

**U.S. District Court
Northern District of Texas (Dallas)
CIVIL DOCKET FOR CASE #: 3:12-cv-03247-O**

Crane et al v. Napolitano et al
Assigned to: Judge Reed C O'Connor
Case in other court: 14-10049
Cause: 28:1331 Fed. Question

Date Filed: 08/23/2012
Date Terminated: 07/31/2013
Jury Demand: None
Nature of Suit: 890 Other Statutes: Other
Statutory Actions
Jurisdiction: U.S. Government Defendant

Plaintiff

Christopher L Crane

represented by **Peter Michael Jung**
Strasburger &Price, LLP
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Kris W Kobach
Kobach Law LLC
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PRO HAC VICE
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Plaintiff

David A Engle

represented by **Peter Michael Jung**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Kris W Kobach
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED
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Plaintiff

Anastasia Marie Carroll

represented by **Peter Michael Jung**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Kris W Kobach
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PRO HAC VICE
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Plaintiff

Ricardo Diaz

represented by **Peter Michael Jung**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Kris W Kobach
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PRO HAC VICE
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Plaintiff

Lorenzo Garza

represented by **Peter Michael Jung**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Kris W Kobach
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PRO HAC VICE
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Plaintiff

Felix Luciano

represented by **Peter Michael Jung**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Kris W Kobach
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Plaintiff

Tre Rebstock

represented by **Peter Michael Jung**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Kris W Kobach
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PRO HAC VICE
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Plaintiff

Fernando Silva

represented by **Peter Michael Jung**
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LEAD ATTORNEY
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Bar Status: Admitted/In Good Standing

Kris W Kobach
(See above for address)

*PRO HAC VICE
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted*

Plaintiff

Samuel Martin

represented by **Peter Michael Jung**
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*LEAD ATTORNEY
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Bar Status: Admitted/In Good Standing*

Kris W Kobach
(See above for address)
*PRO HAC VICE
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted*

Plaintiff

James D Doeblner

represented by **Peter Michael Jung**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing*

Kris W Kobach
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*PRO HAC VICE
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted*

Plaintiff

State of Mississippi
*by and through Governor Phil Bryant
TERMINATED: 01/24/2013*

represented by **Kris W Kobach**
(See above for address)
*TERMINATED: 01/24/2013
LEAD ATTORNEY
Bar Status: Not Admitted*

Peter Michael Jung
(See above for address)
*TERMINATED: 01/24/2013
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing*

V.

Defendant

Janet Napolitano
*in her official capacity as Secretary of
Homeland Security*

represented by **Adam David Kirschner**
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Defendant

John Morton
*in his Official Capacity as Director of
Immigration and Customs Enforcement*

represented by **Adam David Kirschner**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Bradley Heath Cohen
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Defendant

Alejandro Mayorkas
*in his official capacity as Director of
United States Citizenship and
Immigration Services*

represented by **Adam David Kirschner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Bradley Heath Cohen
(See above for address)
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

V.

Intervenor Defendant

Pamela Resendiz

represented by **Nina Perales**
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LEAD ATTORNEY
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Bar Status: Admitted/In Good Standing

Intervenor Defendant

Carolina Canizalez

represented by **Nina Perales**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Intervenor Defendant

University Leadership Initiative

represented by **Nina Perales**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

*Bar Status: Admitted/In Good Standing***Amicus****National Immigrant Justice Center**represented by **Brian J Murray**

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Date Filed	#	Docket Text
08/23/2012	<u>1</u>	COMPLAINT against All Defendants filed by Felix Luciano, Anastasia Marie Carroll, Tre Rebstock, Samuel Martin, David A. Engle, Fernando Silva, Christopher L. Crane, Ricardo Diaz, James D. Doebler, Lorenzo Garza. Summons(es) not requested at this time. In each Notice of Electronic Filing, the judge assignment is indicated, and a link to the <u>Judges Copy Requirements</u> is provided. The court reminds the filer that any required copy of this and future documents must be delivered to the judge, in the manner prescribed, within three business days of filing. (Filing fee \$350; Receipt number 0539-4776621) Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas should seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: <u>Attorney Information – Bar Membership</u> (Jung, Peter) (Entered: 08/23/2012)
08/23/2012	<u>2</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Anastasia Marie Carroll, Christopher L. Crane, Ricardo Diaz, James D. Doebler, David A. Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva. (Jung, Peter) (Entered: 08/23/2012)
08/23/2012	<u>3</u>	ADDITIONAL ATTACHMENTS to <u>1</u> Complaint by Plaintiffs Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva. (Jung, Peter) (Entered: 08/23/2012)
08/23/2012	<u>4</u>	New Case Notes: A filing fee has been paid. File to Judge O Connor. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge (Judge Toliver). Clerk to provide copy to plaintiff if not received electronically. (cea) (Entered: 08/23/2012)
08/23/2012	<u>5</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva. (Jung, Peter) (Entered: 08/23/2012)
08/23/2012		*** Case unsealed per oral order by District Judge. (jkm) (Entered: 08/24/2012)
08/31/2012	<u>6</u>	Request for Clerk to issue summons in a civil action filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva.

		(Jung, Peter) (Entered: 08/31/2012)
08/31/2012	<u>7</u>	Request for Clerk to issue summons in a civil case filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doeblner, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva. (Jung, Peter) (Entered: 08/31/2012)
08/31/2012	<u>8</u>	Summons issued as to John Morton, Janet Napolitano, U.S. Attorney, and U.S. Attorney General. (skt) (Entered: 08/31/2012)
10/03/2012	<u>9</u>	AFFIDAVIT of Service for Summons and Complaint served on John Morton through U.S. Attorney on 09/12/2012. (Jung, Peter) (Entered: 10/03/2012)
10/03/2012	<u>10</u>	AFFIDAVIT of Service for Summons and Complaint served on Janet Napolitano through U.S. Attorney on 09/12/2012. (Jung, Peter) (Entered: 10/03/2012)
10/03/2012	<u>11</u>	AFFIDAVIT of Service for Summons and Complaint served on John Morton through Attorney General on 09/19/2012. (Jung, Peter) (Entered: 10/03/2012)
10/03/2012	<u>12</u>	AFFIDAVIT of Service for Summons and Complaint served on John Morton on 09/18/2012. (Jung, Peter) (Entered: 10/03/2012)
10/08/2012	<u>13</u>	Proof of Service for Summons and Complaint served on Janet Napolitano on 09/24/2012. (Jung, Peter) Modified text on 10/9/2012 (ykp). (Entered: 10/08/2012)
10/10/2012	<u>14</u>	Application for Admission Pro Hac Vice with Cert. of Good Standing for Attorney Kris W. Kobach (Filing fee \$25; Receipt number 0539-4874501) filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doeblner, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva (Attachments: # <u>1</u> Exhibit(s) Certificate of Good Standing, # <u>2</u> Proposed Order Proposed Order) (Jung, Peter) (Entered: 10/10/2012)
10/10/2012	<u>15</u>	AMENDED COMPLAINT against All Defendants filed by Felix Luciano, Anastasia Marie Carroll, Tre Rebstock, Samuel Martin, David A Engle, Fernando Silva, Christopher L Crane, Ricardo Diaz, James D Doeblner, Lorenzo Garza, State of Mississippi, by and through Governor Phil Bryant. Clerk to issue summons(es) for new federal defendant(s). (Attachments: # <u>1</u> Exhibit(s) Directive, # <u>2</u> Exhibit(s) OSA Report) (Jung, Peter) (Entered: 10/10/2012)
10/10/2012	<u>16</u>	Summons issued as to Alejandro Mayorkas, U.S. Attorney, and U.S. Attorney General. (axm) (Entered: 10/10/2012)
10/12/2012	<u>17</u>	ELECTRONIC ORDER granting <u>14</u> Application for Admission Pro Hac Vice of Kris W. Kobach. If not already done, Applicant must register as an ECF User within 14 days (LR 5.1(f)). (Ordered by Judge Reed C O'Connor on 10/12/2012) (chmb) (rrr) (Entered: 10/12/2012)
10/29/2012	<u>18</u>	AFFIDAVIT of Service for Summons & Complaint served on Janet Napolitano, through the Attorney General on 09/17/2012. (Jung, Peter) (Entered: 10/29/2012)
10/29/2012	<u>19</u>	AFFIDAVIT of Service for Summons & Amended Complaint served on Alejandro Mayorkas on 10/22/2012. (Jung, Peter) (Entered: 10/29/2012)
10/29/2012	<u>20</u>	AFFIDAVIT of Service for Summons & Amended Complaint served on Alejandro Mayorkas, through the Attorney General on 10/22/2012. (Jung, Peter) (Entered: 10/29/2012)
10/29/2012	<u>21</u>	AFFIDAVIT of Service for Summons & Amended Complaint served on Alejandro Mayorkas, through the US Attorney on 10/18/2012. (Jung, Peter) (Entered: 10/29/2012)
11/13/2012	<u>22</u>	NOTICE of Attorney Appearance by Adam David Kirschner on behalf of All Defendants. (Filer confirms contact info in ECF is current.) (Kirschner, Adam) (Entered: 11/13/2012)
11/13/2012	<u>23</u>	MOTION to Dismiss filed by Alejandro Mayorkas, John Morton, Janet Napolitano with Brief/Memorandum in Support. (Kirschner, Adam) (Entered: 11/13/2012)

11/28/2012	<u>24</u>	MOTION for Injunction <i>Application for Preliminary Injunction</i> filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva, State of Mississippi (Kobach, Kris) (Entered: 11/28/2012)
11/28/2012	<u>25</u>	***DISREGARD/SEE 26 FOR CORRECTED DOCUMENT*** Brief/Memorandum in Support filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva, State of Mississippi with Brief/Memorandum in Support. (Attachments: # <u>1</u> Affidavit(s) Samuel Martin Affidavit, # <u>2</u> Affidavit(s) Christopher Crane Affidavit) (Kobach, Kris) Modified text and termed motion on 11/29/2012 (ykp). (Entered: 11/28/2012)
11/28/2012	<u>26</u>	Brief/Memorandum in Support filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva, State of Mississippi re <u>25</u> MOTION for Injunction <i>Brief in Support of Application for Preliminary Injunction</i> , <u>24</u> MOTION for Injunction <i>Application for Preliminary Injunction Amended Brief in Support of Application for Preliminary Injunction</i> (Attachments: # <u>1</u> Affidavit(s) Samuel Martin Affidavit, # <u>2</u> Affidavit(s) Christopher Crane Affidavit) (Kobach, Kris) (Entered: 11/28/2012)
11/29/2012	<u>27</u>	ORDER: Before the Court are Defendants' <u>23</u> Motion to Dismiss and Memorandum in Support, filed 11/13/2012, and Plaintiffs' <u>24</u> Application for Preliminary Injunctive Relief, filed 11/28/2012. To facilitate the efficient resolution of the issues, the Court will consider these Motions at the same time once the Motion to Dismiss is ripe. (Ordered by Judge Reed C O'Connor on 11/29/2012) (ykp) (Entered: 11/29/2012)
11/29/2012	<u>28</u>	MOTION for Extension of Time to File Response/Reply <i>Until Final Disposition of Defendants' Motion to Dismiss</i> re: <u>24</u> MOTION for Injunction <i>Application for Preliminary Injunction</i> filed by Alejandro Mayorkas, John Morton, Janet Napolitano with Brief/Memorandum in Support. (Kirschner, Adam) (Entered: 11/29/2012)
11/29/2012	29	ELECTRONIC ORDER denying <u>28</u> Motion to Extend Time to File Response/Reply. (Ordered by Judge Reed C O'Connor on 11/29/2012)(Judge Reed C O'Connor) (Entered: 11/29/2012)
12/04/2012	<u>30</u>	RESPONSE filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva, State of Mississippi re: <u>23</u> MOTION to Dismiss (Kobach, Kris) (Entered: 12/04/2012)
12/04/2012	<u>31</u>	Appendix in Support filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva, State of Mississippi re <u>30</u> Response/Objection, <i>Appendix in Support of Response to Motion to Dismiss</i> (Kobach, Kris) (Entered: 12/04/2012)
12/18/2012	<u>32</u>	NOTICE of Attorney Appearance by Bradley Heath Cohen on behalf of All Defendants. (Filer confirms contact info in ECF is current.) (Cohen, Bradley) (Entered: 12/18/2012)
12/18/2012	<u>33</u>	REPLY filed by Alejandro Mayorkas, John Morton, Janet Napolitano re: <u>23</u> MOTION to Dismiss (Kirschner, Adam) (Entered: 12/18/2012)
12/19/2012	<u>34</u>	RESPONSE filed by Alejandro Mayorkas, John Morton, Janet Napolitano re: <u>24</u> MOTION for Injunction <i>Application for Preliminary Injunction</i> (Attachments: # <u>1</u> Exhibit(s) A- ICE Director June 17, 2011 Memo, # <u>2</u> Exhibit(s) B- DHS Secretary June 15, 2012 Memo, # <u>3</u> Exhibit(s) C- Bernsen 1976 Memo, # <u>4</u> Exhibit(s) D- Meissner 2000 Memo, # <u>5</u> Exhibit(s) E- Howard 2005 Memo, # <u>6</u> Exhibit(s) F- Myers 2007 Memo, # <u>7</u> Exhibit(s) G- Ellis Declaration) (Kirschner, Adam) (Entered: 12/19/2012)
01/02/2013	<u>35</u>	Unopposed MOTION for Leave to File Reply in Excess of Page Limitation filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock,

		Fernando Silva, State of Mississippi (Attachments: # <u>1</u> Proposed Order Proposed Order) (Jung, Peter) (Entered: 01/02/2013)
01/02/2013	<u>36</u>	REPLY filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva, State of Mississippi re: <u>24</u> MOTION for Injunction <i>Application for Preliminary Injunction</i> (Jung, Peter) (Entered: 01/02/2013)
01/02/2013	<u>37</u>	Appendix in Support filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva, State of Mississippi re <u>36</u> Reply, (Jung, Peter) (Entered: 01/02/2013)
01/03/2013	<u>38</u>	ORDER granting <u>35</u> Motion to Enlarge Page Limitation for Reply in Support of Application for Preliminary Injunction. Accordingly, it is ORDERED that Plaintiffs may file a Reply in support of their Application for Preliminary Injunction not to exceed thirteen pages in length. (Ordered by Judge Reed C O'Connor on 1/3/2013) (ctf) (Entered: 01/03/2013)
01/23/2013	<u>39</u>	MOTION to Amend/Correct <u>37</u> Appendix in Support, <i>to Supplement the Record on Application for Preliminary Injunction</i> filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva, State of Mississippi with Brief/Memorandum in Support. (Attachments: # <u>1</u> Declaration(s) Declaration of P. Michael Jung, # <u>2</u> Proposed Order) (Jung, Peter) (Entered: 01/23/2013)
01/24/2013	<u>40</u>	RESPONSE filed by Alejandro Mayorkas, John Morton, Janet Napolitano re: <u>39</u> MOTION to Amend/Correct <u>37</u> Appendix in Support, <i>to Supplement the Record on Application for Preliminary Injunction</i> (Attachments: # <u>1</u> Exhibit(s) A- 9-14-12 FAQs, # <u>2</u> Exhibit(s) B- 2002 INS Memo, # <u>3</u> Exhibit(s) C- 2009 USCIS Memo) (Kirschner, Adam) (Entered: 01/24/2013)
01/24/2013	<u>41</u>	MEMORANDUM OPINION AND ORDER granting in part and denying in part <u>23</u> Motion to Dismiss: Accordingly, it is ORDERED that the State of Mississippi's claims, by and through Governor Phil Bryant, are DISMISSED without prejudice to refile. It is further ORDERED that Plaintiffs' third cause of action challenging the issuance of employment authorization is DISMISSED without prejudice to refile. State of Mississippi (by and through Governor Phil Bryant) terminated., Attorneys Peter Michael Jung and Kris W Kobach terminated. (Ordered by Judge Reed C O'Connor on 1/24/2013) (twd) (Entered: 01/25/2013)
01/25/2013	<u>42</u>	ORDER as to Plaintiffs' <u>24</u> Application for Preliminary Injunctive Relief: The Court intends to set this for hearing. Accordingly, it is ORDERED that lead counsel for each party (or a designee attorney with appropriate authority) shall confer as soon as practicable to prepare a Joint Report regarding proposed dates for a hearing on Plaintiffs' Application for Preliminary Injunctive Relief. The Joint Report shall be filed on or before 2/01/2013. (Ordered by Judge Reed C O'Connor on 1/25/2013) (twd) (Entered: 01/25/2013)
01/31/2013	<u>43</u>	Consent Motion for Extension of Time to Answer <u>15</u> Amended Complaint <i>Until 14 Days Following Disposition of Plaintiffs' Motion for Preliminary Injunction</i> filed by Alejandro Mayorkas, John Morton, Janet Napolitano (Kirschner, Adam) Modified text/link on 2/1/2013 (rlw). (Entered: 01/31/2013)
02/01/2013	<u>44</u>	CERTIFICATE OF SERVICE filed by Alejandro Mayorkas, John Morton, Janet Napolitano re: <u>43</u> Consent Motion for Extension of Time to File Answer <i>Until 14 Days Following Disposition of Plaintiffs' Motion for Preliminary Injunction</i> . (Kirschner, Adam) Modified text on 2/1/2013 (axm). (Entered: 02/01/2013)
02/01/2013	<u>45</u>	ORDER granting <u>43</u> Defendants' Unopposed Motion for Extension of Time to Answer Plaintiff's Amended Complaint. Accordingly, it is ORDERED that Defendants must file their answer to Plaintiffs' Amended Complaint within fourteen days of the Court's disposition of the pending application for preliminary injunction. (Ordered by Judge Reed C O'Connor on 2/1/2013) (axm) (Entered: 02/01/2013)

02/01/2013	<u>46</u>	Joint STATUS REPORT filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Alejandro Mayorkas, John Morton, Janet Napolitano, Tre Rebstock, Fernando Silva. (Kirschner, Adam) (Entered: 02/01/2013)
02/05/2013	<u>47</u>	ORDER SETTING HEARING: Before the Court is <u>24</u> Plaintiffs' Application for Preliminary Injunctive Relief, filed 11/28/2012. The Court sets this matter for a hearing on 3/22/2013 09:00 AM before Judge Reed C O'Connor. Counsel for Plaintiffs and Defendants are ORDERED to attend and be prepared to address all issues relating to the motion. (Ordered by Judge Reed C O'Connor on 2/5/2013) (ykp) (Entered: 02/05/2013)
02/08/2013	<u>48</u>	Unopposed MOTION to Continue <i>Preliminary Injunction Hearing to Another Date</i> filed by Alejandro Mayorkas, John Morton, Janet Napolitano with Brief/Memorandum in Support. (Kirschner, Adam) (Entered: 02/08/2013)
02/11/2013	<u>49</u>	ORDER granting <u>48</u> Motion to Continue. Motion Hearing regarding <u>24</u> Motion set for 4/8/2013 09:00 AM before Judge Reed C O'Connor. Counsel for Plaintiffs and Defendants are ORDERED to attend and be prepared to address all issues relating to the motion. (Ordered by Judge Reed C O'Connor on 2/11/2013) (tla) Modified on 2/11/2013 (tla). (Entered: 02/11/2013)
03/11/2013	<u>50</u>	Unopposed MOTION to Amend/Correct <u>46</u> Status Report, filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva (Attachments: # <u>1</u> Proposed Order) (Jung, Peter) (Entered: 03/11/2013)
03/12/2013	<u>51</u>	ORDER granting <u>50</u> Plaintiffs' Unopposed Motion to Amend Joint Status Report. Accordingly, it is ORDERED that Jessica Vaughan is substituted as a witness for Plaintiffs at the upcoming preliminary injunction hearing, in place of Robin Baker. (Ordered by Judge Reed C O'Connor on 3/12/2013) (aaa) (Entered: 03/12/2013)
03/15/2013	<u>52</u>	ORDER granting <u>39</u> Plaintiffs' Motion to Supplement the Record on Application for Preliminary Injunctive Relief. (Ordered by Judge Reed C O'Connor on 3/15/2013) (axm) (Entered: 03/18/2013)
04/04/2013		Notice to the Parties: Please be advised that as of Monday, April 8, 2013, Judge Reed C. O'Connor's chambers will be located at 1100 Commerce Street, Room 1312, Dallas, Texas 75242. All hearings and trial proceedings will be held in United States District Judges Courtroom 1310, 1100 Commerce Street, Dallas, Texas 75242. (drh) (Entered: 04/04/2013)
04/08/2013	<u>53</u>	ELECTRONIC Minute Entry for proceedings held before Judge Reed C O'Connor: Hearing on <u>24</u> – Plaintiffs' Application for Preliminary Injunction. Hearing held on 4/8/2013. Attorney Appearances: Plaintiff – Kris Kobach, Peter Michael Jung; Defense – Adam David Kirschner, Bradley Heath Cohen. (Court Reporter: Denver Roden) (Exhibits admitted) Time in Court – 5:45. (chmb) (Entered: 04/09/2013)
04/09/2013	<u>54</u>	NOTICE Pertaining to the Preliminary Injunction Hearing filed by Alejandro Mayorkas, John Morton, Janet Napolitano re: <u>53</u> Evidentiary Hearing. (Kirschner, Adam) Modified text on 4/10/2013 (axm). Modified text on 4/16/2013 (rlw). (Entered: 04/09/2013)
04/10/2013	<u>55</u>	CERTIFICATE OF SERVICE by Alejandro Mayorkas, John Morton, Janet Napolitano re <u>54</u> Notice (Other) (Kirschner, Adam) (Entered: 04/10/2013)
04/12/2013	<u>56</u>	RESPONSE filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva, State of Mississippi re: <u>54</u> NOTICE Pertaining to the Preliminary Injunction Hearing (Kobach, Kris) Modified text on 4/15/2013 (rlw). (Entered: 04/12/2013)
04/15/2013	<u>57</u>	REPLY filed by Alejandro Mayorkas, John Morton, Janet Napolitano re: <u>54</u> NOTICE Pertaining to the Preliminary Injunction Hearing (Kirschner, Adam) Modified link/text on 4/16/2013 (rlw). (Entered: 04/15/2013)
04/23/2013	<u>58</u>	Memorandum Opinion and Order deferring ruling on Plaintiffs' <u>24</u> Application for Preliminary Injunction until the parties have submitted additional briefing. The

		parties shall file their respective briefs on or before 5/6/2013. (Ordered by Judge Reed C O'Connor on 4/23/2013) (tln) (Entered: 04/23/2013)
05/06/2013	<u>59</u>	Brief/Memorandum in Support filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva re <u>24</u> MOTION for Injunction <i>Application for Preliminary Injunction (supplemental brief per court order)</i> (Attachments: # <u>1</u> Exhibit(s) Exhibit A, # <u>2</u> Exhibit(s) Exhibit B (first half), # <u>3</u> Exhibit(s) Exhibit B (second half), # <u>4</u> Exhibit(s) Exhibit C (part 1), # <u>5</u> Exhibit(s) Exhibit C (part 2), # <u>6</u> Exhibit(s) Exhibit C (part 3), # <u>7</u> Exhibit(s) Exhibit C (part 4), # <u>8</u> Exhibit(s) Exhibit D, # <u>9</u> Exhibit(s) Exhibit E) (Jung, Peter) (Entered: 05/06/2013)
05/06/2013	<u>60</u>	Defendants' Supplemental Memorandum on Why the Civil Service Reform Act Precludes Plaintiffs' Requested Relief by Alejandro Mayorkas, John Morton, Janet Napolitano as to <u>58</u> Memorandum Opinion and Order, <u>34</u> Response/Objection, <i>Regarding Why CSRA Precludes Plaintiffs' Requested Relief</i> . (Attachments: # <u>1</u> Exhibit(s) A– National Grievance) (Kirschner, Adam) Modified on 5/13/2013 (twd). Modified title on 5/29/2013 (rlw). (Entered: 05/06/2013)
05/06/2013	<u>61</u>	Proposed MOTION to Intervene <i>as Defendants or in the Alternative, Motion for Leave to Participate as Amici Curiae</i> filed by Pamela Resendiz, Carolina Canizalez, University Leadership Initiative with Brief/Memorandum in Support. (Attachments: # <u>1</u> Brief in Support of Motion to Intervene, # <u>2</u> Appendix to Motion to Intervene, # <u>3</u> Proposed Order A). Party Pamela Resendiz, Carolina Canizalez and the University Leadership Initiative added. (Perales, Nina) (Entered: 05/06/2013)
05/07/2013	<u>62</u>	NOTICE of <i>Letter Pointing out Error in Brief</i> re: <u>59</u> Brief/Memorandum in Support of Motion,, filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva (Kobach, Kris) (Entered: 05/07/2013)
05/07/2013	<u>63</u>	Amended Supplemental Brief in Support filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva re <u>24</u> MOTION for Injunction <i>Application for Preliminary Injunction (Amended Supplemental Brief)</i> (Attachments: # <u>1</u> Exhibit(s) Exhibit A, # <u>2</u> Exhibit(s) Exhibit B (first half), # <u>3</u> Exhibit(s) Exhibit B (second half), # <u>4</u> Exhibit(s) Exhibit C (part 1), # <u>5</u> Exhibit(s) Exhibit C (part 2), # <u>6</u> Exhibit(s) Exhibit C (part 3), # <u>7</u> Exhibit(s) Exhibit C (part 4), # <u>8</u> Exhibit(s) Exhibit D, # <u>9</u> Exhibit(s) Exhibit E, # <u>10</u> Exhibit(s) Exhibit F) (Jung, Peter) Docket text modified on 5/13/2013 (twd). (Entered: 05/07/2013)
05/13/2013	<u>64</u>	ORDER re <u>60</u> Supplemental Memorandum on Why the Civil Service Reform Act Precludes Plaintiffs' Requested Relief and <u>63</u> Amended Supplemental Brief in Support of Plaintiffs' Application for Preliminary Injunctive Relief: It is ORDERED that the parties must file their respective responses on or before 5/20/2013, and their respective replies on or before 5/28/2013. Each individual brief is not to exceed ten (10) pages in length. (Ordered by Judge Reed C O'Connor on 5/13/2013) (twd) (Entered: 05/13/2013)
05/16/2013	<u>65</u>	<i>Unopposed</i> MOTION for Extension of Time to File Response/Reply re: <u>61</u> Proposed MOTION to Intervene <i>as Defendants or in the Alternative, Motion for Leave to Participate as Amici Curiae</i> filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doebler, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva (Attachments: # <u>1</u> Proposed Order) (Jung, Peter) (Entered: 05/16/2013)
05/17/2013	<u>66</u>	ORDER granting <u>65</u> Motion for Extension of Time to Respond to Proposed Defendant–Intervenors Motion to Intervene. Responses due by 6/17/2013 (Ordered by Judge Reed C O'Connor on 5/17/2013) (trt) (Entered: 05/17/2013)
05/20/2013	<u>67</u>	RESPONSE filed by Alejandro Mayorkas, John Morton, Janet Napolitano re: <u>63</u> Amended Supplemental Brief in Support (Kirschner, Adam) Modified text on 5/29/2013 (rlw). (Entered: 05/20/2013)

05/20/2013	<u>68</u>	RESPONSE filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doeblner, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva re: <u>60</u> Supplemental Memorandum (Kobach, Kris) Modified text on 5/29/2013 (rlw). (Entered: 05/20/2013)
05/22/2013	<u>69</u>	MOTION for Leave to File Brief of Amicus Curiae filed by National Immigrant Justice Center with Brief/Memorandum in Support. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Proposed Order) (Little, Dionna) (Entered: 05/22/2013)
05/28/2013	<u>70</u>	DEFENDANTS' REPLY TO PLAINTIFF'S RESPONSIVE SUPPLEMENTAL BRIEF REGARDING CIVIL SERVICE REFORM ACT filed by Alejandro Mayorkas, John Morton, Janet Napolitano re: <u>60</u> Supplemental Brief (Kirschner, Adam) Modified link/text on 5/29/2013 (rlw). (Entered: 05/28/2013)
05/28/2013	<u>71</u>	PLAINTIFF'S SUPPLEMENTAL REPLY BRIEF REGARDING CIVIL SERVICE REFORM ACT filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doeblner, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva re: <u>63</u> Amended Supplemental Brief in Support (Kobach, Kris) Modified link/text on 5/29/2013 (rlw). (Entered: 05/28/2013)
06/11/2013	<u>72</u>	RESPONSE filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doeblner, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva re: <u>69</u> MOTION for Leave to File Brief of Amicus Curiae (Kobach, Kris) (Entered: 06/11/2013)
06/17/2013	<u>73</u>	RESPONSE AND OBJECTION filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doeblner, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva, State of Mississippi re: <u>61</u> Proposed MOTION to Intervene <i>as Defendants or in the Alternative, Motion for Leave to Participate as Amici Curiae</i> (Kobach, Kris) (Entered: 06/17/2013)
07/01/2013	<u>74</u>	RESPONSE filed by Carolina Canizalez, Pamela Resendiz, University Leadership Initiative re: <u>69</u> MOTION for Leave to File Brief of Amicus Curiae (Perales, Nina) (Entered: 07/01/2013)
07/31/2013	<u>75</u>	ORDER: Plaintiffs' claims are DISMISSED without prejudice for lack of subject-matter jurisdiction. (Ordered by Judge Reed C O'Connor on 7/31/2013) (axm) (Entered: 07/31/2013)
07/31/2013	<u>76</u>	JUDGMENT: Based on the Court's Order dismissing Plaintiffs' claims for lack of subject-matter jurisdiction, this case is DISMISSED without prejudice. (Ordered by Judge Reed C O'Connor on 7/31/2013) (axm) (Entered: 07/31/2013)
07/31/2013		***Civil Case Terminated per <u>76</u> Judgment. Pursuant to LR 79.2 and LCrR 55.2, exhibits may be claimed during the 60-day period following final disposition (to do so, follow the procedures found at www.txnd.uscourts.gov/Court_Records). The clerk will discard exhibits that remain unclaimed after the 60-day period without additional notice. (Clerk to notice any party not electronically noticed.) (ctf) (Entered: 08/01/2013)
08/28/2013	<u>77</u>	MOTION to Alter or Amend Judgment filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doeblner, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva with Brief/Memorandum in Support. (Attachments: # <u>1</u> Proposed Order) (Kobach, Kris) (Entered: 08/28/2013)
09/03/2013	<u>78</u>	<i>Consent</i> MOTION for Extension of Time to File Response/Reply re: <u>77</u> MOTION to Alter or Amend Judgment filed by Alejandro Mayorkas, John Morton, Janet Napolitano (Cohen, Bradley) (Entered: 09/03/2013)
09/03/2013	<u>79</u>	ELECTRONIC ORDER granting <u>78</u> Motion to Extend Time to File Response/Reply. (Ordered by Judge Reed C O'Connor on 9/3/2013) (Judge Reed C O'Connor) (Entered: 09/03/2013)
09/25/2013	<u>80</u>	RESPONSE filed by Alejandro Mayorkas, John Morton, Janet Napolitano re: <u>77</u> MOTION to Alter or Amend Judgment (Kirschner, Adam) (Entered: 09/25/2013)

10/09/2013	<u>81</u>	REPLY filed by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doeblner, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva re: <u>77</u> MOTION to Alter or Amend Judgment (Kobach, Kris) (Entered: 10/09/2013)
12/09/2013	<u>82</u>	ORDER denying <u>77</u> Plaintiffs' Motion to Alter or Amend the Judgment. (Ordered by Judge Reed C O'Connor on 12/9/2013) (ctf) (Entered: 12/09/2013)
01/08/2014	<u>83</u>	NOTICE OF APPEAL to the Fifth Circuit as to <u>41</u> Memorandum Opinion and Order granting in part and denying in part, <u>23</u> Motion to Dismiss, <u>76</u> Judgment, <u>75</u> Order, <u>82</u> Order on Motion to Alter Judgment by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doeblner, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva, State of Mississippi. Filing fee \$505, receipt number 0539-5778697. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. (Jung, Peter) Modified on 1/9/2014 to correct text(svc). (Entered: 01/08/2014)
01/10/2014	<u>84</u>	Notice of Filing of Official Electronic Transcript of Application for Preliminary Injunction Hearing Proceedings held on 04-08-2013 before Judge Reed C. O'Connor. Court Reporter/Transcriber Denver B. Roden, RPR, RMR, Telephone number 214-753-2298. Parties are notified of their <u>duty to review</u> the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office public terminal. If redaction is necessary, a <u>Redaction Request - Transcript</u> must be filed within 21 days. If no such Request is filed, the transcript will be made available via PACER without redaction after 90 calendar days. If redaction request filed, this transcript will not be accessible via PACER; see redacted transcript. The clerk will mail a copy of this notice to parties not electronically noticed. (234 pages) Redaction Request due 1/31/2014. Redacted Transcript Deadline set for 2/10/2014. Release of Transcript Restriction set for 4/10/2014. (dbr) (Entered: 01/10/2014)
01/13/2014	<u>85</u>	Transcript Order Form: re <u>83</u> Notice of Appeal,, transcript requested by Anastasia Marie Carroll, Christopher L Crane, Ricardo Diaz, James D Doeblner, David A Engle, Lorenzo Garza, Felix Luciano, Samuel Martin, Tre Rebstock, Fernando Silva, State of Mississippi for Evidentiary Hearing held on 04-08-13 before Judge O'Connor. (Jung, Peter) (Entered: 01/13/2014)
01/17/2014	<u>86</u>	NOTICE OF APPEAL to the Fifth Circuit as to <u>75</u> Order, <u>82</u> Order on Motion to Alter Judgment by Alejandro Mayorkas, John Morton, Janet Napolitano. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. (Cohen, Bradley) (Entered: 01/17/2014)
01/21/2014		USCA Case Number 14-10049 for <u>83</u> Notice of Appeal,, filed by Samuel Martin, Christopher L Crane, Tre Rebstock, Lorenzo Garza, Fernando Silva, David A Engle, State of Mississippi, Felix Luciano, Anastasia Marie Carroll, Ricardo Diaz, James D Doeblner. (svc) (Entered: 01/21/2014)
01/24/2014	<u>87</u>	Transcript Order Form: re <u>86</u> Notice of Appeal, transcript not requested (Kirschner, Adam) (Entered: 01/24/2014)
01/27/2014		Record on Appeal for USCA5 14-10049 (related to <u>86</u> , <u>83</u> appeal): Record consisting of: ECF electronic record, 1 Volume(s) electronic transcript, 1 envelope of original exhibits, certified to USCA. To request a copy of the record (on disk or on paper), <u>contact the appeals deputy</u> in advance to arrange delivery. (svc) (Entered: 01/27/2014)
02/07/2014		Record on Appeal for USCA5 14-10049 (related to <u>86</u> , <u>83</u> appeal): transmitted to Strasburger &Price, LLP on disk only by hand delivery. (svc) (Entered: 02/07/2014)
02/14/2014		Record on Appeal for USCA5 14-10049 (related to <u>86</u> , <u>83</u> appeal): transmitted to United States Dept of Justice on disk only by mail. (svc) (Entered: 02/14/2014)
03/05/2014		Record on Appeal for USCA5 14-10049 (related to <u>86</u> , <u>83</u> appeal): transmitted to United States Dept of Justice on disk only by Federal Express 798115386030 (svc) (Entered: 03/05/2014)

07/01/2014		Record on Appeal for USCA5 14-10049 (related to <u>86</u> , <u>83</u> appeal): transmitted to Mexican American Legal Defense & Educational Fund Inc on disk only by Federal Express 770476457814 (svc) (Entered: 07/01/2014)
07/22/2015	<u>88</u>	Opinion of USCA in accordance with USCA judgment re <u>86</u> Notice of Appeal, filed by John Morton, Alejandro Mayorkas, Janet Napolitano, <u>83</u> Notice of Appeal,, filed by Samuel Martin, Christopher L Crane, Tre Rebstock, Lorenzo Garza, Fernando Silva, David A Engle, State of Mississippi, Felix Luciano, Anastasia Marie Carroll, Ricardo Diaz, James D Doebler. (svc) (Entered: 07/22/2015)
07/22/2015	<u>89</u>	JUDGMENT/MANDATE of USCA as to <u>86</u> Notice of Appeal, and <u>83</u> Notice of Appeal. It is ordered and adjudged that the judgment of the District Court is affirmed. Issued as Mandate: 7/22/15. Pursuant to LR 79.2 and LCrR 55.2, exhibits may be claimed during the 60-day period following final disposition (to do so, follow the procedures found at <u>Exhibit Guide</u>). The clerk will discard exhibits that remain unclaimed after the 60-day period without additional notice. (Clerk to notice any party not electronically noticed.) (svc) (Entered: 07/22/2015)