

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:17-cv-11730-DJC**

Alasaad et al v. Duke et al
Assigned to: Judge Denise J. Casper
Case in other court: USCA – First Circuit, 20–01077
USCA – First Circuit, 20–01081
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 09/13/2017
Date Terminated: 11/21/2019
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

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Date Filed	#	Docket Text
09/13/2017	<u>1</u>	COMPLAINT against All Defendants Filing fee: \$ 400, receipt number 0101-6792927 (Fee Status: Filing Fee paid), filed by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit Additional Attorneys for Civil Cover Sheet, # <u>3</u> Exhibit Category Sheet)(Rossman, Jessie) (Entered: 09/13/2017)
09/13/2017	<u>2</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Adam Schwartz, Sophia Cope, and Aaron Mackey Filing fee: \$ 300, receipt number 0101-6793117 by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Attachments: # <u>1</u> Affidavit Adam Schwartz, # <u>2</u> Affidavit Sophia Cope, # <u>3</u> Affidavit Aaron Mackey)(Rossman, Jessie) (Entered: 09/13/2017)
09/13/2017	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Esha Bhandari, Hugh Handeyside and Nathan Freed Wessler Filing fee: \$ 300, receipt number 0101-6793523 by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Attachments: # <u>1</u> Affidavit Esha Bhandari, # <u>2</u> Affidavit Hugh Handeyside, # <u>3</u> Affidavit Nathan Freed Wessler)(Rossman, Jessie) (Entered: 09/13/2017)
09/13/2017	4	ELECTRONIC NOTICE of Case Assignment. Judge Denise J. Casper assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge M. Page Kelley. (admn,) (Entered: 09/13/2017)
09/13/2017	<u>5</u>	Summons Issued as to Elaine Duke, Thomas Homan, Kevin McAleenan. Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (Nici, Richard) (Entered: 09/13/2017)
09/13/2017	<u>6</u>	NOTICE of Appearance by Matthew Segal on behalf of Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye, Zainab Merchant, Mohammed Akram Shibly,

		Matthew Wright (Segal, Matthew) (Entered: 09/13/2017)
09/13/2017	<u>7</u>	AMENDED COMPLAINT against All Defendants, filed by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright.(Rossman, Jessie) (Entered: 09/13/2017)
09/21/2017	<u>8</u>	NOTICE of Appearance by Annapurna Balakrishna on behalf of Elaine Duke, Thomas Homan, Kevin McAleenan (Balakrishna, Annapurna) (Entered: 09/21/2017)
10/16/2017	<u>9</u>	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>2</u> , <u>3</u> Motions for Leave to Appear Pro Hac Vice Added Adam Schwartz, Sophia Cope, Aaron Mackey, Esha Bhandari, Hugh Handeyside, and Nathan Freed Wessler. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (McKillop, Matthew) (Entered: 10/16/2017)
10/20/2017	<u>13</u>	SUMMONS Returned Executed by Kevin McAleenan, Thomas Homan, Elaine Duke. (Attachments: # <u>1</u> Kevin McAleenan Summons, # <u>2</u> Elaine Duke Summons)(admnin,) Modified on 11/16/2017 (admnin,). (Entered: 11/16/2017)
10/25/2017	<u>10</u>	NOTICE of Appearance by Michael Drezner on behalf of Elaine Duke, Thomas Homan, Kevin McAleenan (Drezner, Michael) (Entered: 10/25/2017)
10/27/2017	<u>11</u>	Joint MOTION for Entry of Briefing Schedule by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Attachments: # <u>1</u> Text of Proposed Order)(Schwartz, Adam) (Entered: 10/27/2017)
10/31/2017	<u>12</u>	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>11</u> Motion for Briefing Schedule. Defendants' responsive pleading to be filed by 12/15/17. Plaintiffs' to file their response by 1/26/18. Briefs not to exceed 30 pages. (Hourihan, Lisa) (Entered: 10/31/2017)
12/15/2017	<u>14</u>	MOTION to Dismiss for Lack of Jurisdiction , MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (Responses due by 12/29/2017) by Elaine Duke, Thomas Homan, Kevin McAleenan.(Drezner, Michael) (Entered: 12/15/2017)
12/15/2017	<u>15</u>	MEMORANDUM in Support re <u>14</u> MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Elaine Duke, Thomas Homan, Kevin McAleenan. (Attachments: # <u>1</u> Exhibit A)(Drezner, Michael) (Entered: 12/15/2017)
12/21/2017	<u>16</u>	Assented to MOTION to Modify Briefing Schedule by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Attachments: # <u>1</u> Text of Proposed Order)(Schwartz, Adam) (Entered: 12/21/2017)
12/27/2017	<u>17</u>	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>16</u> Assented to Motion to Modify Briefing Schedule. Given until 2/2/2018 to file amicus briefs. (McKillop, Matthew) (Entered: 12/27/2017)
01/09/2018	<u>18</u>	Notice of Supplemental Authorities re <u>14</u> MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Drezner, Michael) (Entered: 01/09/2018)
01/26/2018	<u>19</u>	MEMORANDUM in Opposition re <u>14</u> MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Bhandari, Esha) (Entered: 01/26/2018)
02/01/2018	<u>20</u>	Assented to MOTION for Leave to File Reply by Elaine Duke, Thomas Homan, Kevin McAleenan.(Drezner, Michael) (Entered: 02/01/2018)

02/02/2018	<u>21</u>	Request for Oral Argument Letter/request (non-motion) from Plaintiffs . (Bhandari, Esha) (Entered: 02/02/2018)
02/02/2018	<u>22</u>	Assented to MOTION for Leave to File <i>Amicus Curiae Brief in Support of Plaintiff's Opposition to Defendant's Motion to Dismiss</i> by Constitutional Accountability Center. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Nathanson, David) (Entered: 02/02/2018)
02/02/2018	<u>23</u>	MEMORANDUM of Amicus Curiae in Support of Plaintiff re <u>14</u> MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Constitutional Accountability Center. (Nathanson, David) (Entered: 02/02/2018)
02/02/2018	<u>24</u>	NOTICE of Appearance by Matthew S. Shapanka on behalf of Brennan Center for Justice, Center for Democracy & Technology, R Street Institute, TechFreedom (Shapanka, Matthew) (Entered: 02/02/2018)
02/02/2018	<u>25</u>	AMICUS BRIEF filed by Brennan Center for Justice, Center for Democracy & Technology, R Street Institute, TechFreedom . (Shapanka, Matthew) (Entered: 02/02/2018)
02/02/2018	<u>26</u>	AMICUS BRIEF filed by Knight First Amendment Institute at Columbia University, Reporters Committee for Freedom of the Press . (Albano, Jonathan) (Entered: 02/02/2018)
02/05/2018	27	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>20</u> Motion for Leave to File Reply of not more than 15 pages by 3/2/18 by Elaine Duke, Thomas Homan, Kevin McAleenan. (Hourihan, Lisa) (Entered: 02/05/2018)
02/15/2018	28	ELECTRONIC NOTICE Setting Hearing on Motion <u>14</u> MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM : Motion Hearing set for 3/16/2018 02:00 PM in Courtroom 11 before Judge Denise J. Casper. (Hourihan, Lisa) (Entered: 02/15/2018)
02/20/2018	<u>29</u>	Assented to MOTION to Continue Hearing on Defendants' Motion to Dismiss by Elaine Duke, Thomas Homan, Kevin McAleenan.(Drezner, Michael) (Entered: 02/20/2018)
02/21/2018	30	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>29</u> Motion to Continue Hearing Date (Hourihan, Lisa) (Entered: 02/21/2018)
02/21/2018	31	ELECTRONIC NOTICE Resetting Hearing on Motion <u>14</u> MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM : Motion Hearing set for 4/23/2018 03:00 PM in Courtroom 11 before Judge Denise J. Casper. (Hourihan, Lisa) (Entered: 02/21/2018)
03/01/2018	<u>32</u>	REPLY to Response to <u>14</u> MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Elaine Duke, Thomas Homan, Kevin McAleenan. (Drezner, Michael) (Entered: 03/01/2018)
04/23/2018	33	Electronic Clerk's Notes for proceedings held before Judge Denise J. Casper: Motion Hearing held on 4/23/2018 re <u>14</u> MOTION to Dismiss filed by Elaine Duke, Kevin McAleenan, Thomas Homan; Court heard arguments and took motion under advisement; if necessary a statement re recusal may be filed within two weeks. (Court Reporter: Debra Joyce at joycedebra@gmail.com.)(Attorneys present: Balakrishna, Bhandari, Drezner, Handeyside, Mackey, Schwartz, and Wessler) (Lovett, Jarrett) (Entered: 04/23/2018)
05/09/2018	<u>34</u>	Judge Denise J. Casper: ORDER entered. MEMORANDUM AND ORDER – The Court DENIES Defendants' motion to dismiss, D. 14.(Hourihan, Lisa) (Entered: 05/10/2018)
05/10/2018	35	Judge Denise J. Casper: ELECTRONIC ORDER entered. Defendants to file their answers by 5/25/18.(Hourihan, Lisa) (Entered: 05/10/2018)
05/10/2018	<u>36</u>	NOTICE of Scheduling Conference Scheduling Conference set for 6/18/2018 03:45 PM in Courtroom 11 before Judge Denise J. Casper. (Hourihan, Lisa) (Entered: 05/10/2018)

05/10/2018	<u>37</u>	Judge Denise J. Casper: ORDER entered. Standing Order Re: Courtroom Opportunities for Relatively Inexperienced Attorneys(Hourihan, Lisa) (Entered: 05/10/2018)
05/21/2018	<u>38</u>	Transcript of Motion Hearing held on April 23, 2018, before Judge Denise J. Casper. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Debra Joyce at joycedebra@gmail.com Redaction Request due 6/11/2018. Redacted Transcript Deadline set for 6/21/2018. Release of Transcript Restriction set for 8/20/2018. (Scalfani, Deborah) (Entered: 05/21/2018)
05/21/2018	39	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 05/21/2018)
05/23/2018	<u>40</u>	Assented to MOTION for Extension of Time to June 1, 2018 to File Answer by Elaine Duke, Thomas Homan, Kevin McAleenan.(Drezner, Michael) (Entered: 05/23/2018)
05/24/2018	41	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>40</u> Motion for Extension of Time to Answer re <u>7</u> Amended Complaint, Elaine Duke answer due 6/1/2018; Kevin McAleenan answer due 6/1/2018. (Hourihan, Lisa) (Entered: 05/24/2018)
06/01/2018	<u>42</u>	ANSWER to <u>7</u> Amended Complaint, by Elaine Duke, Thomas Homan, Kevin McAleenan.(Drezner, Michael) (Entered: 06/01/2018)
06/11/2018	<u>43</u>	CERTIFICATION pursuant to Local Rule 16.1 . (Bhandari, Esha) (Entered: 06/11/2018)
06/11/2018	<u>44</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>of Plaintiff Diane Maye</i> . (Bhandari, Esha) (Entered: 06/11/2018)
06/11/2018	<u>45</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>for Plaintiff Ghassan Alasaad</i> . (Bhandari, Esha) (Entered: 06/11/2018)
06/11/2018	<u>46</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>for Plaintiff Ismail Abdel-Rasoul</i> . (Bhandari, Esha) (Entered: 06/11/2018)
06/11/2018	<u>47</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>for Plaintiff Jeremie Dupin</i> . (Bhandari, Esha) (Entered: 06/11/2018)
06/11/2018	<u>48</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>for Plaintiff Matthew Wright</i> . (Bhandari, Esha) (Entered: 06/11/2018)
06/11/2018	<u>49</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>for Plaintiff Mohammed Akram Shibly</i> . (Bhandari, Esha) (Entered: 06/11/2018)
06/11/2018	<u>50</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>for Plaintiff Nadia Alasaad</i> . (Bhandari, Esha) (Entered: 06/11/2018)
06/11/2018	<u>51</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>for Plaintiff Sidd Bikkannavar</i> . (Bhandari, Esha) (Entered: 06/11/2018)
06/11/2018	<u>52</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>for Plaintiff Suhaib Allababidi</i> . (Bhandari, Esha) (Entered: 06/11/2018)
06/11/2018	<u>53</u>	CERTIFICATION pursuant to Local Rule 16.1 <i>for Plaintiff Zainab Merchant</i> . (Bhandari, Esha) (Entered: 06/11/2018)
06/11/2018	<u>54</u>	CERTIFICATION pursuant to Local Rule 16.1 . (Drezner, Michael) (Entered: 06/11/2018)
06/11/2018	<u>55</u>	Joint MOTION to Stay <i>Scheduling Conference and Extend Deadline to File Joint Statement</i> by Elaine Duke, Thomas Homan, Kevin McAleenan.(Drezner, Michael) (Entered: 06/11/2018)
06/13/2018	56	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>55</u> Motion to Continue Scheduling Conference. (Hourihan, Lisa) (Entered: 06/13/2018)

06/13/2018	57	ELECTRONIC NOTICE OF RESCHEDULING Scheduling Conference set for 7/16/2018 02:45 PM in Courtroom 11 before Judge Denise J. Casper. (Hourihan, Lisa) (Entered: 06/13/2018)
07/09/2018	<u>58</u>	JOINT SUBMISSION pursuant to Local Rule 16.1 <i>Joint Statement and Proposed Discovery Schedule</i> by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright.(Bhandari, Esha) (Entered: 07/09/2018)
07/16/2018	59	Electronic Clerk's Notes for proceedings held before Judge Denise J. Casper: Scheduling Conference held on 7/16/2018. Court hears from counsel on their positions for the scheduling of the case. Court takes matter under advisement. (Court Reporter: Debra Joyce at joycedebra@gmail.com.)(Attorneys present: Adam Schwartz, Esha Bhandari and Sophia Cope for the plaintiffs. Michael Drezner for the defendants.) (Hourihan, Lisa) (Entered: 07/18/2018)
07/20/2018	60	Judge Denise J. Casper: ELECTRONIC ORDER entered: Having considered the parties' joint statement and discussion with counsel at the recent initial scheduling conference, the Court ORDERS as follows: August 15, 2018: Deadline by which parties may continue to attempt to reach stipulations of fact. August 30, 2018: Deadline for the exchange of initial disclosures. No formal discovery requests shall be served before August 30th. December 30, 2018: Close of fact discovery concerning Defendants' policies and practices and Plaintiffs' standing. See D. 58 at 4. January 14, 2019: Status conference at 3:30 p.m. February 1, 2019: Deadline for Plaintiffs' motion for summary judgment. March 1, 2019: Deadline for Defendants' opposition/cross-motion for summary judgment. April 1, 2019: Deadline for Plaintiffs' opposition to Defendants' cross-motion for summary judgment/reply brief. (McKillop, Matthew) (Entered: 07/20/2018)
07/27/2018	61	ELECTRONIC NOTICE of Hearing. Status Conference set for 1/14/2019 03:30 PM in Courtroom 11 before Judge Denise J. Casper. (Hourihan, Lisa) (Entered: 07/27/2018)
08/15/2018	<u>62</u>	Joint MOTION for Extension of Time to August 30, 2018 to Attempt to Reach Stipulations of Fact by Elaine Duke, Thomas Homan, Kevin McAleenan. (Attachments: # <u>1</u> Text of Proposed Order)(Drezner, Michael) (Entered: 08/15/2018)
08/17/2018	<u>63</u>	Transcript of Scheduling Conference held on July 16, 2018, before Judge Denise J. Casper. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Debra Joyce at joycedebra@gmail.com Redaction Request due 9/7/2018. Redacted Transcript Deadline set for 9/17/2018. Release of Transcript Restriction set for 11/15/2018. (Scafani, Deborah) (Entered: 08/17/2018)
08/17/2018	64	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scafani, Deborah) (Entered: 08/17/2018)
08/20/2018	65	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>62</u> Motion for Extension of Time to August 30, 2018 to Attempt to Reach Stipulations of Fact by Elaine Duke, Thomas Homan, Kevin McAleenan (Hourihan, Lisa) (Entered: 08/20/2018)

09/07/2018	<u>66</u>	Joint MOTION for Protective Order by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Attachments: # <u>1</u> Text of Proposed Order Proposed Agreed Protective Order)(Wessler, Nathan) (Entered: 09/07/2018)
09/07/2018	<u>67</u>	NOTICE of Appearance by Marsha S. Edney on behalf of Elaine Duke, Thomas Homan, Kevin McAleenan (Edney, Marsha) (Entered: 09/07/2018)
09/18/2018	68	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>66</u> Motion for Protective Order. (McKillop, Matthew) (Entered: 09/19/2018)
09/18/2018	<u>69</u>	Judge Denise J. Casper: ORDER entered. PROTECTIVE ORDER. (McKillop, Matthew) (Entered: 09/19/2018)
12/06/2018	<u>70</u>	First MOTION for Extension of Time to January 31, 2019 to Complete Discovery by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright.(Handeyside, Hugh) (Entered: 12/06/2018)
12/12/2018	71	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>70</u> Motion for Extension of Time to Complete Discovery. Fact discovery to be completed by 1/31/2019. Summary Judgment Motions to be filed by 3/1/2019. Opposition and Cross-Motion for Summary Judgment to be filed by 4/15/19. Plaintiffs' Opposition to Defendant's Cross-Motion for Summary Judgment and Reply to be filed by 5/15/19. Status Conference by telephone rescheduled to 2/14/19 at 2:30PM. Counsel to reach out to clerk for dial in instructions. Hearing on Cross-Motions for Summary Judgment set for 6/6/19 at 3:00PM. (Hourihan, Lisa) (Entered: 12/12/2018)
12/12/2018	72	ELECTRONIC NOTICE OF RESCHEDULING Status Conference set for 2/14/2019 02:30 PM in Courtroom 11 before Judge Denise J. Casper. (Hourihan, Lisa) (Entered: 12/12/2018)
12/12/2018	73	ELECTRONIC NOTICE Setting Hearing on Cross-Motions for Summary Judgment. Motion Hearing set for 6/6/2019 03:00 PM in Courtroom 11 before Judge Denise J. Casper. (Hourihan, Lisa) (Entered: 12/12/2018)
01/02/2019	<u>74</u>	MOTION to Stay <i>Discovery</i> by Elaine Duke, Thomas Homan, Kevin McAleenan.(Drezner, Michael) (Entered: 01/02/2019)
01/04/2019	75	Judge Denise J. Casper: ELECTRONIC ORDER entered. D. <u>74</u> : Motion for stay allowed in part. Motion allowed for stay through 1/18/19 or whatever date the Department of Justice attorneys resume their usual civil litigation functions, whichever date is earlier. On or before 1/18/19, counsel to file status report or seek further stay if Department of Justice attorneys have not yet been able to resume their usual civil litigation functions. (McKillop, Matthew) (Entered: 01/04/2019)
01/18/2019	<u>76</u>	STATUS REPORT (<i>Joint</i>) by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Wessler, Nathan) (Entered: 01/18/2019)
01/22/2019	77	ELECTRONIC ENDORSEMENT re <u>76</u> Status Report filed by Nadia Alasaad, Jeremie Dupin, Mohammed Akram Shibly, Aaron Gach, Ghassan Alasaad, Suhaib Allababidi, Matthew Wright, Diane Maye, Zainab Merchant, Sidd Bikkannavar, Ismail Abdel-Rasoul. Stay allowed in part to the following extent. Stay continued through 2/1/19 or whatever date the Department of Justice attorneys resume their usual civil litigation functions, whichever date is earlier. On or before 2/1/19, counsel to file status report or seek further stay if Department of Justice attorneys have not yet been able to resume their usual civil litigation functions. (Hourihan, Lisa) (Entered: 01/22/2019)
01/28/2019	<u>78</u>	NOTICE by Elaine Duke, Thomas Homan, Kevin McAleenan (Drezner, Michael) (Entered: 01/28/2019)
02/01/2019	<u>79</u>	STATUS REPORT (<i>Joint</i>) by Elaine Duke, Thomas Homan, Kevin McAleenan. (Drezner, Michael) (Entered: 02/01/2019)

02/05/2019	80	ELECTRONIC ENDORSEMENT re <u>79</u> Status Report filed by Elaine Duke, Kevin McAleenan, Thomas Homan. Court adopts the schedule outlined in D. 79. Fact discovery to be completed by 3/22/19. Plaintiffs' motion for summary judgment to be filed by 4/30/19. Defendants' cross motion for summary judgment to be filed by 6/6/19. Plaintiffs' reply brief to be filed by 7/3/19 not to exceed 15 pages. Hearing set for 7/18/19 at 3:00PM. Status Conference set for 4/11/19 at 2:00PM. (Hourihan, Lisa) (Entered: 02/05/2019)
02/05/2019	81	ELECTRONIC NOTICE Resetting Hearing on Cross Motions for Summary Judgment. Motion Hearing set for 7/18/2019 03:00 PM in Courtroom 11 before Judge Denise J. Casper. (Hourihan, Lisa) (Entered: 02/05/2019)
02/05/2019	82	ELECTRONIC NOTICE OF RESCHEDULING Status Conference set for 4/11/2019 02:00 PM in Courtroom 11 before Judge Denise J. Casper. If counsel wish to participate by telephone, they should call the clerk for dial in instructions.(Hourihan, Lisa) (Entered: 02/05/2019)
03/06/2019	83	ELECTRONIC NOTICE OF RESCHEDULING Status Conference set for 4/9/2019 02:00 PM in Courtroom 11 before Judge Denise J. Casper. (Hourihan, Lisa) (Entered: 03/06/2019)
04/03/2019	<u>84</u>	Joint MOTION for Leave to File Excess Pages <i>and Defendants' Unopposed Motion for Leave to File Reply</i> by Elaine Duke, Thomas Homan, Kevin McAleenan.(Drezner, Michael) (Entered: 04/03/2019)
04/04/2019	85	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>84</u> Motion for Leave to File Excess Pages. Summary judgment memoranda not to exceed 30 pages. Reply brief not to exceed 15 pages. (Hourihan, Lisa) (Entered: 04/04/2019)
04/09/2019	<u>86</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Saira Hussain Filing fee: \$ 100, receipt number 0101-7628235 by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Attachments: # <u>1</u> Declaration in Support)(Rossman, Jessie) (Entered: 04/09/2019)
04/09/2019	88	Electronic Clerk's Notes for proceedings held before Judge Denise J. Casper: Status Conference held on 4/9/2019. Summary Judgment Motions to be filed by 4/30/19. The Court amends D. 80 to allow defendants to file reply brief not to exceed 15 pages by 7/15/19. Plaintiff to file notice of change of name of one of the plaintiffs. If counsel have suggestions for sequence of oral argument for the 7/18/19 hearing, they can file notice with the Court by 7/11/19. (Court Reporter: Debra Joyce at joycedebra@gmail.com.)(Attorneys present: Esha Bhandari and Michael Drezner.) (Hourihan, Lisa) (Entered: 04/10/2019)
04/10/2019	87	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>86</u> Motion for Leave to Appear Pro Hac Vice Added Saira Hussain. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (McKillop, Matthew) (Entered: 04/10/2019)
04/11/2019	<u>89</u>	NOTICE of Agreed Name Change in Caption by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar <i>et al.</i> (Hussain, Saira) (Entered: 04/11/2019)
04/30/2019	<u>90</u>	MOTION for Summary Judgment by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye Zorri, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Attachments: # <u>1</u> Memorandum ISO MSJ, # <u>2</u> Statement of Undisputed Material Facts ISO MSJ)(Bhandari, Esha) (Entered: 04/30/2019)
04/30/2019	<u>91</u>	APPENDIX/EXHIBIT re <u>90</u> MOTION for Summary Judgment by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye Zorri, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Attachments: # <u>1</u> Exhibit 2, # <u>2</u> Exhibit 3, # <u>3</u> Exhibit 4, # <u>4</u> Exhibit 5, # <u>5</u> Exhibit 6, # <u>6</u> Exhibit 7, # <u>7</u> Exhibit 8, # <u>8</u> Exhibit 9, # <u>9</u> Exhibit 10, # <u>10</u> Exhibit 11, # <u>11</u> Exhibit 12, # <u>12</u> Exhibit 13, # <u>13</u> Exhibit 14, #

		<u>14</u> Exhibit 15, # <u>15</u> Exhibit 16, # <u>16</u> Exhibit 17, # <u>17</u> Exhibit 18, # <u>18</u> Exhibit 19, # <u>19</u> Exhibit 20, # <u>20</u> Exhibit 21, # <u>21</u> Exhibit 22, # <u>22</u> Exhibit 23, # <u>23</u> Exhibit 24, # <u>24</u> Exhibit 25, # <u>25</u> Exhibit 26, # <u>26</u> Exhibit 27, # <u>27</u> Exhibit 28, # <u>28</u> Exhibit 29, # <u>29</u> Exhibit 30, # <u>30</u> Exhibit 31, # <u>31</u> Exhibit 32, # <u>32</u> Exhibit 33, # <u>33</u> Exhibit 34, # <u>34</u> Exhibit 35, # <u>35</u> Exhibit 36, # <u>36</u> Exhibit 37, # <u>37</u> Exhibit 38, # <u>38</u> Exhibit 39, # <u>39</u> Exhibit 40, # <u>40</u> Exhibit 41, # <u>41</u> Exhibit 42, # <u>42</u> Exhibit 43, # <u>43</u> Exhibit 44, # <u>44</u> Exhibit 45, # <u>45</u> Exhibit 46)(Bhandari, Esha) (Entered: 04/30/2019)
04/30/2019	<u>92</u>	Assented to MOTION to Seal <i>Exhibit #47 ISO MSJ</i> by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye Zorri, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright.(Bhandari, Esha) (Entered: 04/30/2019)
05/01/2019	93	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>92</u> Motion to Seal Exhibit #47 in support of Motion for Summary Judgment by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye Zorri, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright (Hourihan, Lisa) (Entered: 05/01/2019)
05/01/2019	<u>95</u>	CERTIFICATE OF CONSULTATION pursuant to LR 7.1 re <u>90</u> MOTION for Summary Judgment by Jessie J. Rossman on behalf of All Plaintiffs. (Rossman, Jessie) (Entered: 05/01/2019)
06/06/2019	<u>96</u>	Cross MOTION for Summary Judgment <i>and Opposition to Plaintiffs' Motion for Summary Judgment</i> by Elaine Duke, Thomas Homan, Kevin McAleenan. (Attachments: # <u>1</u> Text of Proposed Order)(Edney, Marsha) (Entered: 06/06/2019)
06/06/2019	<u>97</u>	MEMORANDUM in Support re <u>96</u> Cross MOTION for Summary Judgment <i>and Opposition to Plaintiffs' Motion for Summary Judgment</i> filed by Elaine Duke, Thomas Homan, Kevin McAleenan. (Edney, Marsha) (Entered: 06/06/2019)
06/06/2019	<u>98</u>	Statement of Material Facts L.R. 56.1 re <u>96</u> Cross MOTION for Summary Judgment <i>and Opposition to Plaintiffs' Motion for Summary Judgment</i> filed by Elaine Duke, Thomas Homan, Kevin McAleenan. (Attachments: # <u>1</u> Exhibit A-Howe Decl, # <u>2</u> Exhibit B-Denton Decl, # <u>3</u> Exhibit C-2009 DHS PIA, # <u>4</u> Exhibit D-2009 ICE Directive, # <u>5</u> Exhibit E-2009 CBP Directive, # <u>6</u> Exhibit F-2018 CBP Directive, # <u>7</u> Exhibit G-Stipulated Facts, # <u>8</u> Exhibit H-2018 DHS PIA, # <u>9</u> Exhibit I-Def. Resp. Interrogs, # <u>10</u> Exhibit J-Combined Pls. Resp. Interrogs, # <u>11</u> Exhibit K-DHS PIA, # <u>12</u> Exhibit L-Tsang Decl)(Edney, Marsha) (Entered: 06/06/2019)
07/03/2019	<u>99</u>	Opposition re <u>96</u> Cross MOTION for Summary Judgment <i>and Opposition to Plaintiffs' Motion for Summary Judgment and Plaintiffs' Reply in Support of Pl. Motion for Summary Judgment</i> filed by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye Zorri, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Attachments: # <u>1</u> Pl. Response to Def. SUMF and Reply SUMF, # <u>2</u> Exhibit 49, # <u>3</u> Exhibit 50, # <u>4</u> Exhibit 51)(Bhandari, Esha) (Additional attachment(s) added on 7/8/2019: # <u>5</u> Sealed Exhibit 48) (McKillop, Matthew). (Entered: 07/03/2019)
07/03/2019	<u>100</u>	Assented to MOTION to Seal Document <u>99</u> Opposition to Motion., <i>Exhibit 48</i> by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye Zorri, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright.(Bhandari, Esha) (Entered: 07/03/2019)
07/09/2019	101	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>100</u> Motion to Seal Exhibit 48 in support of their motion for summary judgment and in opposition to Defendants' motion for summary judgment (Hourihan, Lisa) (Entered: 07/09/2019)
07/10/2019	<u>102</u>	NOTICE by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye Zorri, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright <i>Joint Notice Regarding Oral Argument</i> (Bhandari, Esha) (Entered: 07/10/2019)
07/12/2019	<u>103</u>	MOTION for Leave to File <i>Supplemental Statement of Undisputed Material Facts</i> by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye Zorri, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Attachments: # <u>1</u> Supplement, # <u>2</u>

		Exhibit)(Hussain, Saira) (Entered: 07/12/2019)
07/15/2019	<u>104</u>	REPLY to Response to <u>96</u> Cross MOTION for Summary Judgment <i>and Opposition to Plaintiffs' Motion for Summary Judgment</i> filed by Elaine Duke, Thomas Homan, Kevin McAleenan. (Drezner, Michael) (Entered: 07/15/2019)
07/15/2019	<u>105</u>	Statement of Material Facts L.R. 56.1 re <u>103</u> MOTION for Leave to File <i>Supplemental Statement of Undisputed Material Facts</i> filed by Elaine Duke, Thomas Homan, Kevin McAleenan. (Drezner, Michael) (Entered: 07/15/2019)
07/18/2019	106	Electronic Clerk's Notes for proceedings held before Judge Denise J. Casper: Motion Hearing held on 7/18/2019 re <u>90</u> MOTION for Summary Judgment filed by Nadia Alasaad, Jeremie Dupin, Diane Maye Zorri, Mohammed Akram Shibly, Aaron Gach, Ghassan Alasaad, Suhaib Allababidi, Matthew Wright, Zainab Merchant, Sidd Bikkannavar, Ismail Abdel-Rasoul, <u>96</u> Cross MOTION for Summary Judgment <i>and Opposition to Plaintiffs' Motion for Summary Judgment</i> filed by Elaine Duke, Kevin McAleenan, Thomas Homan. Court grants <u>103</u> Motion for Leave to File Supplemental Statement of Undisputed Material Facts. Arguments. Court takes under advisement <u>90</u> Motion for Summary Judgment; takes under advisement <u>96</u> Motion for Summary Judgment.(Court Reporter: Debra Joyce at joycedebra@gmail.com.)(Attorneys present: Adam Schwartz, Esha Bhandari, Hugh Hamdeyside, Nathan Freed Wessler, Sophia Cope and Saira Hussain for the plaintiffs. Michael Drezner and Marsha Edney for the defendants.) (Hourihan, Lisa) (Entered: 07/19/2019)
08/21/2019	<u>107</u>	Transcript of Motion Hearing held on July 18, 2019, before Judge Denise J. Casper. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Debra Joyce at joycedebra@gmail.com Redaction Request due 9/11/2019. Redacted Transcript Deadline set for 9/23/2019. Release of Transcript Restriction set for 11/19/2019. (Scalfani, Deborah) (Entered: 08/21/2019)
08/21/2019	108	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 08/21/2019)
11/12/2019	<u>109</u>	Judge Denise J. Casper: ORDER entered. MEMORANDUM AND ORDER – The Court ALLOWS IN PART and DENIES IN PART Plaintiffs' motion for summary judgment, D. 90 and DENIES Defendants' motion for summary judgment, D. 96.(Hourihan, Lisa) (Entered: 11/12/2019)
11/12/2019	110	Judge Denise J. Casper: ELECTRONIC ORDER entered. In light of the Court's ruling today on D. 90 and 96, the Court further orders as follows. Counsel for the parties shall confer and by November 19, 2019, file a joint statement indicating what, if any, further action the parties seek to have the Court take in regard to any relief sought, entering judgment or otherwise. (Hourihan, Lisa) (Entered: 11/12/2019)
11/19/2019	<u>111</u>	JOINT STATEMENT of counsel <i>regarding relief</i> . (Wessler, Nathan) (Entered: 11/19/2019)
11/21/2019	<u>112</u>	Judge Denise J. Casper: ORDER entered. JUDGMENT (Hourihan, Lisa) (Entered: 11/21/2019)
12/19/2019	<u>113</u>	Assented to MOTION to Stay <i>Proceedings for Attorneys' Fees and Costs</i> by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye Zorri, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright.(Bhandari, Esha) (Entered: 12/19/2019)
12/20/2019	114	Judge Denise J. Casper: ELECTRONIC ORDER entered granting <u>113</u> Motion to Stay <i>Proceedings for Attorneys' Fees and Costs</i> (McKillop, Matthew) (Entered: 12/20/2019)
01/10/2020	<u>115</u>	NOTICE OF APPEAL <u>109</u> MMORANDUM AND ORDER, <u>112</u> JUDGMENT by Elaine Duke, Thomas Homan, Kevin McAleenan Fee Status: US Government. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov MUST be completed and submitted to the Court of Appeals. Counsel shall register for a First Circuit CM/ECF Appellate Filer Account at

		http://pacer.psc.uscourts.gov/cmecf . Counsel shall also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at http://www.ca1.uscourts.gov/cmecf. US District Court Clerk to deliver official record to Court of Appeals by 1/30/2020. (Drezner, Michael) (Modified on 1/10/2020 to Correct Docket Text and CM/ECF Document Links) (Paine, Matthew). (Entered: 01/10/2020)
01/10/2020	<u>116</u>	Certified and Transmitted Abbreviated Electronic Record on Appeal to US Court of Appeals re <u>115</u> Notice of Appeal. (Paine, Matthew) (Entered: 01/10/2020)
01/13/2020	<u>117</u>	NOTICE OF CROSS APPEAL as to <u>112</u> Judgment, <u>109</u> Memorandum & ORDER by Ismail Abdel-Rasoul, Ghassan Alasaad, Nadia Alasaad, Suhaib Allababidi, Sidd Bikkannavar, Jeremie Dupin, Aaron Gach, Diane Maye Zorri, Zainab Merchant, Mohammed Akram Shibly, Matthew Wright. (Filing fee: \$ 505, receipt number 0101-8051533 (Fee Status: Filing Fee paid)) NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov MUST be completed and submitted to the Court of Appeals. Counsel shall register for a First Circuit CM/ECF Appellate Filer Account at http://pacer.psc.uscourts.gov/cmecf. Counsel shall also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at http://www.ca1.uscourts.gov/efiling.htm. US District Court Clerk to deliver official record to Court of Appeals by 2/3/2020. (Wessler, Nathan) (Entered: 01/13/2020)
01/13/2020	<u>118</u>	Certified and Transmitted Abbreviated Electronic Record on Appeal to US Court of Appeals re <u>117</u> Notice of Cross Appeal. (Paine, Matthew) (Entered: 01/13/2020)
01/15/2020	119	USCA Case Number 20-1077 for <u>115</u> Notice of Cross Appeal filed by Nadia Alasaad, Jeremie Dupin, Diane Maye Zorri, Mohammed Akram Shibly, Aaron Gach, Ghassan Alasaad, Suhaib Allababidi, Matthew Wright, Zainab Merchant, Sidd Bikkannavar, Ismail Abdel-Rasoul. (Paine, Matthew) (Modified on 1/15/2020 to Correct Docket Entry Information) (Paine, Matthew). (Entered: 01/15/2020)
01/15/2020	120	USCA Case Number 20-1081 for <u>117</u> Notice of Cross Appeal filed by Nadia Alasaad, Jeremie Dupin, Diane Maye Zorri, Mohammed Akram Shibly, Aaron Gach, Ghassan Alasaad, Suhaib Allababidi, Matthew Wright, Zainab Merchant, Sidd Bikkannavar, Ismail Abdel-Rasoul. (Paine, Matthew) (Entered: 01/15/2020)