Bono Project, SHALYN FLUHARTY, Caroline Perris (Attachments: # <u>1</u> Declaration of Rebecca Scholtz, # <u>2</u> Text of Proposed Order)(Davidoff, Amanda) (Entered: 06/02/2017)
06/02/2017		Case Assigned to Judge Christopher R. Cooper. (md) (Entered: 06/02/2017)
06/02/2017	<u>7</u>	SUMMONS (5) Issued Electronically as to DANIEL A. BIBLE, THOMAS D. HOMAN, JOHN F. KELLY, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Notice of Consent) (md) (Entered: 06/02/2017)
06/02/2017		SUMMONS Not Issued as to non-party U.S. Attorney, U.S. Attorney General. (SUMMONS WERE NOT SUBMITTED AT THE TIME COMPLAINT WAS FILED) (md) (Entered: 06/02/2017)
06/05/2017	<u>8</u>	NOTICE of Appearance by Melissa E. Crow on behalf of All Plaintiffs (Crow, Melissa) (Entered: 06/05/2017)
06/09/2017	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT served on 6/8/2017 (Attachments: # <u>1</u> Exhibit 1)(Davidoff, Amanda) (Entered: 06/09/2017)
06/09/2017	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HOMELAND SECURITY served on 6/7/2017 (Attachments: # <u>1</u> Exhibit 1)(Davidoff, Amanda) (Entered: 06/09/2017)
06/09/2017	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. JOHN F. KELLY served on 6/8/2017 (Attachments: # <u>1</u> Exhibit 1)(Davidoff, Amanda) (Entered: 06/09/2017)
06/09/2017	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. THOMAS D. HOMAN served on 6/7/2017 (Attachments: # <u>1</u> Exhibit 1)(Davidoff,

		Amanda) (Entered: 06/09/2017)
06/09/2017	<u>13</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DANIEL A. BIBLE served on 6/7/2017 (Attachments: # <u>1</u> Exhibit 1)(Davidoff, Amanda) (Entered: 06/09/2017)
06/09/2017	<u>14</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 06/05/2017. (Davidoff, Amanda) Modified on 6/12/2017 to correct service date (zrdj). (Entered: 06/09/2017)
06/09/2017	<u>15</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/5/2017. Answer due for ALL FEDERAL DEFENDANTS by 8/4/2017. (Davidoff, Amanda) Modified on 6/12/2017 to correct service and answer due date (zrdj). (Entered: 06/09/2017)
06/09/2017	<u>16</u>	CERTIFICATE OF SERVICE by DILLEY PRO BONO PROJECT, SHALYN FLUHARTY, CAROLINE PERRIS re <u>2</u> MOTION for Preliminary Injunction . (Davidoff, Amanda) (Entered: 06/09/2017)
06/14/2017	<u>17</u>	NOTICE of Appearance by Sarah B. Fabian on behalf of DANIEL A. BIBLE, THOMAS D. HOMAN, JOHN F. KELLY, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Fabian, Sarah) Modified on 6/15/2017 (zrdj). (Entered: 06/14/2017)
06/14/2017	<u>18</u>	Joint MOTION for Extension of Time to File Response/Reply as to <u>2</u> MOTION for Preliminary Injunction by DANIEL A. BIBLE, THOMAS D. HOMAN, JOHN F. KELLY, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Fabian, Sarah) (Entered: 06/14/2017)
06/15/2017		NOTICE OF ERROR re <u>17</u> Notice of Appearance; emailed to sarah.b.fabian@usdoj.gov, cc'd 5 associated attorneys --- The PDF file you docketed contained errors: 1. Counsel is reminded to save documents to PDF format before filing using CM/ECF. NO ACTION NEEDED (zrdj, ) (Entered: 06/15/2017)
06/23/2017	<u>19</u>	Joint MOTION for Extension of Time to File Response/Reply as to <u>2</u> MOTION for Preliminary Injunction <i>until June 30, 2017</i> by DANIEL A. BIBLE, THOMAS D. HOMAN, JOHN F. KELLY, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Fabian, Sarah) (Entered: 06/23/2017)
06/23/2017		MINUTE ORDER granting <u>19</u> Motion for Extension of Time to File Response/Reply; finding as moot <u>18</u> Motion for Extension of Time to File Response/Reply. Defendants shall respond to Plaintiffs' Motion for a Preliminary Injunction on or before June 30, 2017. Signed by Judge Christopher R. Cooper on 6/23/2017. (lcrc3) (Entered: 06/23/2017)
06/23/2017		MINUTE ORDER granting <u>4</u> <u>5</u> <u>6</u> Motions for Leave to Appear Pro Hac Vice. Signed by Judge Christopher R. Cooper on 6/23/2017. (lcrc3) (Entered: 06/23/2017)
06/27/2017		Set/Reset Deadlines: Responses due by 6/30/2017 (lsj) (Entered: 06/27/2017)
06/30/2017	<u>20</u>	Joint MOTION for Extension of Time to File Response/Reply as to <u>2</u> MOTION for Preliminary Injunction by DANIEL A. BIBLE, THOMAS D. HOMAN, JOHN F. KELLY, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Fabian, Sarah) (Entered: 06/30/2017)
07/12/2017	<u>21</u>	Joint MOTION for Extension of Time to File Response/Reply as to <u>2</u> MOTION for Preliminary Injunction by DANIEL A. BIBLE, THOMAS D. HOMAN, JOHN F. KELLY, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Fabian, Sarah) (Entered: 07/12/2017)
07/12/2017		MINUTE ORDER finding as moot <u>20</u> Motion for Extension of Time to File Response/Reply and granting <u>21</u> Motion for Extension of Time to File Response/Reply: Defendant shall respond to Plaintiffs' motion for a preliminary injunction on or before July 21, 2017. Signed by Judge Christopher R. Cooper on 7/12/2017. (lcrc3) (Entered: 07/12/2017)

07/21/2017	<u>22</u>	Joint MOTION for Extension of Time to File Response/Reply as to <u>2</u> MOTION for Preliminary Injunction by DANIEL A. BIBLE, THOMAS D. HOMAN, JOHN F. KELLY, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Fabian, Sarah) (Entered: 07/21/2017)
07/24/2017		MINUTE ORDER granting <u>22</u> Motion for Extension of Time to File Response/Reply: Defendants' deadline to respond to Plaintiffs' motion for a preliminary injunction is hereby extended to August 4, 2017. Signed by Judge Christopher R. Cooper on 7/24/2017. (lccrc3) (Entered: 07/24/2017)
07/24/2017		Set/Reset Deadlines: Defendant's Response due by 8/4/2017 (hs) (Entered: 07/24/2017)
08/04/2017	<u>23</u>	NOTICE of Appearance by Elianis N. Perez on behalf of All Defendants (Perez, Elianis) (Entered: 08/04/2017)
08/04/2017	<u>24</u>	Joint MOTION for Extension of Time to <i>Respond to Plaintiffs' Motion for Preliminary Injunction and Complaint</i> by DANIEL A. BIBLE, THOMAS D. HOMAN, JOHN F. KELLY, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Perez, Elianis) (Entered: 08/04/2017)
08/08/2017		MINUTE ORDER granting <u>24</u> Motion for Extension of Time. Defendants shall respond to Plaintiffs' Motion for Preliminary Injunction and Complaint by August 11, 2017. Signed by Judge Christopher R. Cooper on 08/08/2017. (lccrc3) Modified event title on 8/9/2017 (znmw). (Entered: 08/08/2017)
08/08/2017		Set/Reset Deadlines: Replies due by 8/11/2017. (lsj) (Entered: 08/08/2017)
08/11/2017	<u>25</u>	NOTICE of Settlement by All Defendants (Perez, Elianis) (Entered: 08/11/2017)
08/14/2017		MINUTE ORDER: Upon consideration of the parties' Notice of Settlement, and for good cause shown, it is hereby ORDERED that all deadlines in this case be VACATED. The parties are directed to file the proper dismissal documents in a timely manner. Signed by Judge Christopher R. Cooper on 08/14/2017. (lccrc3) (Entered: 08/14/2017)
08/15/2017	<u>26</u>	Joint MOTION for Order <i>for Entry of Stipulation and Proposed Order Dismissing Case with Prejudice and Retaining Jurisdiction for the Purpose of Enforcing Settlement</i> by DILLEY PRO BONO PROJECT, SHALYN FLUHARTY, CAROLINE PERRIS (Attachments: # <u>1</u> Exhibit A)(Davidoff, Amanda) (Entered: 08/15/2017)
08/16/2017	<u>27</u>	ORDER granting <u>26</u> Motion for Order Dismissing Case With Prejudice and Retaining Jurisdiction for the Purpose of Enforcing Settlement. Signed by Judge Christopher R. Cooper on 08/16/2017. (lccrc3) (Entered: 08/16/2017)