

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:18-cv-06471-ER**

State of New York et al v. United States Department of Justice et al
 Date Filed: 07/18/2018
 Jury Demand: None
 Assigned to: Judge Edgardo Ramos
 Nature of Suit: 899 Other Statutes:
 Related Case: 1:18-cv-06474-ER
 Administrative Procedures Act/Review or
 Cause: 28:2201 Constitutionality of State Statute(s)
 Appeal of Agency Decision
 Jurisdiction: U.S. Government Defendant

Plaintiff**State of New York**

represented by **Lourdes Maria Rosado**
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TERMINATED: 09/26/2019
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Plaintiff

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Plaintiff

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TERMINATED: 01/07/2020

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Plaintiff

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Plaintiff

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V.

Defendant

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TERMINATED: 08/07/2018

Defendant

Jefferson B. Sessions III
*in his official capacity as Attorney
General of the United States*
TERMINATED: 11/30/2018

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Daniel Mauler
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LEAD ATTORNEY

Jeffrey Stuart Oestericher
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TERMINATED: 08/07/2018

Defendant

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Intervenor Plaintiff

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ACLU Foundation, et al.

Date Filed	#	Docket Text
07/18/2018	<u>1</u>	COMPLAINT against Jefferson B. Sessions III, United States Department of Justice. (Filing Fee \$ 400.00, Receipt Number 0208-15336036) Document filed by Commonwealth of Virginia, State of Washington, State of New York, State of New Jersey, State Of Connecticut, Commonwealth of Massachusetts. (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)(Rosado, Lourdes) (Entered: 07/18/2018)
07/18/2018	<u>2</u>	CIVIL COVER SHEET filed. (Rosado, Lourdes) (Entered: 07/18/2018)
07/18/2018	<u>3</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Jefferson B. Sessions III, re: <u>1</u> Complaint,. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of

		Washington. (Rosado, Lourdes) (Entered: 07/18/2018)
07/18/2018	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of Justice, re: <u>1</u> Complaint,. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Washington. (Rosado, Lourdes) (Entered: 07/18/2018)
07/18/2018	<u>5</u>	NOTICE OF APPEARANCE by Nancy Milagros Trasande on behalf of State of New York. (Trasande, Nancy) (Entered: 07/18/2018)
07/19/2018	<u>6</u>	NOTICE OF APPEARANCE by Jessica A. Attie on behalf of State of New York. (Attie, Jessica) (Entered: 07/19/2018)
07/19/2018		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Lourdes Maria Rosado. The party information for the following party/parties has been modified: Jefferson B. Sessions III. The information for the party/parties has been modified for the following reason/reasons: party text was omitted. (pc) (Entered: 07/19/2018)
07/19/2018		***NOTICE TO ATTORNEY REGARDING CIVIL. CASE OPENING STATISTICAL ERROR CORRECTION: Notice to attorney Lourdes Maria Rosado. The following case opening statistical information was erroneously selected/entered: Cause of Action code 05:551. The following correction(s) have been made to your case entry: the Cause of Action code has been modified to 28:2201. (pc) (Entered: 07/19/2018)
07/19/2018		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Edgardo Ramos. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (pc) (Entered: 07/19/2018)
07/19/2018		Magistrate Judge Stewart D. Aaron is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (pc) (Entered: 07/19/2018)
07/19/2018		Case Designated ECF. (pc) (Entered: 07/19/2018)
07/19/2018	<u>7</u>	MOTION for Mark Francis Kohler to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–15343250. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by State Of Connecticut. (Attachments: # <u>1</u> Affidavit In Support of Mot PHV, # <u>2</u> Exhibit Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Kohler, Mark) (Entered: 07/19/2018)
07/19/2018		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>7</u> MOTION for Mark Francis Kohler to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–15343250. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (ma) (Entered: 07/19/2018)
07/19/2018	<u>8</u>	MOTION for Michael Kenneth Skold to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–15343318. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by State Of Connecticut. (Attachments: # <u>1</u> Affidavit In Support of Motion for PHV, # <u>2</u> Exhibit Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Skold, Michael) (Entered: 07/19/2018)
07/19/2018	<u>9</u>	ELECTRONIC SUMMONS ISSUED as to United States Department of Justice. (pc) (Entered: 07/19/2018)
07/19/2018	<u>10</u>	ELECTRONIC SUMMONS ISSUED as to Jefferson B. Sessions III. (pc) (Entered: 07/19/2018)
07/19/2018		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>8</u> MOTION for Michael Kenneth Skold to Appear Pro Hac Vice . Filing fee \$

		200.00, receipt number 0208-15343318. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (ma) (Entered: 07/19/2018)
07/20/2018	11	ORDER granting <u>7</u> Motion for Mark Francis Kohler to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (Ramos, Edgardo) (Entered: 07/20/2018)
07/20/2018	12	ORDER granting <u>8</u> Motion for Michael Kenneth Skold to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (Ramos, Edgardo) (Entered: 07/20/2018)
07/20/2018	<u>13</u>	FIRST MOTION for Luke Alexander Eaton to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15349257. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by State of Washington. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Washington State Supreme Court Letter of Good Standing, # <u>3</u> Text of Proposed Order)(Eaton, Luke) (Entered: 07/20/2018)
07/20/2018		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>13</u> FIRST MOTION for Luke Alexander Eaton to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15349257. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (jc) (Entered: 07/20/2018)
07/23/2018	14	ORDER granting <u>13</u> Motion for Luke Alexander Eaton to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (Ramos, Edgardo) (Entered: 07/23/2018)
07/26/2018	<u>15</u>	MOTION for Conference . Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Washington.(Rosado, Lourdes) (Entered: 07/26/2018)
07/26/2018	<u>16</u>	NOTICE OF APPEARANCE by Jeffrey Stuart Oestericher on behalf of Jefferson B. Sessions III, United States Department of Justice. (Oestericher, Jeffrey) (Entered: 07/26/2018)
07/27/2018	<u>17</u>	ORDER granting <u>15</u> Letter Motion for Conference: A pre-motion conference will be held in this case and the related case, No. 18 Civ. 6474, on August 2, 2018, at 11:30 a.m. Defendants are directed to respond to Plaintiffs' letter by July 31, 2018. (Pre-Motion Conference set for 8/2/2018 at 11:30 AM before Judge Edgardo Ramos.) (Signed by Judge Edgardo Ramos on 7/27/2018) (jwh) (Entered: 07/27/2018)
07/27/2018		Set/Reset Deadlines: Responses due by 7/31/2018 (jwh) (Entered: 07/27/2018)
07/31/2018	<u>18</u>	NOTICE OF APPEARANCE by Genevieve Clair Nadeau on behalf of Commonwealth of Massachusetts. (Nadeau, Genevieve) (Entered: 07/31/2018)
07/31/2018	<u>19</u>	LETTER addressed to Judge Edgardo Ramos from Nancy Trasande dated July 31, 2018 re: Unopposed Request for Telephonic Appearance in August 2, 2018 Pre-Motion Conference. Document filed by State of New York.(Trasande, Nancy) (Entered: 07/31/2018)
07/31/2018	<u>20</u>	NOTICE OF APPEARANCE by Lilia Isobel Toson on behalf of State of New York. (Toson, Lilia) (Entered: 07/31/2018)
07/31/2018	<u>21</u>	MEMO ENDORSEMENT on re: <u>19</u> Letter filed by State of New York. ENDORSEMENT: Counsel for Co-Plaintiff's are directed to jointly call the Court at (212) 805-0169. The application is granted. (Signed by Judge Edgardo Ramos on 7/31/2018) (jwh) (Entered: 07/31/2018)
07/31/2018	<u>22</u>	LETTER MOTION for Conference addressed to Judge Edgardo Ramos from Michael J. Burke, Esq. dated July 31, 2018. Document filed by Nexus Services, Inc. and Libre by Nexus, Inc..(Burke, Michael) (Entered: 07/31/2018)
07/31/2018	<u>23</u>	NOTICE OF APPEARANCE by Daniel Mauler on behalf of Jefferson B. Sessions III, United States Department of Justice. (Mauler, Daniel) (Entered: 07/31/2018)
07/31/2018	<u>24</u>	LETTER addressed to Judge Edgardo Ramos from Daniel Mauler dated July 31, 2018 re: Response to ECF No. 17. Document filed by Jefferson B. Sessions III, United

		States Department of Justice.(Mauler, Daniel) (Entered: 07/31/2018)
07/31/2018	<u>25</u>	AFFIDAVIT OF SERVICE of Summons and Complaint, served. All Defendants. Service was accepted by Haajun Lee. Service was made by Mail. Document filed by State of New York. (Attachments: # <u>1</u> Summons Returned Executed as to the United States Department of Justice, # <u>2</u> Summons Returned Executed as to Jefferson B. Sessions, # <u>3</u> U.S. Mail Return Receipts for United States Department of Justice and Jefferson B. Sessions)(Trasande, Nancy) (Entered: 07/31/2018)
08/01/2018	<u>26</u>	PROPOSED STIPULATION AND ORDER. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Washington. (Rosado, Lourdes) (Entered: 08/01/2018)
08/02/2018	<u>27</u>	NOTICE OF APPEARANCE by Jonathan Benjamin Miller on behalf of Commonwealth of Massachusetts. (Miller, Jonathan) (Entered: 08/02/2018)
08/02/2018	<u>28</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Mary Donne Peters, Esq. to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–15398414. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Nexus Services, Inc. and Libre by Nexus, Inc.. (Attachments: # <u>1</u> Affidavit Affidavit in Support of Motion to Admit Counsel Pro Hac Vice, # <u>2</u> Exhibit Exhibit A to Affidavit in Support of Motion to Admit Counsel Pro Hac Vice, # <u>3</u> Affidavit Affidavit for Admission, # <u>4</u> Text of Proposed Order Order for Admission Pro Hac Vice on Written Motion, # <u>5</u> Affidavit Certificate of Service)(Burke, Michael) Modified on 8/2/2018 (wb). (Entered: 08/02/2018)
08/02/2018		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE–FILE Document No. <u>28</u> MOTION for Mary Donne Peters, Esq. to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208–15398414. Motion and supporting papers to be reviewed by Clerk's Office staff... The filing is deficient for the following reason(s): missing Certificate of Good Standing from Supreme Court of Alabama;. Re–file the motion as a Motion to Appear Pro Hac Vice – attach the correct signed PDF – select the correct named filer/filers – attach valid Certificates of Good Standing issued within the past 30 days – attach Proposed Order.. (wb) (Entered: 08/02/2018)
08/02/2018	<u>29</u>	STIPULATION: Plaintiffs the States of New York, Connecticut, New Jersey and Washington, and the Commonwealths of Massachusetts and Virginia ("Plaintiff States"), and Defendants United States Department of Justice and Jefferson B. Sessions III ("Defendants"), do HEREBY STIPULATE AND AGREE as follows: 1. This stipulation shall remain in effect for a period of 60 days from the date hereof, i.e., until September 30, 2018. On September 30, 2018, and every 30 days thereafter, this stipulation shall automatically be extended for a 30–day period (the "extension term"), except in the case that Defendants give notice to Plaintiff States 14 days in advance of the end of an extension term that Defendants do not agree to renew the stipulation for the next extension term, thus ending the stipulation at the end of the then–operational extension term; 2. For the duration of this stipulation, Defendants shall not disburse, expend, or revert to the Treasury the Fiscal Year ("FY") 2017 Edward Byrne Memorial Justice Assistance Grant ("Byrne JAG") funds allocated to Plaintiff States, and as further set forth in this stipulation. (Signed by Judge Edgardo Ramos on 8/2/2018) (jwh) (Entered: 08/03/2018)
08/02/2018		Minute Entry for proceedings held before Judge Edgardo Ramos: Pre–Motion Conference held on 8/3/2018. Plaintiffs' counsel present. Defendants' counsel present. Amended pleading due August 6, 2018. (jar) Modified on 8/3/2018 (jar). (Entered: 08/03/2018)
08/03/2018	<u>30</u>	LETTER addressed to Judge Edgardo Ramos from Nancy Trasande dated 8/3/2018 re: Response to Proposed Intervenors Request for Pre–Motion Conference (ECF 22). Document filed by State of New York.(Trasande, Nancy) (Entered: 08/03/2018)
08/06/2018	<u>31</u>	PROPOSED ORDER FOR SUBSTITUTION OF ATTORNEY. Document filed by Jefferson B. Sessions III, United States Department of Justice. (Oestericher, Jeffrey) (Entered: 08/06/2018)

08/06/2018	<u>32</u>	FIRST AMENDED COMPLAINT amending <u>1</u> Complaint, against Jefferson B. Sessions III, United States Department of Justice. Document filed by Commonwealth of Virginia, State of New Jersey, State Of Connecticut, State of New York, State of Washington, Commonwealth of Massachusetts, State of Rhode Island. Related document: <u>1</u> Complaint,. (Attachments: # <u>1</u> Exhibit A (NY Award Letter), # <u>2</u> Exhibit B (CT Award Letter), # <u>3</u> Exhibit C (MA Award Letter), # <u>4</u> Exhibit D (NJ Award Letter), # <u>5</u> Exhibit E (RI Award Letter), # <u>6</u> Exhibit F (VA Award Letter), # <u>7</u> Exhibit G (WA Award Letter))(Trasande, Nancy) (Entered: 08/06/2018)
08/07/2018	<u>33</u>	CONSENT ORDER GRANTING SUBSTITUTION OF ATTORNEY: The substitution of attorney is hereby approved and so ORDERED. (Attorney Jeffrey Stuart Oestericher terminated.) (Signed by Judge Edgardo Ramos on 8/7/2018) (jwh) (Entered: 08/07/2018)
08/07/2018	<u>34</u>	NOTICE OF APPEARANCE by Luke Alexander Eaton on behalf of State of Washington. (Eaton, Luke) (Entered: 08/07/2018)
08/07/2018	<u>35</u>	LETTER MOTION for Conference <i>LETTER addressed to Judge Edgardo Ramos from Michael Burke dated 8/7/2018 re: Response to 8/3/18 letter of State of New York concerning Proposed Intervenors Request for Pre-Motion Conference (ECF 30). Document filed by Nexus addressed to Judge Edgardo Ramos from Michael J. Burke dated August 7, 2018. Document filed by Nexus Services, Inc. and Libre by Nexus, Inc..(Burke, Michael) (Entered: 08/07/2018)</i>
08/07/2018	<u>36</u>	ORDER granting <u>35</u> Letter Motion for Conference. A pre-motion conference will be held on August 22, 2018, at 10:00 a.m. Defendants are directed to submit a written response by August 15, 2018. Pre-Motion Conference set for 8/22/2018 at 10:00 AM before Judge Edgardo Ramos. (Signed by Judge Edgardo Ramos on 8/7/2018) (mro) (Entered: 08/08/2018)
08/08/2018	<u>37</u>	AMENDED MOTION for Mary Donne Peters, Esq. to Appear Pro Hac Vice <i>Re-filing of Doc #28 Motion. Motion and supporting papers to be reviewed by Clerk's Office staff.</i> Document filed by Nexus Services, Inc. and Libre by Nexus, Inc.. (Attachments: # <u>1</u> Affidavit Aff in Support, # <u>2</u> Exhibit Exh A – Certificates, # <u>3</u> Exhibit Exh B – Proposed Order, # <u>4</u> Affidavit Aff in Support, # <u>5</u> Affidavit Certificate of Service)(Burke, Michael) (Entered: 08/08/2018)
08/08/2018		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>37</u> AMENDED MOTION for Mary Donne Peters, Esq. to Appear Pro Hac Vice <i>Re-filing of Doc #28 Motion. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (ma)</i> (Entered: 08/08/2018)
08/08/2018	<u>38</u>	LETTER MOTION to Adjourn Conference <i>LETTER MOTION to Judge Edgardo Ramos from Michael Burke dated 8/8/2018 re: Response to 8/8/18 memo endorsed letter from Court setting Pre-Motion Conference (ECF 36)</i> addressed to Judge Edgardo Ramos from Michael J. Burke, Esq. dated August 8, 2018. Document filed by Nexus Services, Inc. and Libre by Nexus, Inc..(Burke, Michael) (Entered: 08/08/2018)
08/09/2018	<u>39</u>	MOTION for Michael W. Field to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15426837. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by State of Rhode Island. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Certificate of Good Standing, # <u>3</u> Proposed Order)(Field, Michael) (Entered: 08/09/2018)
08/09/2018		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>39</u> MOTION for Michael W. Field to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15426837. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 08/09/2018)
08/09/2018	<u>40</u>	ORDER granting <u>38</u> Letter Motion to Adjourn Conference: The pre-motion conference is rescheduled for August 21, 2018, at 10:00 a.m. (Pre-Motion Conference set for 8/21/2018 at 10:00 AM before Judge Edgardo Ramos.) (Signed by Judge Edgardo Ramos on 8/9/2018) (jwh) (Entered: 08/09/2018)
08/09/2018	<u>41</u>	PROPOSED STIPULATION AND ORDER. Document filed by State of Rhode Island. (Field, Michael) (Entered: 08/09/2018)

08/10/2018	42	ORDER granting <u>37</u> Motion for Mary Donne Peters to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (Ramos, Edgardo) (Entered: 08/10/2018)
08/10/2018	43	ORDER granting <u>39</u> Motion for Michael W. Field to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (Ramos, Edgardo) (Entered: 08/10/2018)
08/10/2018	<u>44</u>	LETTER addressed to Judge Edgardo Ramos from Jessica Attie dated 08/10/2018 re: Proposed briefing schedule for motion for summary judgment/motion to dismiss. Document filed by State of New York.(Attie, Jessica) (Entered: 08/10/2018)
08/10/2018	<u>48</u>	STIPULATION: Plaintiff, State of Rhode Island ("Rhode Island"), and Defendants United States Department of Justice and Jefferson B. Sessions III ("Defendants"), do HEREBY STIPULATE AND AGREE as follows:This stipulation shall remain in effect until September 30, 2018. On September 30, 2018, and every 30 days thereafter, this stipulation shall automatically be extended for a 30-day period (the "extension term"), except in the case that Defendants give notice to Rhode Island 14 days in advance of the end of an extension term that Defendants do not agree to renew the stipulation for the next extension term, thus ending the stipulation at the end of the then-operational extension term;For the duration of this stipulation, Defendants shall not disburse, expend, or revert to the Treasury the Fiscal Year ("FY") 2017 Edward Byrne Memorial Justice Assistance Grant ("Byrne JAG") funds allocated to Rhode Island, and as further set forth in this stipulation. (Signed by Judge Edgardo Ramos on 8/10/2018) (jwh) (Entered: 08/14/2018)
08/14/2018	<u>45</u>	MOTION for Rachel Wainer Apter to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15445733. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by State of New Jersey. (Attachments: # <u>1</u> Affidavit Affidavit in Support of Motion to Appear Pro Hac Vice, # <u>2</u> Exhibit NY Certificate of Good Standing, # <u>3</u> Exhibit NJ Certificate of Good Standing, # <u>4</u> Text of Proposed Order Proposed Order Granting Motion for Pro Hac Vice Admission)(Apter, Rachel) (Entered: 08/14/2018)
08/14/2018		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>45</u> MOTION for Rachel Wainer Apter to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15445733. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 08/14/2018)
08/14/2018	46	ORDER granting <u>45</u> Motion for Rachel Wainer Apter to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (Ramos, Edgardo) (Entered: 08/14/2018)
08/14/2018	<u>47</u>	MEMO ENDORSEMENT on re: (44 in 1:18-cv-06471-ER) Letter filed by State of New York. ENDORSEMENT: The application is granted. (Motions due by 9/14/2018. Responses due by 9/26/2018. Replies due by 10/8/2018.) (Signed by Judge Edgardo Ramos on 8/14/2018) (jwh) (Entered: 08/14/2018)
08/14/2018	<u>49</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - FIRST MOTION for Anthony F. Troy to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15449912. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Nexus Services, Inc. and Libre by Nexus, Inc.. (Attachments: # <u>1</u> Affidavit Aff in Support of Motion, # <u>2</u> Affidavit Aff for Admission Pro Hac Vice, # <u>3</u> Exhibit Exhibit A to Troy Affidavit, # <u>4</u> Exhibit Proposed Order Pro Hac Vice, # <u>5</u> Certificate of Service)(Burke, Michael) Modified on 8/15/2018 (wb). (Entered: 08/14/2018)
08/14/2018	<u>50</u>	TRANSCRIPT of Proceedings re: conference held on 8/2/2018 before Judge Edgardo Ramos. Court Reporter/Transcriber: Jennifer Thun, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/4/2018. Redacted Transcript Deadline set for 9/14/2018. Release of Transcript Restriction set for 11/13/2018.(McGuirk, Kelly) (Entered: 08/14/2018)

08/14/2018	<u>51</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 8/2/18 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 08/14/2018)
08/15/2018		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE-FILE Document No. <u>49</u> FIRST MOTION for Anthony F. Troy to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15449912. Motion and supporting papers to be reviewed by Clerk's Office staff... The filing is deficient for the following reason(s): missing Certificate of Good Standing from Supreme Court of Virginia;. Re-file the motion as a Motion to Appear Pro Hac Vice – attach the correct signed PDF – select the correct named filer/filers – attach valid Certificates of Good Standing issued within the past 30 days – attach Proposed Order.. (wb) (Entered: 08/15/2018)
08/15/2018	<u>52</u>	LETTER RESPONSE to Motion addressed to Judge Edgardo Ramos from Daniel Mauler dated August 15, 2018 re: <u>35</u> LETTER MOTION for Conference <i>LETTER addressed to Judge Edgardo Ramos from Michael Burke dated 8/7/2018 re: Response to 8/3/18 letter of State of New York concerning Proposed Intervenors Request for Pre-Motion Conference (ECF 30). Document filed b . Document filed by Jefferson B. Sessions III, United States Department of Justice. (Mauler, Daniel)</i> (Entered: 08/15/2018)
08/15/2018	<u>53</u>	AMENDED MOTION for Anthony Francis Troy to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Nexus Services, Inc. and Libre by Nexus, Inc.. (Attachments: # <u>1</u> Affidavit in Support, # <u>2</u> Affidavit for Admission, # <u>3</u> Exhibit A Certificates of Good Standing, # <u>4</u> Exhibit B Proposed Order, # <u>5</u> Certificate of Service)(Burke, Michael) (Entered: 08/15/2018)
08/15/2018		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>53</u> AMENDED MOTION for Anthony Francis Troy to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 08/15/2018)
08/15/2018	<u>54</u>	LETTER addressed to Judge Edgardo Ramos from Nancy Trasande dated 8/15/2018 re: Request for Telephonic Appearance in August 21, 2018 Pre-Motion Conference regarding Proposed Motion for Intervention (ECF No. 40). Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington.(Trasande, Nancy) (Entered: 08/15/2018)
08/17/2018	<u>55</u>	LETTER MOTION for Conference <i>REQUEST FOR TELEPHONIC APPEARANCE IN AUGUST 21, 2018 PRE-MOTION CONFERENCE REGARDING PROPOSED MOTION FOR INTERVENTION (ECF NO. 40)</i> addressed to Judge Edgardo Ramos from Michael J. Burke dated August 17, 2018. Document filed by Nexus Services, Inc. and Libre by Nexus, Inc..(Burke, Michael) (Entered: 08/17/2018)
08/17/2018	<u>56</u>	MOTION for Partial Summary Judgment . Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington.(Trasande, Nancy) (Entered: 08/17/2018)
08/17/2018	<u>57</u>	MEMORANDUM OF LAW in Support re: <u>56</u> MOTION for Partial Summary Judgment . . Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Supplement 56.1 Statement, # <u>2</u> Text of Proposed Order Proposed Order)(Attie, Jessica) (Entered: 08/17/2018)
08/17/2018	<u>58</u>	DECLARATION of Nancy Trasande in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u>

		Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Errata 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21 (Part 1), # <u>22</u> Exhibit 21 (Part 2), # <u>23</u> Exhibit 21 (Part 3), # <u>24</u> Exhibit 21 (Part 4), # <u>25</u> Exhibit 22, # <u>26</u> Exhibit 23, # <u>27</u> Exhibit 24, # <u>28</u> Exhibit 25, # <u>29</u> Exhibit 26 (Part 1), # <u>30</u> Exhibit 26 (Part 2), # <u>31</u> Exhibit 26 (Part 3), # <u>32</u> Exhibit 27, # <u>33</u> Exhibit 28, # <u>34</u> Exhibit 29, # <u>35</u> Exhibit 30, # <u>36</u> Exhibit 31, # <u>37</u> Exhibit 32, # <u>38</u> Exhibit 32.1, # <u>39</u> Exhibit 33, # <u>40</u> Exhibit 34, # <u>41</u> Exhibit 35, # <u>42</u> Exhibit 36, # <u>43</u> Errata 37, # <u>44</u> Exhibit 37.1, # <u>45</u> Exhibit 38, # <u>46</u> Exhibit 39, # <u>47</u> Exhibit 40, # <u>48</u> Exhibit 41, # <u>49</u> Exhibit 42, # <u>50</u> Exhibit 43, # <u>51</u> Exhibit 44)(Trasande, Nancy) (Entered: 08/17/2018)
08/17/2018	<u>59</u>	DECLARATION of Michael C. Green in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Attie, Jessica) (Entered: 08/17/2018)
08/17/2018	<u>60</u>	DECLARATION of William G. Kelly Jr. in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5(A-C), # <u>6</u> Exhibit 5(D), # <u>7</u> Exhibit E)(Attie, Jessica) (Entered: 08/17/2018)
08/17/2018	<u>61</u>	DECLARATION of Lovely A. Warren in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit 1)(Trasande, Nancy) (Entered: 08/17/2018)
08/17/2018	<u>62</u>	DECLARATION of Michael P. Lawlor in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attie, Jessica) (Entered: 08/17/2018)
08/17/2018	<u>63</u>	DECLARATION of Jennifer F. Fradel in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit 1)(Trasande, Nancy) (Entered: 08/17/2018)
08/17/2018	<u>64</u>	DECLARATION of Chia-Chia Wang in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attie, Jessica) (Entered: 08/17/2018)
08/17/2018	<u>65</u>	DECLARATION of Michael J. Hogan in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Trasande, Nancy) (Entered: 08/17/2018)
08/17/2018	<u>66</u>	DECLARATION of Diane Klontz in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Attie, Jessica) (Entered: 08/17/2018)
08/17/2018	<u>67</u>	DECLARATION of Adrian Diaz in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit A)(Trasande, Nancy) (Entered: 08/17/2018)

08/17/2018	<u>68</u>	DECLARATION of Daniel J. Bennett in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attie, Jessica) (Entered: 08/17/2018)
08/17/2018	<u>69</u>	DECLARATION of Shannon Dion in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attie, Jessica) (Entered: 08/17/2018)
08/17/2018	<u>70</u>	DECLARATION of Marcos Soler in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (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)(Attie, Jessica) (Entered: 08/17/2018)
08/17/2018	<u>71</u>	DECLARATION of Laura Negron in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (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)(Attie, Jessica) (Entered: 08/17/2018)
08/17/2018	<u>72</u>	DECLARATION of Richard Torrance in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit A)(Trasande, Nancy) (Entered: 08/17/2018)
08/17/2018	<u>73</u>	DECLARATION of Candice Cho in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Attie, Jessica) (Entered: 08/17/2018)
08/17/2018	<u>74</u>	DECLARATION of Kim Y. Royster in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Trasande, Nancy) (Entered: 08/17/2018)
08/17/2018	<u>75</u>	DECLARATION of Mary Travis Bassett in Support re: <u>56</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit A)(Attie, Jessica) (Entered: 08/17/2018)
08/20/2018	<u>76</u>	ORDER granting in part and denying in part <u>55</u> Letter Motion for Conference: The parties' applications to appear telephonically are GRANTED. Plaintiffs' and Nexus' applications for the Court to provide call-in instructions are DENIED. The Court does not have telephone conferencing capabilities, and, therefore, directs the parties to jointly call the Court at (212) 805-0169, or provide the Court with call-in instructions. The Clerk of the Court is respectfully directed to terminate the motion, Doc. 55. (Signed by Judge Edgardo Ramos on 8/20/2018) (jwh) (Entered: 08/20/2018)
08/21/2018		Minute Entry for proceedings held before Judge Edgardo Ramos: Pre-Motion Conference held on 8/21/2018. Counsel for Plaintiff State of New York, present. Counsel for Co-Plaintiffs appeared by telephone. Defendants' counsel appeared by telephone. Counsel for proposed Intervenor Plaintiffs present. For the reasons stated on the record, proposed Intervenor's Motion to Intervene is DENIED. (jar) (Entered: 08/21/2018)
08/21/2018	<u>77</u>	ORDER denying <u>22</u> Letter Motion for Conference. Accordingly, Nexus's motion to intervene is DENIED. The Clerk of the Court is respectfully directed to terminate the motion, Doc. 22. It is SO ORDERED. (Signed by Judge Edgardo Ramos on 8/21/2018) (ne) (Entered: 08/21/2018)

08/24/2018	<u>78</u>	MOTION for Leave to File Amici Curiae Brief of <i>Members of Congress</i> . Document filed by Jerrold Nadler, Yvette D. Clarke, Joseph Crowley, Eliot L. Engel, Adriano Espaillat, Brian Higgins, Hakeem Jeffries, Nita Lowey, Carolyn Maloney, Sean Patrick Maloney, Gregroy W. Meeks, Grace Meng, Kathleen M. Rice, Jose Serrano, Paul D. Tonko, Nydia M. Velazquez. (Attachments: # <u>1</u> Motion for Leave To File, # <u>2</u> Exhibit Proposed Amici Curiae Brief, # <u>3</u> Text of Proposed Order)(Gans, David) (Entered: 08/24/2018)
08/27/2018	<u>79</u>	MEMO ENDORSEMENT on re: (78 in 1:18-cv-06471-ER) MOTION for Leave to File Amici Curiae Brief; (45 in 1:18-cv-06474-ER) MOTION for Leave to File Amici Curiae Brief. ENDORSEMENT: Defendants are directed to respond by August 30, 2018. (Set Deadlines/Hearing as to (78 in 1:18-cv-06471-ER) MOTION for Leave to File Amici Curiae Brief; (45 in 1:18-cv-06474-ER) MOTION for Leave to File Amici Curiae Brief: Responses due by 8/30/2018) (Signed by Judge Edgardo Ramos on 8/27/2018) (jwh) (Entered: 08/27/2018)
08/28/2018	<u>80</u>	LETTER addressed to Judge Edgardo Ramos from Daniel Mauler dated August 28, 2018 re: Response to ECF No. 79. Document filed by Jefferson B. Sessions III, United States Department of Justice.(Mauler, Daniel) (Entered: 08/28/2018)
08/28/2018	<u>81</u>	LETTER addressed to Judge Edgardo Ramos from Jessica Attie dated 08/28/2018 re: Filing of Amicus Briefs. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington.(Attie, Jessica) (Entered: 08/28/2018)
08/28/2018	<u>82</u>	ORDER granting <u>78</u> Letter Motion for Leave to File Document. Upon consideration of the motion of members of Congress for leave to file their proposed amici curiae brief in support of plaintiffs, it is hereby ORDERED that the motion is GRANTED. (Signed by Judge Edgardo Ramos on 8/28/2018) (mro) (Entered: 08/29/2018)
08/28/2018	<u>83</u>	MEMO ENDORSEMENT on re: (81 in 1:18-cv-06471-ER) Letter, filed by State of New Jersey, Commonwealth of Massachusetts, Commonwealth of Virginia, State of Rhode Island, State of New York, State Of Connecticut, State of Washington. ENDORSEMENT: The application is granted. (Brief due by 9/24/2018.) (Signed by Judge Edgardo Ramos on 8/28/2018) (mro) (Entered: 08/29/2018)
08/31/2018	<u>84</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Victoria N. Pearson to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15518936. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Commonwealth of Virginia. (Attachments: # <u>1</u> Text of Proposed Order)(Pearson, Victoria) Modified on 8/31/2018 (jc). (Entered: 08/31/2018)
08/31/2018		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE-FILE Document No. <u>84</u> MOTION for Victoria N. Pearson to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15518936. Motion and supporting papers to be reviewed by Clerk's Office staff... The filing is deficient for the following reason(s): missing Certificates of Good Standing from Supreme Courts of North Carolina and Virginia (our court does not accept state bar certificates from either state). Re-file the motion as a Motion to Appear Pro Hac Vice – attach the correct signed PDF – select the correct named filer/filers – attach valid Certificates of Good Standing issued within the past 30 days – attach Attorney Affidavit – attach Proposed Order. (jc) (Entered: 08/31/2018)
08/31/2018	<u>85</u>	BRIEF of Amici Curiae. Document filed by ACLU Foundation, et al..(Jadwat, Omar) (Entered: 08/31/2018)
09/05/2018	<u>86</u>	TRANSCRIPT of Proceedings re: conference held on 8/21/2018 before Judge Edgardo Ramos. Court Reporter/Transcriber: Anita Trombetta, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/26/2018. Redacted Transcript Deadline set for 10/9/2018. Release of Transcript Restriction set for 12/4/2018.(McGuirk, Kelly) (Entered: 09/05/2018)

09/05/2018	<u>87</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 8/21/18 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 09/05/2018)
09/14/2018	<u>88</u>	MOTION to Dismiss <i>or alternatively, motion for partial summary judgment</i> . Document filed by Jefferson B. Sessions III, United States Department of Justice.(Mauler, Daniel) (Entered: 09/14/2018)
09/14/2018	<u>89</u>	MEMORANDUM OF LAW in Support re: <u>88</u> MOTION to Dismiss <i>or alternatively, motion for partial summary judgment</i> . <i>Memorandum in Opposition to Plaintiffs' Motion for Partial Summary Judgment (ECF No. 56)</i> . Document filed by Jefferson B. Sessions III, United States Department of Justice. (Attachments: # <u>1</u> Supplement Response to Plaintiffs' LR 56.1 Statement, # <u>2</u> Supplement Defendants' LR 56.1 Statement of Undisputed Material Facts, # <u>3</u> Text of Proposed Order)(Mauler, Daniel) (Entered: 09/14/2018)
09/14/2018	<u>90</u>	DECLARATION of Francisco Madrigal in Support re: <u>88</u> MOTION to Dismiss <i>or alternatively, motion for partial summary judgment</i> .. Document filed by Jefferson B. Sessions III, United States Department of Justice. (Mauler, Daniel) (Entered: 09/14/2018)
09/14/2018	<u>91</u>	DECLARATION of Tracey Trautman in Support re: <u>88</u> MOTION to Dismiss <i>or alternatively, motion for partial summary judgment</i> .. Document filed by Jefferson B. Sessions III, United States Department of Justice. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mauler, Daniel) (Entered: 09/14/2018)
09/17/2018	<u>92</u>	MOTION for Victoria Nathalie Pearson to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff . Document filed by Commonwealth of Virginia. (Attachments: # <u>1</u> Text of Proposed Order)(Pearson, Victoria) (Entered: 09/17/2018)
09/17/2018		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>92</u> MOTION for Victoria Nathalie Pearson to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 09/17/2018)
09/26/2018	<u>93</u>	REPLY MEMORANDUM OF LAW in Support re: <u>56</u> MOTION for Partial Summary Judgment . . Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Plaintiffs Responses To Defendants Local Rule 56.1 Statement Of Undisputed Material Facts, # <u>2</u> Supplemental Declaration Of Nancy M. Trasande In Further Support Of Plaintiffs Motion For Partial Summary Judgment, # <u>3</u> Exhibit 45, # <u>4</u> Exhibit 46, # <u>5</u> Exhibit 47, # <u>6</u> Exhibit 48, # <u>7</u> Exhibit 49, # <u>8</u> Exhibit 50, # <u>9</u> Exhibit 51, # <u>10</u> Exhibit 52)(Trasande, Nancy) (Entered: 09/26/2018)
10/02/2018	94	ORDER granting <u>53</u> Motion for Anthony Francis Troy to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (Ramos, Edgardo) (Entered: 10/02/2018)
10/02/2018	95	ORDER granting <u>92</u> Motion for Victoria Nathalie Pearson to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (Ramos, Edgardo) (Entered: 10/02/2018)
10/03/2018	<u>96</u>	CONSENT LETTER MOTION for Leave to File Excess Pages addressed to Judge Edgardo Ramos from Daniel Mauler dated October 3, 2018. Document filed by Jefferson B. Sessions III, United States Department of Justice.(Mauler, Daniel) (Entered: 10/03/2018)
10/04/2018	<u>97</u>	MOTION for Glenn J Moramarco to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15656790. Motion and supporting papers to be reviewed by Clerk's Office staff . Document filed by State of New Jersey. (Attachments: # <u>1</u> cert of good standing, # <u>2</u> Affidavit, # <u>3</u> Text of Proposed Order)(Moramarco, Glenn) (Entered: 10/04/2018)

10/04/2018		>>> NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>97</u> MOTION for Glenn J Moramarco to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15656790. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (ma) (Entered: 10/04/2018)
10/04/2018	<u>98</u>	ORDER granting <u>96</u> Letter Motion for Leave to File Excess Pages. The application is granted. (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (Ramos, Edgardo) (Entered: 10/04/2018)
10/08/2018	<u>99</u>	REPLY to Response to Motion re: <u>88</u> MOTION to Dismiss <i>or alternatively, motion for partial summary judgment.</i> . Document filed by Jefferson B. Sessions III, United States Department of Justice. (Mauler, Daniel) (Entered: 10/08/2018)
10/10/2018	<u>100</u>	NOTICE of Supplemental Authority re: <u>57</u> Memorandum of Law in Support of Motion,. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit A)(Attie, Jessica) (Entered: 10/10/2018)
10/11/2018	<u>101</u>	NOTICE OF APPEARANCE by Conor P Duffy on behalf of State of New York. (Duffy, Conor) (Entered: 10/11/2018)
10/15/2018	<u>102</u>	ORDER: The Clerk of the Court is unable to copy all of these documents as requested. However, the Court will re-file its own entries and documents so that they appear on the docket of both actions. As to the remaining documents, the parties and amici in No. 18 Civ. 6471 are directed to re-file their respective documents in No. 18 Civ. 6474. (Signed by Judge Edgardo Ramos on 10/15/2018) (jwh) (Entered: 10/15/2018)
10/19/2018	<u>103</u>	PROPOSED STIPULATION AND ORDER. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attie, Jessica) (Entered: 10/19/2018)
10/22/2018	<u>104</u>	ORDER granting <u>97</u> Motion for Glenn J Moramarco to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (jar) (Entered: 10/22/2018)
10/22/2018	<u>105</u>	STIPULATION: Plaintiffs the States of New York, Connecticut, New Jersey, Rhode Island, and Washington, and the Commonwealths of Massachusetts and Virginia ("Plaintiff States"), and Defendants United States Department of Justice and Jefferson B. Sessions III ("Defendants"), do HEREBY STIPULATE AND AGREE as follows: 1. This stipulation shall remain in effect for a period of 60 days from the date hereof, i.e., until December 19, 2018. On December 19, 2018, and every 30 days thereafter, this stipulation shall automatically be extended for a 30-day period (the "extension term"), except in the case that Defendants give notice to Plaintiff States 14 days in advance of the end of an extension term that Defendants do not agree to renew the stipulation for the next extension term, thus ending the stipulation at the end of the then-operational extension term; 2. For the duration of this stipulation, Defendants shall not disburse, expend, or revert to the Treasury the Fiscal Year ("FY") 2018 Edward Byrne Memorial Justice Assistance Grant ("Byrne JAG") funds allocated to Plaintiff States; 3. For the duration of this stipulation, Defendants shall not deny Plaintiff States their respective FY 2018 Byrne JAG awards (in keeping with their respective FY 2018 Byrne JAG formula allocations) on the basis of failure to accept the FY 2018 Byrne JAG award within 45 days of receiving the award documents, and as further set forth in this stipulation. (Signed by Judge Edgardo Ramos on 10/22/2018) (jwh) (Entered: 10/22/2018)
10/24/2018	<u>106</u>	LETTER addressed to Judge Edgardo Ramos from Lourdes Rosado dated 10/24/2018 re: Oral argument. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington.(Attie, Jessica) (Entered: 10/24/2018)
10/31/2018	<u>107</u>	LETTER addressed to Judge Edgardo Ramos from Daniel Mauler dated October 31, 2018 re: Update on Available Dates for Oral Argument. Document filed by Jefferson B. Sessions III, United States Department of Justice.(Mauler, Daniel) (Entered: 10/31/2018)

11/01/2018	<u>108</u>	MEMO ENDORSEMENT on re: (107 in 1:18-cv-06471-ER) Letter filed by Jefferson B. Sessions III, United States Department of Justice, (74 in 1:18-cv-06474-ER) Letter filed by United States Department of Justice, Jefferson B. Sessions, III. ENDORSEMENT: Oral Argument will be held on November 16, 2018, at 2:30 p.m. SO ORDERED. (Oral Argument set for 11/16/2018 at 02:30 PM before Judge Edgardo Ramos.) (Signed by Judge Edgardo Ramos on 11/1/2018) (jca) (Entered: 11/01/2018)
11/02/2018	<u>109</u>	PROPOSED STIPULATION AND ORDER. Document filed by Commonwealth of Virginia, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Trasande, Nancy) (Entered: 11/02/2018)
11/02/2018	<u>110</u>	STIPULATION: Plaintiffs the States of New York, New Jersey, Rhode Island, and Washington, and the Commonwealth of Virginia ("Plaintiff States"), and Defendants United States Department of Justice and Jefferson B. Sessions III ("Defendants"), do HEREBY STIPULATE AND AGREE as follows: 1. This stipulation shall remain in effect for a period of 60 days from the date hereof, i.e., until January 1, 2019. On January 1, 2019, and every 30 days thereafter, this stipulation shall automatically be extended for a 30-day period (the "extension term"), except in the case that Defendants give notice to Plaintiff States 14 days in advance of the end of an extension term that Defendants do not agree to renew the stipulation for the next extension term, thus ending the stipulation at the end of the then-operational extension term; 2. For the duration of this stipulation, Defendants shall not disburse, expend, or revert to the Treasury the Fiscal Year ("FY") 2018 Title II Juvenile Justice Delinquency Prevention ("Title II") funds allocated to Plaintiff States, and as further set forth in this stipulation. (Signed by Judge Edgardo Ramos on 11/2/2018) (jwh) (Entered: 11/05/2018)
11/13/2018	<u>111</u>	LETTER addressed to Judge Edgardo Ramos from Nancy Trasande dated 11/13/2018 re: Request for Telephonic Appearance in Connection with November 16, 2018 Oral Argument Regarding the Parties Motions for Partial Summary Judgment. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington.(Trasande, Nancy) (Entered: 11/13/2018)
11/13/2018	<u>112</u>	NOTICE of Withdrawal of Attorney Jessica Attie. Document filed by State of New York. (Trasande, Nancy) (Entered: 11/13/2018)
11/14/2018	<u>113</u>	MEMO ENDORSEMENT on re: (111 in 1:18-cv-06471-ER) Letter. ENDORSEMENT: The application is granted. (Signed by Judge Edgardo Ramos on 11/14/2018) (jwh) (Entered: 11/15/2018)
11/30/2018	<u>114</u>	OPINION AND ORDER re: <u>88</u> MOTION to Dismiss <i>or alternatively, motion for partial summary judgment</i> ; <u>56</u> MOTION for Partial Summary Judgment: Plaintiffs' motion for partial summary judgment is GRANTED, and Defendants' motion for partial summary judgment or in the alternative to dismiss is DENIED. Specifically, the Court hereby ORDERS as follows: 1. The Notice, Access, and Compliance Conditions are ultra vires and not in accordance with law under the APA. Summary judgment is GRANTED to the States on their Counts II and III and to the City on its Count II. 2. 8 U.S.C. § 1373(a)(b), insofar as it applies to states and localities, is facially unconstitutional under the anticommandeering doctrine of the Tenth Amendment. Summary judgment is GRANTED to the States on their Count V and to the City on its Counts V and XI. 3. The Notice, Access, and Compliance Conditions violate the constitutional separation of powers. Summary judgment is GRANTED to the States on their Count I and to the City on its Count I. The motions for summary judgment with respect to the City's Count IV (violation of the Spending Clause) are DENIED as moot. 4. The Notice, Access, and Compliance Conditions are arbitrary and capricious under the APA. Summary judgment is GRANTED to the States on their Count IV and to the City on its Count III. 5. Defendants are MANDATED to reissue the States' FY 2017 Byrne JAG award documents without the Notice, Access, or Compliance Conditions, and upon acceptance, to disburse those awards as they would in the ordinary course without regard to those conditions. 6. Defendants are ENJOINED from imposing or enforcing the Notice, Access, or Compliance Conditions for FY 2017 Byrne JAG funding for the States, the City, or any of their agencies or political subdivisions. The Clerk of the Court is respectfully directed to terminate the motions, Docs. 56 and 88 in No. 18 Civ. 6471, and Docs. 21 and 50 in No. 18 Civ. 6474, and to update the docket as noted in the caption. (Matthew G. Whitaker added. Jefferson B.

		Sessions III (in his official capacity as Attorney General of the United States) terminated.) (Signed by Judge Edgardo Ramos on 11/30/2018) (jwh) Modified on 11/30/2018 (jwh). (Entered: 11/30/2018)
12/03/2018	<u>115</u>	TRANSCRIPT of Proceedings re: motion held on 11/16/2018 before Judge Edgardo Ramos. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/24/2018. Redacted Transcript Deadline set for 1/3/2019. Release of Transcript Restriction set for 3/3/2019.(McGuirk, Kelly) (Entered: 12/03/2018)
12/03/2018	<u>116</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a motion proceeding held on 11/16/18 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 12/03/2018)
12/19/2018	<u>117</u>	LETTER MOTION for Conference <i>regarding motion for modification of November 30, 2018 Order</i> addressed to Judge Edgardo Ramos from Daniel Mauler dated December 19, 2018. Document filed by United States Department of Justice, Matthew G. Whitaker.(Mauler, Daniel) (Entered: 12/19/2018)
12/20/2018	118	ORDER entered <u>117</u> Motion for Conference. Plaintiffs are directed to respond by Friday, December 28, 2018. (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (jar) (Entered: 12/20/2018)
12/28/2018	<u>119</u>	LETTER RESPONSE to Motion addressed to Judge Edgardo Ramos from Lourdes M. Rosado dated 12/28/2018 re: <u>117</u> LETTER MOTION for Conference <i>regarding motion for modification of November 30, 2018 Order</i> addressed to Judge Edgardo Ramos from Daniel Mauler dated December 19, 2018. . Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Rosado, Lourdes) (Entered: 12/28/2018)
12/28/2018	<u>120</u>	MEMO ENDORSEMENT on re: (119 in 1:18-cv-06471-ER) Response to Motion, filed by State of New Jersey, Commonwealth of Massachusetts, Commonwealth of Virginia, State of Rhode Island, State of New York, State Of Connecticut, State of Washington. ENDORSEMENT: Defendants are directed to respond by Wednesday, January 2, 2019. SO ORDERED. (Responses due by 1/2/2019) (Signed by Judge Edgardo Ramos on 12/28/2018) (jca) (Entered: 12/28/2018)
01/02/2019	<u>121</u>	LETTER addressed to Judge Edgardo Ramos from Daniel Mauler dated January 2, 2019 re: Government's Response to ECF No. 120. Document filed by United States Department of Justice, Matthew G. Whitaker.(Mauler, Daniel) (Entered: 01/02/2019)
01/04/2019	<u>122</u>	ORDER terminating <u>117</u> Letter Motion for Conference. Accordingly, Paragraph 5 of the "Conclusion" section of the Court's Opinion and Order is hereby modified to read as follows: "Defendants are MANDATED to issue the States' FY 2017 Byrne JAG award documents, and upon acceptance by those jurisdictions, to disburse those awards as they would in the ordinary course but without regard to the Notice, Access, or Compliance Conditions. Acceptance of the FY 2017 awards shall not be construed as acceptance of the enjoined conditions." Upon restoration of appropriations to the Department of Justice and Plaintiffs' acceptance of the award documents, Defendants are directed to inform Plaintiffs of the expected timing of the disbursement of their FY 2017 Byrne JAG funds. The Court expects that, upon the occurrence of these events, Defendants will disburse the funds without further delay. The Clerk of Court is respectfully directed to terminate the motions, Doc. 117 in No. 18civ.6471, and Doc. 82 in No. 18Civ6474. SO ORDERED. (Signed by Judge Edgardo Ramos on 1/4/2019) (kv) (Entered: 01/04/2019)
01/18/2019	<u>123</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – LETTER MOTION for Conference addressed to Judge Edgardo Ramos from Lilia I. Toson dated January 18, 2019. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New

		York, State of Rhode Island, State of Washington.(Toson, Lilia) Modified on 2/6/2019 (ldi). (Entered: 01/18/2019)
01/24/2019	<u>124</u>	LETTER addressed to Judge Edgardo Ramos from Daniel Mauler dated January 24, 2019 re: Response to Plaintiffs' Letter (ECF No. 123). Document filed by United States Department of Justice, Matthew G. Whitaker. (Attachments: # <u>1</u> Exhibit A)(Mauler, Daniel) (Entered: 01/24/2019)
01/28/2019	<u>125</u>	FILING ERROR – NO ORDER SELECTED FOR APPEAL – NOTICE OF INTERLOCUTORY APPEAL. Document filed by United States Department of Justice, Matthew G. Whitaker. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mauler, Daniel) Modified on 1/28/2019 (tp). (Entered: 01/28/2019)
01/28/2019		***NOTICE TO ATTORNEY REGARDING DEFICIENT APPEAL. Notice to attorney Mauler, Daniel to RE–FILE Document No. <u>125</u> Notice of Interlocutory Appeal. The filing is deficient for the following reason(s): the order/judgment being appealed was not selected. Re–file the appeal using the event type <i>Corrected Notice of Appeal</i> found under the event list <i>Appeal Documents – attach the correct signed PDF – select the correct named filer/filers – select the correct order/judgment being appealed.</i> (tp) (Entered: 01/28/2019)
01/28/2019	<u>126</u>	NOTICE OF INTERLOCUTORY APPEAL from <u>122</u> Order on Motion for Conference,,, <u>114</u> Memorandum & Opinion,,,,,,,,, Add and Terminate Parties,,,,,,,,,. Document filed by United States Department of Justice, Matthew G. Whitaker. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mauler, Daniel) (Entered: 01/28/2019)
01/28/2019		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>126</u> Notice of Interlocutory Appeal. (tp) (Entered: 01/28/2019)
01/28/2019		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>126</u> Notice of Interlocutory Appeal, filed by Matthew G. Whitaker, United States Department of Justice were transmitted to the U.S. Court of Appeals. (tp) (Entered: 01/28/2019)
01/28/2019	<u>127</u>	MEMO ENDORSEMENT on <u>124</u> LETTER terminating <u>123</u> Letter Motion for Conference. ENDORSEMENT: Defendants' motion for a stay is denied as moot. See Further Additional Continuing Appropriations Act, 2019, H.J. Res. 28, 116th Cong. (enacted Jan. 25, 2019). Defendants are directed to confirm that the administrative record filed in other cases regarding the FY 2018 Byrne JAG funds is the appropriate administrative record for purposes of this case or file the appropriate administrative record for this case. The parties are granted leave to file motions regarding the FY 2018 conditions with the following briefing schedule: Plaintiffs (the States and New York City) will file a joint motion and brief for summary judgment (including, if necessary, a supplemental brief addressing issues specific to the City of New York) by February 15, 2019 (the joint brief and any supplemental brief shall not exceed 60 pages in total); Defendants will file a combination motion to dismiss and opposition, or, alternatively, a motion for summary judgment and opposition to Plaintiffs' motion by March 29, 2019; Plaintiffs will file their opposition to the motion to dismiss / motion for summary judgment and reply in support of their motion by April 19, 2019; and Defendants will file their reply by May 3, 2019. The page limit for opening briefs and opposition briefs is extended to 60 pages. The Clerk of the Court is respectfully directed to terminate the motion, Doc. 123 in No. 18 Civ. 6471. SO ORDERED. (Signed by Judge Edgardo Ramos on 1/28/2019) (anc) Modified on 1/28/2019 (anc). (Entered: 01/28/2019)
01/28/2019		Set/Reset Deadlines: Motions due by 4/19/2019. Responses due by 4/19/2019. Replies due by 5/3/2019. (anc) (Entered: 01/28/2019)
01/29/2019	<u>128</u>	LETTER MOTION for Extension of Time to File <i>Motion for Partial Summary Judgment</i> addressed to Judge Edgardo Ramos from Lilia I. Toson dated January 29, 2019. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington.(Toson, Lilia) (Entered: 01/29/2019)

01/29/2019	<u>129</u>	MEMO ENDORSEMENT on re: (98 in 1:18-cv-06474-ER) Letter, filed by The City of New York. ENDORSEMENT: The application is granted. SO ORDERED. (Motions due by 3/1/2019., Responses due by 4/12/2019, Replies due by 5/3/2019., Surreplies due by 5/17/2019.) (Signed by Judge Edgardo Ramos on 1/29/2019) (kv) (Entered: 01/30/2019)
02/11/2019	<u>130</u>	NOTICE of Motion for Withdrawal of Appearance. Document filed by State of New York. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Text of Proposed Order)(Rosado, Lourdes) (Entered: 02/11/2019)
02/11/2019	<u>131</u>	NOTICE OF APPEARANCE by Matthew Colangelo on behalf of State of New York. (Colangelo, Matthew) (Entered: 02/11/2019)
03/01/2019	<u>132</u>	MOTION for Partial Summary Judgment . Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington.(Trasande, Nancy) (Entered: 03/01/2019)
03/01/2019	<u>133</u>	DECLARATION of Nancy M. Trasande in Support re: <u>132</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit 53, # <u>2</u> Exhibit 54, # <u>3</u> Exhibit 55, # <u>4</u> Exhibit 56, # <u>5</u> Exhibit 57, # <u>6</u> Exhibit 58, # <u>7</u> Exhibit 59, # <u>8</u> Exhibit 60, # <u>9</u> Exhibit 61, # <u>10</u> Exhibit 62, # <u>11</u> Exhibit 63, # <u>12</u> Exhibit 64, # <u>13</u> Exhibit 65, # <u>14</u> Exhibit 66, # <u>15</u> Exhibit 67, # <u>16</u> Exhibit 68, # <u>17</u> Exhibit 69, # <u>18</u> Exhibit 70, # <u>19</u> Exhibit 71, # <u>20</u> Exhibit 72, # <u>21</u> Exhibit 73, # <u>22</u> Exhibit 74, # <u>23</u> Exhibit 75, # <u>24</u> Exhibit 76, # <u>25</u> Exhibit 77, # <u>26</u> Exhibit 78, # <u>27</u> Exhibit 79, # <u>28</u> Exhibit 80, # <u>29</u> Exhibit 81, # <u>30</u> Exhibit 82, # <u>31</u> Exhibit 83, # <u>32</u> Exhibit 84)(Trasande, Nancy) (Entered: 03/01/2019)
03/01/2019	<u>134</u>	DECLARATION of Marc Pelka in Support re: <u>132</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit 1)(Trasande, Nancy) (Entered: 03/01/2019)
03/01/2019	<u>135</u>	DECLARATION of Thomas Turco III in Support re: <u>132</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit A)(Trasande, Nancy) (Entered: 03/01/2019)
03/01/2019	<u>136</u>	DECLARATION of Jennifer E. Fradel in Support re: <u>132</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Trasande, Nancy) (Entered: 03/01/2019)
03/01/2019	<u>137</u>	DECLARATION of Michael Charles Green in Support re: <u>132</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Trasande, Nancy) (Entered: 03/01/2019)
03/01/2019	<u>138</u>	DECLARATION of Marcos Soler in Support re: <u>132</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Trasande, Nancy) (Entered: 03/01/2019)
03/01/2019	<u>139</u>	DECLARATION of Michael Hogan in Support re: <u>132</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Trasande, Nancy) (Entered: 03/01/2019)
03/01/2019	<u>140</u>	DECLARATION of Shannon Dion in Support re: <u>132</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of

		Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit 1)(Trasande, Nancy) (Entered: 03/01/2019)
03/01/2019	<u>141</u>	DECLARATION of Darren Ullman in Support re: <u>132</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Trasande, Nancy) (Entered: 03/01/2019)
03/01/2019	<u>142</u>	DECLARATION of Diane Klontz in Support re: <u>132</u> MOTION for Partial Summary Judgment .. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Exhibit A)(Trasande, Nancy) (Entered: 03/01/2019)
03/01/2019	<u>143</u>	MEMORANDUM OF LAW in Support re: <u>132</u> MOTION for Partial Summary Judgment . . Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> 56.1 Statement)(Trasande, Nancy) (Entered: 03/01/2019)
03/01/2019	<u>144</u>	PROPOSED ORDER. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. Related Document Number: <u>132</u> . (Trasande, Nancy) Proposed Order to be reviewed by Clerk's Office staff. (Entered: 03/01/2019)
03/04/2019		***NOTICE TO COURT REGARDING PROPOSED ORDER. Document No. <u>144</u> Proposed Order was reviewed and approved as to form. (km) (Entered: 03/04/2019)
03/05/2019	<u>145</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Genevieve C. Nadeau to Withdraw as Attorney . Document filed by Commonwealth of Massachusetts. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Text of Proposed Order)(Nadeau, Genevieve) Modified on 4/3/2019 (db). (Entered: 03/05/2019)
04/03/2019		***NOTICE TO ATTORNEY TO RE–FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Notice to Attorney Genevieve Clair Nadeau to RE–FILE Document <u>145</u> MOTION for Genevieve C. Nadeau to Withdraw as Attorney . ERROR(S): Supporting Documents are filed separately, each receiving their own document #'s. (db) (Entered: 04/03/2019)
04/12/2019	<u>146</u>	MOTION to Dismiss <i>or alternatively, motion for partial summary judgment.</i> Document filed by United States Department of Justice, Matthew G. Whitaker.(Mauler, Daniel) (Entered: 04/12/2019)
04/12/2019	<u>147</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MEMORANDUM OF LAW in Support re: <u>146</u> MOTION to Dismiss <i>or alternatively, motion for partial summary judgment. Opposition to Plaintiffs' Motion for Partial Summary Judgment (ECF No. 132).</i> Document filed by United States Department of Justice, Matthew G. Whitaker. (Attachments: # <u>1</u> Supplement Response to Plaintiffs' LR 56.1 Statement, # <u>2</u> Supplement Defendants' LR 56.1 Statement, # <u>3</u> Text of Proposed Order)(Mauler, Daniel) Modified on 4/22/2019 (Idi). (Entered: 04/12/2019)
04/22/2019		***NOTICE TO ATTORNEY TO RE–FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Notice to Attorney Daniel Mauler to RE–FILE Document <u>147</u> Memorandum of Law in Support of Motion. ERROR(S): Supporting/Opposing documents must be filed separately, each receiving their own document number. Rule 56.1 Statement and Counter Statement to Rule 56.1 are both found under the event list Other Answers. (Idi) (Entered: 04/22/2019)
04/22/2019	<u>148</u>	MOTION for Genevieve Nadeau to Withdraw as Attorney . Document filed by Commonwealth of Massachusetts.(Nadeau, Genevieve) (Entered: 04/22/2019)
04/22/2019	<u>149</u>	DECLARATION of Genevieve Nadeau in Support re: <u>148</u> MOTION for Genevieve Nadeau to Withdraw as Attorney .. Document filed by Commonwealth of Massachusetts. (Nadeau, Genevieve) (Entered: 04/22/2019)

04/22/2019	<u>150</u>	PROPOSED ORDER. Document filed by Commonwealth of Massachusetts. Related Document Number: <u>148</u> . (Nadeau, Genevieve) Proposed Order to be reviewed by Clerk's Office staff. (Entered: 04/22/2019)
04/22/2019		***NOTICE TO COURT REGARDING PROPOSED ORDER. Document No. 150 Proposed Order was reviewed and approved as to form. (km) (Entered: 04/22/2019)
04/23/2019	<u>151</u>	MEMORANDUM OF LAW in Support re: <u>146</u> MOTION to Dismiss <i>or alternatively, motion for partial summary judgment. Opposition to Plaintiffs' Motion for Partial Summary Judgment (ECF No. 132)</i> .. Document filed by United States Department of Justice, Matthew G. Whitaker. (Attachments: # <u>1</u> Text of Proposed Order)(Mauler, Daniel) (Entered: 04/23/2019)
04/23/2019	<u>152</u>	RULE 56.1 STATEMENT. Document filed by United States Department of Justice, Matthew G. Whitaker. (Mauler, Daniel) (Entered: 04/23/2019)
04/23/2019	<u>153</u>	COUNTER STATEMENT TO Document filed by United States Department of Justice, Matthew G. Whitaker. (Mauler, Daniel) (Entered: 04/23/2019)
05/03/2019	<u>154</u>	MEMORANDUM OF LAW in Opposition re: <u>146</u> MOTION to Dismiss <i>or alternatively, motion for partial summary judgment.</i> , <u>132</u> MOTION for Partial Summary Judgment . . Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Attachments: # <u>1</u> Pls. Resps. to Defs. 56.1 Statement, # <u>2</u> Trasande/Holt Decl., # <u>3</u> Exhibit 85, # <u>4</u> Exhibit 86)(Trasande, Nancy) (Entered: 05/03/2019)
05/16/2019	<u>155</u>	LETTER MOTION for Leave to File Excess Pages addressed to Judge Edgardo Ramos from Daniel D. Mauler dated May 16, 2019. Document filed by Jefferson B. Sessions III, United States Department of Justice, Matthew G. Whitaker.(Mauler, Daniel) (Entered: 05/16/2019)
05/17/2019	<u>156</u>	ORDER granting <u>155</u> Letter Motion for Leave to File Excess Pages. The application is granted. SO ORDERED. (Signed by Judge Edgardo Ramos on 5/17/2019) (kv) (Entered: 05/17/2019)
05/17/2019	<u>157</u>	REPLY to Response to Motion re: <u>146</u> MOTION to Dismiss <i>or alternatively, motion for partial summary judgment.</i> . Document filed by Jefferson B. Sessions III, United States Department of Justice, Matthew G. Whitaker. (Mauler, Daniel) (Entered: 05/17/2019)
09/18/2019	<u>158</u>	PROPOSED STIPULATION AND ORDER. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Trasande, Nancy) (Entered: 09/18/2019)
09/19/2019	<u>159</u>	STIPULATION: HEREBY STIPULATE AND AGREE as follows: 1. This stipulation shall remain in effect for a period of 60 days from the date hereof, i.e., until November 17, 2019. On November 17, 2019, and every 30 days thereafter, this stipulation shall automatically be extended for a 30-day period (the "extension term"), except in the case that Defendants give notice to Plaintiff States 14 days in advance of the end of an extension term that Defendants do not agree to renew the stipulation for the next extension term, thus ending the stipulation at the end of the then-operational extension term; 2. For the duration of this stipulation, Defendants shall not disburse, expend, or revert to the Treasury the Fiscal Year ("FY") 2019 Edward Byrne Memorial Justice Assistance Grant ("Byrne JAG") funds allocated to Plaintiff States; as further set forth herein. The application is granted. SO ORDERED. (Signed by Judge Edgardo Ramos on 9/19/2019) (kv) (Entered: 09/19/2019)
09/25/2019	<u>160</u>	LETTER addressed to Judge Edgardo Ramos from Nancy Trasande dated 9/25/2019 re: Request to Withdraw Jessica Attie, Lourdes Rosado, and Lilia Toson as Counsel for the State of New York. Document filed by Commonwealth of Massachusetts, Commonwealth of Virginia, State Of Connecticut, State of New Jersey, State of New York, State of Rhode Island, State of Washington.(Trasande, Nancy) (Entered: 09/25/2019)

09/26/2019	<u>161</u>	MEMO ENDORSEMENT on re: <u>160</u> LETTER addressed to Judge Edgardo Ramos from Nancy Trasande dated 9/25/2019 re: Request to Withdraw Jessica Attie, Lourdes Rosado, and Lilia Toson as Counsel for the State of New York. Document filed by Commonwealth of Massachusetts, et al. ENDORSEMENT: The application is granted. Attorney Lilia Isobel Toson, Jessica A. Attie and Lourdes Maria Rosado terminated. (Signed by Judge Edgardo Ramos on 9/26/2019) (rjm) (Entered: 09/27/2019)
11/01/2019	<u>162</u>	PROPOSED STIPULATION AND ORDER. Document filed by Commonwealth of Virginia, State of New Jersey, State of New York, State of Rhode Island, State of Washington. (Trasande, Nancy) (Entered: 11/01/2019)
11/04/2019	<u>163</u>	STIPULATION: Plaintiffs the States of New York, New Jersey, Rhode Island, and Washington, and the Commonwealth of Virginia ("Plaintiff States"), and Defendants United States Department of Justice and William P. Barr ("Defendants"), do HEREBY STIPULATE AND AGREE as follows: 1. This stipulation shall remain in effect for a period of 60 days from the date hereof, i.e., until December 31, 2019. On December 31, 2019, and every 30 days thereafter, this stipulation shall automatically be extended for a 30-day period (the "extension term"), except in the case that Defendants give notice to Plaintiff States 14 days in advance of the end of an extension term that Defendants do not agree to renew the stipulation for the next extension term, thus ending the stipulation at the end of the then-operational extension term; 2. For the duration of this stipulation, Defendants shall not disburse, expend, or revert to the Treasury the Fiscal Year ("FY") 2019 Title II Juvenile Justice Delinquency Prevention ("Title II") funds allocated to Plaintiff States; 3. For the duration of this stipulation, Defendants shall not deny Plaintiff States their respective FY 2019 Title II awards (in keeping with their respective FY 2019 Title II formula allocations) on the basis of failure to accept the FY 2019 Title II award within 45 days of receiving the award documents; 4. If this stipulation is in effect at the time a resolution of this matter on the merits is reached, Defendants shall not deny Plaintiff States their respective FY 2019 Title II awards for failure to accept the award within the deadline to accept without first advising them in writing of a new period (of not less than 45 days) within which to accept and allowing that period to expire. If after a determination on the merits, Plaintiff States remain eligible for a FY 2019 Title II award and the Court's order does not require alteration of the award documents, Defendants will issue a new deadline within 7 days; 5. This stipulation is independent of, and does not alter, amend, or replace, the Stipulations and Orders previously entered and agreed between the Defendants and the Plaintiff States (ECF Nos. 29, 105, 110, 159); and 6. This stipulation applies only to the parties that are currently before the Court in this litigation. No party that is not currently named as a party to this litigation shall be entitled to any rights or benefits whatsoever under this stipulation. The application is granted. (Signed by Judge Edgardo Ramos on 11/4/2019) (mro) Modified on 11/4/2019 (mro). (Entered: 11/04/2019)
12/17/2019	<u>164</u>	PROPOSED STIPULATION AND ORDER. Document filed by State Of Connecticut, State of New Jersey, State of New York. (Trasande, Nancy) (Entered: 12/17/2019)
12/18/2019	<u>165</u>	STIPULATION: HEREBY STIPULATE AND AGREE as follows: 1. This stipulation shall remain in effect for a period of 60 days from the date hereof, i.e., until February 15, 2020. On February 15, 2020, and every 30 days thereafter, this stipulation shall automatically be extended for a 30-day period (the "extension term"), except in the case that Defendants give notice to Plaintiff States 14 days in advance of the end of an extension term that Defendants do not agree to renew the stipulation for the next extension term, thus ending the stipulation at the end of the then-operational extension term; 2. For the duration of this stipulation, Defendants shall not disburse, expend, or revert to the Treasury the Fiscal Year ("FY") 2019 COPS Office Anti-Heroin Task Force Program("AHTF") funds allocated to Plaintiff States; as further set forth herein. This stipulation is independent of, and does not alter, amend, or replace, the Stipulations and Orders previously entered and agreed between the Defendants and the Plaintiff States (ECF Nos. 29, 105, 110, 159, 163); and This stipulation applies only to the parties that are currently before the Court in this litigation. No party that is not currently named as a party to this litigation shall be entitled to any rights or benefits whatsoever under this stipulation. IT IS STIPULATED AND AGREED. SO ORDERED. (Signed by Judge Edgardo Ramos on 12/18/2019) (kv) (Entered: 12/19/2019)

01/02/2020	<u>166</u>	NOTICE OF APPEARANCE by David Urena on behalf of Commonwealth of Massachusetts. (Urena, David) (Entered: 01/02/2020)
01/02/2020	<u>167</u>	MOTION for Jonathan Miller to Withdraw as Attorney . Document filed by Commonwealth of Massachusetts. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Text of Proposed Order)(Miller, Jonathan) (Entered: 01/02/2020)
01/07/2020	<u>168</u>	ORDER granting <u>167</u> Motion to Withdraw as Attorney. IT IS HEREBY ORDERED THAT the appearance of Jonathan B. Miller in this matter is terminated; IT IS FURTHER ORDERED THAT the Clerk of Court shall remove Mr. Miller from the docket sheet in this matter. IT IS SO ORDERED. Attorney Jonathan Benjamin Miller terminated. (Signed by Judge Edgardo Ramos on 1/7/2020) (kv) (Entered: 01/07/2020)
02/26/2020	<u>169</u>	USCA OPINION (Certified) as to <u>126</u> Notice of Interlocutory Appeal, filed by Matthew G. Whitaker, United States Department of Justice. USCA Case Number 19–267(L). On appeal from a judgment entered in the United States District Court for the Southern District of New York (Edgardo Ramos, Judge), which (1) mandates that defendants release withheld 2017 Byrne Program Criminal Justice Assistance funds to plaintiffs, and (2) enjoins defendants from imposing certain immigration-related conditions on such grants, defendants argue that the district court erred in holding that the challenged conditions violate the Administrative Procedure Act and the United States Constitution. To summarize, we conclude as follows: (1) The Attorney General was statutorily authorized to impose all three challenged conditions on Byrne grant applications. a. The Certification Condition (1) is statutorily authorized by 34 U.S.C. § 10153(a)(5)(D)s requirement that applicants comply with all other applicable Federal laws, and (2) does not violate the Tenth Amendments anticommandeering principle; b. The Notice Condition is statutorily authorized by 34 U.S.C. § 10153(a)(4)s reporting requirement, § 10153(a)(5)(C)s coordination requirement, and § 10155s rulemaking authority; c. The Access Condition is statutorily authorized by 34 U.S.C. § 10153(a)(5)(C)s coordination requirement, and § 10155s rule–making authority. (2) The Attorney General did not overlook important detrimental effects of the challenged conditions so as to make their imposition arbitrary and capricious. Accordingly, (1) We REVERSE the district courts award of partial summary judgment to plaintiffs; (2) We VACATE the district courts mandate ordering defendants to release withheld 2017 Byrne funds to plaintiffs, as well as its injunction barring defendants from imposing the three challenged immigration–related conditions on such grants; and (3) We REMAND the case to the district court, a. with directions that it enter partial summary judgment in favor of defendants on plaintiffs challenge to the three immigration–related conditions imposed on 2017 Byrne Program grants; and b. insofar as there remains pending in the district court plaintiffs challenge to conditions imposed by defendants on 2018 Byrne Program grants, for further proceedings consistent with this opinion.. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 02/26/2020. [This document also entered in the related case: 18–cv–6474].(nd) (Entered: 02/26/2020)
02/26/2020		Transmission of USCA Opinion to the District Judge re: <u>169</u> USCA Opinion..(nd) (Entered: 02/26/2020)
02/27/2020	<u>170</u>	NOTICE OF APPEARANCE by Charles E.T. Roberts on behalf of Jefferson B. Sessions III, United States Department of Justice, Matthew G. Whitaker..(Roberts, Charles) (Entered: 02/27/2020)
02/27/2020	<u>171</u>	PROPOSED ORDER FOR SUBSTITUTION OF ATTORNEY. Document filed by Jefferson B. Sessions III, United States Department of Justice, Matthew G. Whitaker..(Roberts, Charles) (Entered: 02/27/2020)
02/28/2020	<u>172</u>	CONSENT ORDER GRANTING SUBSTITUTION OF ATTORNEY, The substitution of attorney is hereby approved and so ORDERED. Attorney Charles E.T. Roberts for United States Department of Justice, Charles E.T. Roberts for Matthew G. Whitaker added. Attorney Daniel Mauler terminated. (Signed by Judge Edgardo Ramos on 2/28/2020) (kv) (Entered: 02/28/2020)