

CLOSED

**U.S. District Court**  
**Southern District of Florida (Miami)**  
**CIVIL DOCKET FOR CASE #: 1:91-cv-02653-CCA**

Haitian Center, Inc., et al v. Baker, et al  
Assigned to: Judge C. Clyde Atkins  
Demand: \$0  
Cause: 28:1331 Federal Question

Date Filed: 11/19/1991  
Jury Demand: None  
Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: U.S. Government Defendant

**Special Master**

**Donald Bierman**

**Plaintiff**

**Haitian Refugee Center, Inc.**

represented by **Ira Jay Kurzban**  
Kurzban Kurzban Weinger & Tetzeli  
2650 SW 27th Avenue  
2nd Floor  
Miami, FL 33133  
305-444-0060  
Fax: 444-3503  
Email: ira@kkwtlaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Secretary of State James Baker, III**

represented by **Dexter Lee**  
United States Attorney's Office  
99 NE 4 Street  
Miami, FL 33132  
305-961-9320  
Fax: 530-7139  
Email: dexter.lee@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Rear Admiral Robert Kramek**

represented by **Dexter Lee**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Admiral Kime***Commandant, United States Coast Guard*represented by **Dexter Lee**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****Commisioner Gene McNary***Immigration & Naturalization Service*represented by **Dexter Lee**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****United States Department of Justice**represented by **Dexter Lee**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****United States Department of  
Immigration and Naturalization Service**represented by **Dexter Lee**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****United States**represented by **Dexter Lee**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Plaintiff****Roland Providence**represented by **Ira Jay Kurzban**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Plaintiff****Moise Charles**represented by **Ira Jay Kurzban**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Plaintiff****Eric Pierre**represented by **Ira Jay Kurzban**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Plaintiff**

**Raymond Edme**

represented by **Ira Jay Kurzban**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Golbert Miracle**

represented by **Ira Jay Kurzban**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Roland Jean**

represented by **Ira Jay Kurzban**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Roosevelt Alexis**

represented by **Ira Jay Kurzban**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Luc Luxembourg Sanon**

represented by **Ira Jay Kurzban**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Leger Pierre Frantz**

represented by **Ira Jay Kurzban**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Ochel Engerril**

represented by **Ira Jay Kurzban**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Jean Michel Mario Avilus**

represented by **Ira Jay Kurzban**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Archille Belvu**

represented by **Ira Jay Kurzban**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff****Lucien Rozier**

represented by **Ira Jay Kurzban**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff****Emmanuel Saintil**

represented by **Ira Jay Kurzban**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff****Codanser Joseph**

*on behalf of themselves and all other  
 similarly situated*

represented by **Ira Jay Kurzban**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
11/19/1991	<a href="#">1</a>	COMPLAINT filed; FILING FEE \$ 120.00 RECEIPT # 604924 A-7 Mag BLG (vp, Deputy Clerk) (Entered: 11/21/1991)
11/19/1991		Magistrate identification: Magistrate Judge Barry L. Garber (vp, Deputy Clerk) (Entered: 11/21/1991)
11/19/1991	2	SUMMONS(ES) issued for James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States (vp, Deputy Clerk) (Entered: 11/21/1991)
11/19/1991	3	MOTION by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States for temporary restraining order (vp, Deputy Clerk) (Entered: 11/21/1991)
11/19/1991	4	MEMORANDUM by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States in support of [3-1] motion for temporary restraining order (vp, Deputy Clerk) (Entered: 11/21/1991)
11/19/1991	5	ORDER granting [3-1] motion for temporary restraining order. Defendants precluded from continuing to repatriate Haitians currently aboard U.S. vessels until further order setting Memo of Law due for 11/25/91 ( signed by Judge Donald L. Graham on 11/19/91) CCAP (vp, Deputy Clerk) (Entered: 11/21/1991)
11/19/1991	1	MOTION by Haitian Center, Inc. for preliminary injunction (vp, Deputy Clerk) Modified on 12/09/1991 (Entered: 12/09/1991)

11/20/1991	6	MOTION by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States for leave to file memorandum in excess of 20 pages (vp, Deputy Clerk) (Entered: 11/21/1991)
11/20/1991	7	MOTION by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States to vacate [5-1] temporary restraining order , or to stay order pending appeal (vp, Deputy Clerk) (Entered: 11/21/1991)
11/20/1991	8	AFFIDAVIT of Captain J. David Spade Re: [7-1] motion to vacate [5-1] temporary restraining order, [7-2] motion to stay order pending appeal (vp, Deputy Clerk) (Entered: 11/21/1991)
11/20/1991	9	AFFIDAVIT of Rear Admiral William P. Leahy, Jr. Re: [7-1] motion to vacate [5-1] temporary restraining order, [7-2] motion to stay order pending appeal (vp, Deputy Clerk) (Entered: 11/21/1991)
11/20/1991	10	AFFIDAVIT of Leon Jennings Re: [7-1] motion to vacate [5-1] temporary restraining order, [7-2] motion to stay order pending appeal (vp, Deputy Clerk) (Entered: 11/21/1991)
11/20/1991	11	AFFIDAVIT of Bernard W. Aronson Re: [7-1] motion to vacate [5-1] temporary restraining order, [7-2] motion to stay order pending appeal (vp, Deputy Clerk) (Entered: 11/21/1991)
11/20/1991	13	MOTION by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States for emergency Hearing and to shorten time to respond (vp, Deputy Clerk) Modified on 11/25/1991 (Entered: 11/21/1991)
11/20/1991	12	AFFIDAVIT of Robert K. Wolthuis Re: [7-1] motion to vacate [5-1] temporary restraining order (vp, Deputy Clerk) (Entered: 11/25/1991)
11/21/1991	14	ORDER denying [13-1] motion for emergency Hearing and to shorten time to respond, denying [7-1] motion to vacate [5-1] temporary restraining order, denying [7-2] motion to stay order pending appeal, granting [6-1] motion for leave to file memorandum in excess of 20 pages, setting hearing in aid of judgment for 3:00 11/27/91 before Judge C. C. Atkins , and expediting discovery ( signed by Judge C. C. Atkins on 11/21/91) CCAP (vp, Deputy Clerk) Modified on 11/25/1991 (Entered: 11/21/1991)
11/21/1991	15	NOTICE OF APPEAL by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States from Omnibus Order entered 11/21/91. Fee Status: paid (Copies to USCA & Attorneys of record) (vp, Deputy Clerk) Modified on 11/25/1991 (Entered: 11/21/1991)
11/21/1991		Certified copies of Notice of Appeal, Docket, and Order under appeal to USCA: [14-1] appeal by United States, Immigration and Nat., U.S. Dept. Justice, Gene McNary, Kime, Robert Kramek, James Baker III transmitted to USCA. (vp, Deputy Clerk) (Entered: 11/22/1991)
11/21/1991		NOTICE of Receipt of Transmittal Letter from USCA Re: [14-1] appeal by United States, Immigration and Nat., U.S. Dept. Justice, Gene McNary, Kime, Robert Kramek, James Baker III USCA NUMBER: 91-6028 (vp, Deputy Clerk) (Entered: 11/22/1991)

11/21/1991	16	ORDER OF USCA ON PETITION FOR WRIT OF MANDAMUS (certified copy), temporarily staying discovery proceedings until further order of this court (vp, Deputy Clerk) Modified on 11/25/1991 (Entered: 11/22/1991)
11/21/1991	<a href="#">17</a>	AMENDED COMPLAINT as of right to verified complaint by Haitian Center, Inc. , (Answer due 12/2/91 for United States, for Immigration and Nat., for U.S. Dept. Justice, for Gene McNary, for Kime, for Robert Kramek, for James Baker III ) amending [1-1] complaint (vp, Deputy Clerk) (Entered: 11/25/1991)
11/21/1991	18	NOTICE of filing copy of amended complaint filed in state court by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States (vp, Deputy Clerk) (Entered: 11/25/1991)
11/21/1991	19	NOTICE by Haitian Center, Inc. to take deposition of Capt. J. Daivid Spade (vp, Deputy Clerk) (Entered: 11/25/1991)
11/21/1991	20	NOTICE by Haitian Center, Inc. to take deposition of John Baker 11/21/91 at 9:30 (vp, Deputy Clerk) (Entered: 11/25/1991)
11/21/1991	21	NOTICE by Haitian Center, Inc. to take deposition of William P. Leahy, Jr. 11/21/91 at 7:00 (vp, Deputy Clerk) (Entered: 11/25/1991)
11/21/1991	22	NOTICE by Haitian Center, Inc. to take deposition of Bernard Aaronson 11/21/91 at 9:00 (vp, Deputy Clerk) (Entered: 11/25/1991)
11/21/1991	23	NOTICE by Haitian Center, Inc. to take deposition of Leon Jennings 11/21/91 at 8:00 (vp, Deputy Clerk) (Entered: 11/25/1991)
11/21/1991	24	NOTICE by Haitian Center, Inc. to take deposition of All Haitian Refugees on Coast Guard Cutters and at Guantanamo Naval Base on 11/22/91 at 9:00 (vp, Deputy Clerk) (Entered: 11/25/1991)
11/21/1991	25	NOTICE by Haitian Center, Inc. to take deposition of Gregory Byer 11/21/91 at 8:00 (vp, Deputy Clerk) (Entered: 11/25/1991)
11/21/1991	26	REQUEST for Production of Documents by Haitian Center, Inc. (vp, Deputy Clerk) (Entered: 11/25/1991)
11/21/1991	27	MOTION with memorandum in support by Haitian Center, Inc. to expedite discovery (vp, Deputy Clerk) (Entered: 11/25/1991)
11/21/1991	28	MEMORANDUM by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States in opposition to [27-1] motion to expedite discovery (vp, Deputy Clerk) (Entered: 11/25/1991)
11/21/1991	29	MOTION by National Broadcasting Company and WTVJ-TV for access to deposition in Guantanamo Bay, Cuba (vp, Deputy Clerk) (Entered: 11/25/1991)
11/22/1991	30	NOTICE of filing copies of declarations in support of motion to vacate stay by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States (vp, Deputy Clerk) (Entered: 11/25/1991)
11/22/1991	31	NOTICE of joinder in motion for access to deposition in Guantanamo Bay, Cuba by Miami Herald Publishing Company. (vp, Deputy Clerk) (Entered: 11/25/1991)

11/22/1991	32	NOTICE of attorney appearance for National Broadcast, WTVJ by Teresa Davenport (vp, Deputy Clerk) (Entered: 11/25/1991)
11/22/1991	33	RESPONSE by Haitian Center, Inc. to [29-1] motion by National Broadcast and WTVJ for access to deposition in Guantanamo Bay, Cuba (vp, Deputy Clerk) (Entered: 11/25/1991)
11/22/1991	34	MOTION with memorandum in support to intervene by Post-Newsweek , and for order granting access to Haitian depositions &/or interviews (vp, Deputy Clerk) (Entered: 11/25/1991)
11/22/1991	35	RESPONSE by Haitian Center, Inc. to [34-1] motion to intervene by Post-Newsweek, [34-2] motion for order granting access to Haitian depositions &/or interviews (vp, Deputy Clerk) (Entered: 11/25/1991)
11/22/1991	36	RESPONSE by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States to [34-1] motion to intervene by Post-Newsweek, [34-2] motion for order granting access to Haitian depositions &/or interviews, [29-1] motion by National Broadcast & WTVJ-TV for access to deposition in Guantanamo Bay, Cuba (vp, Deputy Clerk) (Entered: 11/25/1991)
11/22/1991	37	NOTICE OF APPEAL by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States from Temporary Restraining Order entered 11/21/91. Fee Status: not required (Copies to USCA & Attorneys of record). (vp, Deputy Clerk) Modified on 11/25/1991 (Entered: 11/25/1991)
11/22/1991	38	JUDGMENT OF USCA (certified copy) dismissing [15-1] appeal for want of jurisdiction. USCA views district court's order as temporary restraining order and not a preliminary injunction. Petition for writ of mandamus is denied. and temporary stay of discovery is LIFTED. (vp, Deputy Clerk) Modified on 12/10/1991 (Entered: 11/25/1991)
11/22/1991	39	ORDER Referring Motion(s) [34-1] motion to intervene by Post-Newsweek, [34-2] motion for order granting access to Haitian depositions &/or interviews, and [29-1] motion for access to deposition in Guantanamo Bay, Cuba referred to Magistrate Judge Barry L. Garber ( signed by Judge C. C. Atkins on 11/22/91) (vp, Deputy Clerk) (Entered: 12/04/1991)
11/23/1991	40	NOTICE of joinder in motion for access to deposition in Guantanamo Bay, Cuba by CBS, Inc., WCIX-Channel 6 (vp, Deputy Clerk) (Entered: 12/04/1991)
11/23/1991	41	ORDER APPOINTING Special Master to handle all matters pertaining to depositions taken in Guantanamo Bay, Cuba ( signed by Magistrate Judge Barry L. Garber on 11/23/91 & confirmed by Judge C. Clyde Atkins on 11/23/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/23/1991	42	ORDER granting in part, denying in part [34-1] motion to intervene, [34-2] motion for order granting access to Haitian depositions &/or interviews, & [29-1] motion for access to deposition in Guantanamo Bay, Cuba. One representative from the media will be allowed to attend depositions. No cameras will be allowed. Voluntary interviews may be conducted and transcripts of all depositions will be immediately prepared and made available to all interested

		parties. ( signed by Magistrate Judge Barry L. Garber on 11/23/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/23/1991		NOTICE of Receipt of Transmittal Letter from USCA Re: [37-1] appeal by United States, Immigration and Nat., U.S. Dept. Justice, Gene McNary, Kime, Robert Kramek, James Baker III USCA NUMBER: 91-6049 (vp, Deputy Clerk) (Entered: 12/10/1991)
11/24/1991	43	STIP & ORDER pertaining to scheduled discovery ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/24/1991	44	STIP & ORDER pertaining to scheduled dicoverly ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/24/1991	45	STIP & ORDER pertaining to scheduled discovery ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/24/1991	46	STIP & ORDER pertaining to scheduled disocvery ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/24/1991	47	STIP & ORDER pertaining to scheduled discovery ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/24/1991	48	STIP & ORDER pertaining to scheduled discovery ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/24/1991	49	STIP & ORDER pertaining to scheduled discovery ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/24/1991	50	STIP & ORDER pertaining to scheduled discovery ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/24/1991	51	STIP & ORDER pertaining to scheduled discovery ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/24/1991	52	STIP & ORDER pertaining to scheduled discovery ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/24/1991	53	STIP & ORDER p[ertaining to scheduled discovery ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/24/1991	54	STIP & ORDER pertaining to scheduled discovery ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/24/1991	55	STIP & ORDER pertaining to scheduled discovery ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/24/1991	56	STIP & ORDER pertaining to scheduled discovery ( signed by Judge C. C. Atkins on 11/24/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/25/1991		Certified copies of Notice of Appeal, Docket, and Order under appeal transmitted to USCA: [37-1] appeal by United States, Immigration and Nat., U.S. Dept. Justice, Gene McNary, Kime, Robert Kramek, James Baker III (vp, Deputy Clerk) (Entered: 11/25/1991)
11/25/1991		MOTION by National Broadcast, WTVJ, Miami Herald, CBS, Inc., WCIX-Channel 6 for clarification of [42-1] order on depositions (vp, Deputy



		Clerk) (Entered: 12/04/1991)
11/25/1991	83	MOTION by National Broadcast for clarification of [42-1] order (cf, Deputy Clerk) (Entered: 12/09/1991)
11/26/1991	57	NOTICE of adoption of motion for clarification of deposition order by Post-Newsweek Inc., Post-Newsweek (vp, Deputy Clerk) (Entered: 12/04/1991)
11/27/1991	58	ORDER granting [0-0] motion for clarification of [42-1] order on depositions. Clarifying order in that the use of videos or still cameras are also restricted by applicable military regulations currently in force at various deposition sites. ( signed by Magistrate Judge Barry L. Garber on 11/26/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
11/27/1991	59	NOTICE of filing exhibits re: Res Judicata & Collateral Estoppel by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States (vp, Deputy Clerk) (Entered: 12/04/1991)
11/29/1991	60	MOTION by Haitian Center, Inc. to compel production of documents (vp, Deputy Clerk) (Entered: 12/04/1991)
11/29/1991	61	MOTION by Haitian Center, Inc. for leave to file memorandum in excess of 20 pages (vp, Deputy Clerk) (Entered: 12/04/1991)
11/29/1991	62	MEMORANDUM by Haitian Center, Inc. in support of [1-1] motion for preliminary injunction (vp, Deputy Clerk) (Entered: 12/04/1991)
11/29/1991	63	NOTICE of filing exhibits in further support of motion for preliminary injunction by Haitian Center, Inc. (vp, Deputy Clerk) (Entered: 12/04/1991)
11/29/1991	64	AFFIDAVIT of Robert E. Juceam by Haitian Center, Inc. Re: [63-1] notice filing exhibits in support of motion for preliminary injunction (vp, Deputy Clerk) (Entered: 12/04/1991)
11/29/1991	65	MEMORANDUM by Haitian Center, Inc. in opposition to [12-1] affidavit of Robert K. Wolthuis. (vp, Deputy Clerk) (Entered: 12/04/1991)
11/29/1991	66	MEMORANDUM by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States in opposition to [1-1] motion for preliminary injunction (vp, Deputy Clerk) (Entered: 12/04/1991)
11/29/1991	67	EXHIBITS filed by Defendants in opposition to injunctive relief. (vp, Deputy Clerk) (Entered: 12/04/1991)
12/02/1991	68	NOTICE of filing photographs taken on U.S. ships docked at Guantanamo Bay, Cuba by Haitian Center, Inc. (vp, Deputy Clerk) (Entered: 12/04/1991)
12/02/1991	69	NOTICE of filing second declaration of Jocelyn McCalla by Haitian Center, Inc. (vp, Deputy Clerk) (Entered: 12/04/1991)
12/02/1991	70	NOTICE of filing original deposition transcripts by Haitian Center, Inc. (NOTE- 23 transcripts listed but not attached to notice-sent directly to chambers) (vp, Deputy Clerk) (Entered: 12/04/1991)
12/02/1991	71	Report of Special Master: by Donald Bierman (vp, Deputy Clerk) (Entered: 12/04/1991)

12/02/1991	72	MOTION by Haitian Center, Inc. for leave to file supplemental pleading , and for leave to file second amended complaint (vp, Deputy Clerk) (Entered: 12/04/1991)
12/02/1991	73	MEMORANDUM by Haitian Center, Inc. in support of [72-1] motion for leave to file supplemental pleading, [72-2] motion for leave to file second amended complaint (vp, Deputy Clerk) (Entered: 12/04/1991)
12/02/1991		SECOND AMENDED COMPLAINT ADDING ADDITIONAL NAMED PLAINTIFFS (vp, Deputy Clerk) (Entered: 12/04/1991)
12/02/1991	74	MOTION by Haitian Center, Inc. to maintain the amended complaint as a class action on behalf of plaintiffs (vp, Deputy Clerk) (Entered: 12/04/1991)
12/02/1991	75	MEMORANDUM by Haitian Center, Inc. in support of [74-1] motion to maintain the amended complaint as a class action on behalf of plaintiffs (vp, Deputy Clerk) (Entered: 12/04/1991)
12/02/1991	76	MEMORANDUM by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States in opposition to [60-1] motion to compel production of documents (vp, Deputy Clerk) (Entered: 12/04/1991)
12/02/1991	77	REPLY MEMORANDUM by Haitian Center, Inc. in support of [1-1] motion for preliminary injunction (vp, Deputy Clerk) (Entered: 12/04/1991)
12/02/1991	78	MEMORANDUM by Haitian Center, Inc. in further support of [62-1] support memorandum (vp, Deputy Clerk) (Entered: 12/04/1991)
12/02/1991		Text not available. (Entered: 12/04/1991)
12/02/1991	78	MEMORANDUM by Haitian Center, Inc. in opposition to [66-1] opposition memorandum (vp, Deputy Clerk) (Entered: 12/04/1991)
12/03/1991	79	NOTICE of filing original transcript of deposition of Bernard Aronson with transcript attached by Haitian Center, Inc. (vp, Deputy Clerk) (Entered: 12/04/1991)
12/03/1991	80	ORDER granting [1-1] motion for preliminary injunction, ENJOINING defendants from forcefully repatriating plaintiffs until merits of underlying action have been resolved or until defendants implement and follow procedures outlined in the INS Guidelines and ensure that plaintiffs with bona fide political asylum claims are not forced to return to Haiti in violation of Article 33 of the Protocol and REQUIRING Plaintiff (HRC) to post a personal Bond in the amount of \$50,000.00 by 12/4/91 pursuant to Rule 65(c) ( signed by Judge C. C. Atkins on 12/3/91) CCAP (vp, Deputy Clerk) (Entered: 12/04/1991)
12/03/1991	81	NOTICE OF APPEAL by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States from Order Granting Preliminary Injunctive Relief entered 12/4/91. Fee Status: not required (Copies to USCA and Attorneys of record) (vp, Deputy Clerk) (Entered: 12/04/1991)
12/03/1991	82	EMERGENCY MOTION by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States to stay

		preliminary injunction pending appeal (vp, Deputy Clerk) (Entered: 12/04/1991)
12/04/1991	84	BOND \$ 5,000.00 postedd by Haitian Center, Inc. pursuant to Court order of 12/3/91. (vp, Deputy Clerk) (Entered: 12/10/1991)
12/04/1991		NOTICE of Receipt of notice of appeal from USCA Re: [37-1] appeal by United States, Immigration and Nat., U.S. Dept. Justice, Gene McNary, Kime, Robert Kramek, James Baker III USCA NUMBER: 91-6049 (Former Deputy Clerk) Modified on 12/13/1991 (Entered: 12/13/1991)
12/05/1991		NOTICE of Receipt of Transmittal Letter from USCA Re: [81-1] appeal by United States, Immigration and Nat., U.S. Dept. Justice, Gene McNary, Kime, Robert Kramek, James Baker III USCA NUMBER: 91-6060 (vp, Deputy Clerk) (Entered: 12/10/1991)
12/06/1991	85	NOTICE of submitting documents for in camera inspection by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration and Nat., United States (vp, Deputy Clerk) (Entered: 12/10/1991)
12/06/1991	86	NOTICE of filing documents for in camera inspection by Immigration and Nat. (vp, Deputy Clerk) (Entered: 12/10/1991)
12/06/1991	87	NOTICE of filing original declarations previously filed by facsimile by Immigration and Nat. (vp, Deputy Clerk) (Entered: 12/10/1991)
12/06/1991	88	ORDER granting [74-1] motion to maintain the amended complaint as a class action on behalf of plaintiffs, granting [72-1] motion for leave to file supplemental pleading, granting [72-2] motion for leave to file second amended complaint ( signed by Judge C. C. Atkins on 12/3/91) CCAP (vp, Deputy Clerk) (Entered: 12/10/1991)
12/06/1991	<a href="#">89</a>	SECOND AMENDED COMPLAINT by Haitian Center, Inc. , (Answer due 12/16/91 for United States, for Immigration and Nat., for U.S. Dept. Justice, for Gene McNary, for Kime, for Robert Kramek, for James Baker III ) amending [17-1] amended complaint adding Roland Providence, Moise Charles, Eric Pierre, Raymond Edme, Golbert Miracle, Roland Jean, Roosevelt Alexis, Luc Luxembourg Sanon, Leger Pierre Frantz, Ochel Engerril, Jean Michel Mario Avilus, Archille Belvu, Lucien Rozier, Emmanuel Saintil, Codanser Joseph (vp, Deputy Clerk) (Entered: 12/10/1991)
12/09/1991	90	ORDER denying [82-1] motion to stay preliminary injunction pending appeal ( signed by Judge C. C. Atkins on 12/9/91) CCAP (vp, Deputy Clerk) (Entered: 12/10/1991)
12/09/1991	91	NOTICE of filing documents for in camera inspection by All Defendants (vp, Deputy Clerk) (Entered: 12/18/1991)
12/10/1991		Transmitted interlocutory record on appeal to U.S. Court of Appeals: consisting of 3 volumes of pleadings and 1 accordian folder of exhibits in re: [81-1] appeal by United States, Immigration and Nat., U.S. Dept. Justice, Gene McNary, Kime, Robert Kramek, James III (vp, Deputy Clerk) (Entered: 12/10/1991)
12/10/1991	92	NOTICE of filing exhibits to declaration of Robert S. Gelbard by All Defendants (vp, Deputy Clerk) (Entered: 12/18/1991)

12/10/1991	93	RESPONSE by All Defendants to [80-1] order REQUIRING defendant to submit a recital of procedures used in processing interdicted Haitian migrants. (vp, Deputy Clerk) (Entered: 12/18/1991)
12/16/1991	94	MOTION by All Plaintiffs for defendants to produce prescreening interview records (vp, Deputy Clerk) (Entered: 12/18/1991)
12/16/1991	95	NOTICE by All Plaintiffs to take deposition of several witnessess on 12/21/91 (vp, Deputy Clerk) (Entered: 12/18/1991)
12/16/1991	96	MOTION by All Plaintiffs to expedite dicoverly (vp, Deputy Clerk) (Entered: 12/18/1991)
12/18/1991		EMERGENCY MOTION in open court by All Plaintiffs for temporary restraining order based upon Administrative Procedure Act (APA) (vp, Deputy Clerk) (Entered: 12/18/1991)
12/18/1991		EMERGENCY MOTION in open court by All Defendants to stay temporary restraining order pending appeal (vp, Deputy Clerk) (Entered: 12/18/1991)
12/18/1991	97	ORDER denying [0-0] emergency motion to stay temporary restraining order pending appeal, granting [0-0] emergency motion for temporary restraining order based upon Administrative Procedure Act (APA), setting hearing in aid of judgment for 10:00 12/20/91 before Judge C. C. Atkins ( signed by Judge C. C. Atkins on 12/18/91) CCAP (vp, Deputy Clerk) (Entered: 12/18/1991)
12/18/1991	98	NOTICE OF APPEAL by All Defendants from oral order entered 12/17/91. Fee Status: not required (Copies to USCA & Attorneys of record). (vp, Deputy Clerk) (Entered: 12/18/1991)
12/18/1991	99	AMENDED NOTICE OF APPEAL by All Defendants from order Memorializing oral rulings entered 12/18/91. Fee Status: not required (Copies to USCA & Attorneys of record) (vp, Deputy Clerk) Modified on 12/20/1991 (Entered: 12/20/1991)
12/18/1991		NOTICE of Receipt of Transmittal Letter from USCA Re: [99-1] appeal by All Defendants, [98-1] appeal by All Defendants USCA NUMBER: 91-6099 (vp, Deputy Clerk) (Entered: 12/26/1991)
12/19/1991	100	MEMORANDUM by All Defendants in opposition to [97-1] order contradicting Eleventh Circuit mandate (vp, Deputy Clerk) (Entered: 12/20/1991)
12/20/1991	101	ORDER GRANTING All Plaintiffs' request for entry of findings of fact and conclusions of law in support of 12/17/91 preliminary injunction based on APA; GRANTING All Plaintiffs' request for acess to its interdicted class members befroe repatriation ; DENYING All Plaintiff's request for injunction based on Executive Order 12324, Immigration Act and Refugee Act of 1980; NO motions for stay of this order will be entertained by the District Court ( signed by Judge C. C. Atkins on 12/20/91) CCAP (vp, Deputy Clerk) (Entered: 12/23/1991)
12/20/1991	102	NOTICE OF APPEAL by All Defendants from Order Granting Limited Preliminary Injunctive Relief entered 12/23/91. Fee Status: not required (Copies to USCA & Attorneys of record) (vp, Deputy Clerk) (Entered: 12/23/1991)

12/20/1991	103	MEMORANDUM by All Defendants in opposition to [96-1] second motion to expedite dicoverly (vp, Deputy Clerk) (Entered: 12/23/1991)
12/20/1991	104	MOTION with memorandum in support by All Defendants to dismiss case (vp, Deputy Clerk) (Entered: 12/23/1991)
12/20/1991		NOTICE of Receipt of Transmittal Letter from USCA Re: [102-1] appeal by All Defendants USCA NUMBER: 91-6099 (vp, Deputy Clerk) Modified on 02/10/1992 (Entered: 12/26/1991)
12/23/1991	105	JUDGMENT OF USCA (certified copy) DISSOLVING preliminary injuction and REMANDING cause to District Court with instructions to dismiss claims predicated on Article 33. Record to be returned at a later date. (91-6060) (vp, Deputy Clerk) Modified on 12/26/1991 (Entered: 12/23/1991)
12/23/1991	106	NOTICE OF CROSS-APPEAL by All Plaintiffs from 12/20/91 Order to the extent that it does not grant relief under the Executive Order 12324, the Immigration Act and the Refugee Act of 1980. Fee Status: paid Receipt # 606213 (copies to USCA & Attorneys of record) (vp, Deputy Clerk) (Entered: 12/23/1991)
12/23/1991	107	REPLY by All Plaintiffs to [103-1] opposition to second motion to expedite discovery (vp, Deputy Clerk) (Entered: 12/23/1991)
12/23/1991	108	EMERGENCY MOTION by All Plaintiffs for entry of supplemental order (vp, Deputy Clerk) (Entered: 12/23/1991)
12/23/1991		NOTICE of Receipt of Transmittal Letter from USCA Re: [106-1] cross-appeal by All Plaintiffs USCA NUMBER: 91-6105 (vp, Deputy Clerk) (Entered: 12/26/1991)
12/23/1991	109	ORDER OF USCA (certified copy), consolidating cases 91-6099 and 91-6105 and DENYING appellee's alternative petition for writ of mandamus. (vp, Deputy Clerk) Modified on 02/10/1992 (Entered: 12/26/1991)
12/23/1991	110	EMERGENCY MOTION by All Plaintiffs for entry of supplement to 12/20/91 court order (vp, Deputy Clerk) Modified on 12/26/1991 (Entered: 12/26/1991)
12/23/1991	111	ORDER granting [110-1] motion for entry of supplement to 12/20/91 court order granting [1-1] motion for preliminary injuction based on the administrative Procedure Act (APA ), staying and suspending injunctive relief pending appeal ( signed by Judge C. C. Atkins on 12/23/91) CCAP (vp, Deputy Clerk) Modified on 12/26/1991 (Entered: 12/26/1991)
12/23/1991	112	NOTICE OF APPEAL by All Defendants from Order Supplementing 12/20/91 order and Granting limited preliminary injunctive relief . Fee Status: not required (Copies to USCA & Attorneys of record). (vp, Deputy Clerk) Modified on 12/26/1991 (Entered: 12/26/1991)
12/26/1991		Certified copies of Notice of Appeal, Docket, and Order under appeal transmitted to USCA: [112-1] appeal by All Defendants (vp, Deputy Clerk) (Entered: 12/26/1991)
12/27/1991		NOTICE of Receipt of record on appeal from USCA Re: [81-1] appeal by United States, Immigration and Nat., U.S. Dept. Justice, Gene McNary, Kime, Robert

		Kramek, James Baker III USCA NUMBER: 91-6060 (vp, Deputy Clerk) (Entered: 01/09/1992)
12/30/1991	113	MOTION by Haitian Center, Inc. to extend time respond to defendants' motion to dismiss (cf, Deputy Clerk) (Entered: 01/06/1992)
12/31/1991	114	ORDER granting [113-1] motion to extend time respond to defendants' motion to dismiss, denying as moot [96-1] motion to expedite diccovery, Response to motion to dismiss up to 1/14/92 ( signed by Judge C. C. Atkins on 12//30/91) CCAP (cf, Deputy Clerk) (Entered: 01/07/1992)
12/31/1991	116	TRANSCRIPT filed [102-1] appeal by All Defendants for dates of 12/20/91 Pages 1-38. (vp, Deputy Clerk) (Entered: 01/09/1992)
12/31/1991	115	NOTICE of filing affidavit and evidentiary materials by All Plaintiffs (vp, Deputy Clerk) (Entered: 01/14/1992)
01/07/1992	117	MOTION by All Defendants to stay discovery (vp, Deputy Clerk) (Entered: 01/14/1992)
01/14/1992		Transmitted interlocutory record on appeal to U.S. Court of Appeals: [112-1] appeal by All Defendants, [106-1] appeal by All Plaintiffs, [102-1] appeal by All Defendants, [99-1] appeal by All Defendants, [98-1] appeal by All Defendants (vp, Deputy Clerk) (Entered: 01/14/1992)
01/14/1992	118	RESPONSE by Haitian Center, Inc. to [117-1] motion to stay discovery (sl, Deputy Clerk) (Entered: 01/23/1992)
01/16/1992		NOTICE of Receipt of 1st supplemental record on appeal consisting of 1 volume pleadings and 1 volume transcript from USCA Re: [112-1] appeal by All Defendants, [106-1] appeal by All Plaintiffs, [102-1] appeal by All Defendants, [99-1] by All Defendants, [98-1] appeal by All Defendants USCA NUMBER: 91-6060 & 91-6099 (Former Deputy Clerk) (Entered: 01/30/1992)
01/17/1992	119	PLAINTIFF'S appellees further factual submissions in response to defendants-appellants' denial of access to interdicted Haitians (cf, Deputy Clerk) (Entered: 01/28/1992)
01/22/1992	120	ORDER denying [117-1] motion to stay discovery ( signed by Judge C. C. Atkins on 1/21/92) CCAP (cf, Deputy Clerk) (Entered: 01/29/1992)
01/27/1992		NOTICE of Receipt of notice of appeal from USCA Re: [112-1] appeal by All Defendants USCA NUMBER: 91-6118 (Former Deputy Clerk) Modified on 02/10/1992 (Entered: 01/30/1992)
02/03/1992	121	MOTION by Donald Bierman, Special Master to set fee for services and enter order for payment (vp, Deputy Clerk) (Entered: 02/10/1992)
02/03/1992	122	ORDER, expediting discovery deposition schedule , and staying for 24 hours this order granting expedited discovery ( signed by Judge C. C. Atkins on 1/31/92) CCAP (vp, Deputy Clerk) (Entered: 02/10/1992)
02/05/1992	123	ORDER, granting defendants' ex parte motion for protective order ( signed by Judge C. C. Atkins on 2/5/92) CCAP (vp, Deputy Clerk) (Entered: 02/10/1992)

02/06/1992	124	NOTICE of filing deposition transcript of John W. Cummings, L.E. Allen, Bernard Williams and William P. Leahy, Jr. by Haitian Center, Inc. (vp, Deputy Clerk) (Entered: 02/10/1992)
02/06/1992	125	JUDGMENT OF USCA (certified copy) dismissing [98-1] appeal dismissing [99-1] appeal AS MOOT. (USCA 91-6099) (Copy to Judge). (vp, Deputy Clerk) (Entered: 02/10/1992)
02/06/1992	125	JUDGMENT OF USCA (certified copy) VACATING all injunctions issued and REMANDING case to District Court with instructions to dismiss complaint for failure to state a cause upon which relief can be granted. (91-6099 & 91-6118) (Copy to Judge). (vp, Deputy Clerk) Modified on 02/10/1992 (Entered: 02/10/1992)
02/10/1992	126	SEALED DOCUMENT placed in vault (vp, Deputy Clerk) (Entered: 02/10/1992)
02/10/1992	127	NOTICE of filing deposition transcript by Haitian Center, Inc. (dr, Deputy Clerk) (Entered: 02/11/1992)
02/10/1992	128	DEPOSITION transcript of John W. Cummings (dr, Deputy Clerk) (Entered: 02/11/1992)
02/10/1992	129	ORDER, Directing parties to Respond to motion reset to 2/17/92 for [121-1] motion to set fee for services and enter order for payment ( signed by Judge C. C. Atkins on 2/7/92) CCAP (vp, Deputy Clerk) (Entered: 02/12/1992)
02/11/1992	130	ORDER, that Mandate of USCA is hereby made the order of this court and dismissing case pursuant to mandate issued 2/4/92 ( signed by Judge C. C. Atkins on 2/11/92) CCAP (vp, Deputy Clerk) (Entered: 02/12/1992)
02/11/1992		Case closed (vp, Deputy Clerk) (Entered: 02/12/1992)
02/11/1992	131	NOTICE of filing deposition Transcript of John W. Cummings and L.E. Allen, Jr. by Haitian Center, Inc. (cf, Deputy Clerk) Modified on 02/13/1992 (Entered: 02/13/1992)
02/11/1992	132	DEPOSITION of John W. Cummings on 2/3/92 (cf, Deputy Clerk) (Entered: 02/13/1992)
02/11/1992	133	DEPOSITION of L.E. Allen, Jr. on 2/3/92 (cf, Deputy Clerk) Modified on 02/13/1992 (Entered: 02/13/1992)
02/13/1992	<a href="#">134</a>	JUDGMENT OF USCA (certified copy), dismissing government's appeal for lack of jurisdiction (91-6049 and DENYING HRC's motion for attorney's fees. (vp, Deputy Clerk) (Entered: 02/19/1992)
02/13/1992	<a href="#">135</a>	ORDER VACATING order on Mandate until United States Supreme Court makes a final determination ( signed by Judge Federico A. Moreno for C. Clyde Atkins on 2/13/92) CCAP (cf, Deputy Clerk) (Entered: 02/21/1992)
02/14/1992	136	RESPONSE by Haitian Center, Inc. to [121-1] motion to set fee for services and enter order for payment (cf, Deputy Clerk) (Entered: 02/25/1992)
02/19/1992		Record on appeal returned from U.S. Court of Appeals: consisting of 5 volumes, 1 envelope and 2 boxes of exhibits in [106-1] appeal by All Plaintiffs, [102-1]

		appeal by All Defendants, [99-1] appeal by All Defendants, [98-1] appeal by All Defendants, [81-1] appeal by United States, Immigration, U.S. Dept. Justice, Gene McNary, Kime, Robert Kramek, James Baker III, [37-1] appeal by United States, Immigration, U.S. Dept. Justice, Gene McNary, Kime, Robert Kramek, James Baker III, [15-1] appeal by United States, Immigration, U.S. Dept. Justice, Gene McNary, Kime, Robert Kramek, James Baker III (vp, Deputy Clerk) (Entered: 02/19/1992)
02/20/1992	137	OPPOSITION by James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, Immigration, United States to [121-1] motion to set fee for services and enter order for payment (Former Deputy Clerk) (Entered: 02/27/1992)
03/03/1992	138	RESPONSE by Donald Bierman Re: Compensation (dr, Deputy Clerk) (Entered: 03/05/1992)
03/06/1992	139	MOTION by All Defendants to amend [123-1] order granting defendants' ex parte motion for protective order (mg, Deputy Clerk) (Entered: 03/19/1992)
03/06/1992	140	Bill of costs in Amount of \$ 294.80 for James Baker III (mg, Deputy Clerk) (Entered: 03/19/1992)
03/06/1992	141	Bill of costs in Amount of \$ 141.90 for James Baker III (mg, Deputy Clerk) (Entered: 03/19/1992)
03/16/1992	142	Bill of costs from USCA in Amount of \$ 294.80 (USCA #91-6060) (Former Deputy Clerk) (Entered: 03/31/1992)
03/16/1992	143	Bill of costs from USCA in Amount of \$ 141.90 (USCA #91-6099) (Former Deputy Clerk) (Entered: 03/31/1992)
03/25/1992	144	ORDER, GRANTING motion for extension of time Response to motion reset to 4/6/92 for [121-1] motion to set fee for services and enter order for payment ( signed by Judge C. C. Atkins on 3/25/92) CCAP (cf, Deputy Clerk) (Entered: 05/15/1992)
04/02/1992	145	ORDER VACATING paragraph 5 of order of 2/5/92, which ordered defendants to provide non-classified privilege log to plaintiffs ( signed by Judge C. C. Atkins on 4/2/92) CCAP (cf, Deputy Clerk) (Entered: 05/15/1992)
06/22/1992	146	STIPULATION by Haitian Center, Inc., James Baker III, Robert Kramek, Kime, Gene McNary, U.S. Dept. Justice, U.S. - INS, United States, National Broadcast, WTVJ, Miami Herald, Post-Newsweek Inc., Post-Newsweek, CBS, Inc., WCIX-Channel 6, Donald Bierman, Roland Providence, Moise Charles, Eric Pierre, Raymond Edme, Golbert Miracle, Roland Jean, Roosevelt Alexis, Luc Luxembourg Sanon, Leger Pierre Frantz, Ochel Engerril, Jean Michel Mario Avilus, Archille Belvu, Lucien Rozier, Emmanuel Saintil, Codanser Joseph, All Plaintiffs, All Defendants of costs and damages (cf, Deputy Clerk) (Entered: 06/25/1992)
06/22/1992	147	ORDER granting [146-1] Stipulation of costs and damages; Each party bear its own attorneys' fees, costs and expenses; Plaintiff haitian Refugee Center, Inc recover \$5,000.00 bond signed by Judge C. C. Atkins on 6/22/92) CCAP (cf, Deputy Clerk) (Entered: 06/25/1992)



08/09/1993	148	ORDER mootng [139-1] motion to amend [123-1] order granting defendants' ex parte motion for protective order, mootng [121-1] motion to set fee for services and enter order for payment ( signed by Judge C. C. Atkins on 8-4-93) CCAP (sk, Deputy Clerk) (Entered: 08/11/1993)
------------	-----	---

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
06/22/2007 15:10:51			
<b>PACER Login:</b>	wu0079	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:91-cv-02653-CCA
<b>Billable Pages:</b>	10	<b>Cost:</b>	0.80