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IN IMMIGRATION CASES,HABEAS,PROTO,STAYED

U.S. District Court
United States District Court for the Western District of Washington (Seattle)
CIVIL DOCKET FOR CASE #: 2:16-cv-01454-JLR

Martinez Banos, et al v. Asher et al
Assigned to: Judge James L. Robart

Case in other court: 9th Circuit Court of Appeals, 18-35460
Cause: 28:2241 Petition for Writ of Habeas Corpus (federal)

Date Filed: 09/14/2016

Jury Demand: None

Nature of Suit: 463 Habeas Corpus -
Alien Detainee

Jurisdiction: U.S. Government

Defendant

Petitioner

Arturo Martinez Banos

*on behalf of himself as an individual
and on behalf of others similarly
situated*

TERMINATED: 07/12/2017

represented by **Matt Adams**

NORTHWEST IMMIGRANT RIGHTS
PROJECT (SEA)

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TERMINATED: 07/12/2017

LEAD ATTORNEY

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ATTORNEY TO BE NOTICED

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TERMINATED: 01/02/2020

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TERMINATED: 12/13/2019

Petitioner

Edwin Flores Tejada

represented by **Matt Adams**
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ATTORNEY TO BE NOTICED

Aaron Korthuis
(See above for address)
ATTORNEY TO BE NOTICED

Glenda Melinda Aldana Madrid
(See above for address)
TERMINATED: 01/02/2020

Leila Kang
(See above for address)
TERMINATED: 12/13/2019

Petitioner

German Ventura Hernandez
*on behalf of themselves as individuals
and on behalf of others similarly
situated*

represented by **Matt Adams**
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LEAD ATTORNEY
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Aaron Korthuis
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Glenda Melinda Aldana Madrid
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TERMINATED: 01/02/2020

Leila Kang
(See above for address)
TERMINATED: 12/13/2019

V.

Defendant

Chad Wolf

represented by **US Attorney Habeas**

Acting Secretary of Homeland Security

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LEAD ATTORNEY
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ATTORNEY TO BE NOTICED

V.

Respondent

Nathalie R Asher
Field Office Director
TERMINATED: 06/04/2019

represented by **US Attorney Habeas**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gladys M. Steffens Guzman
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TERMINATED: 12/23/2019

Respondent

Thomas D Homan
*Acting Director of U.S. Immigration and
Customs Enforcement*

represented by **US Attorney Habeas**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gladys M. Steffens Guzman
(See above for address)
ATTORNEY TO BE NOTICED

Sairah G Saeed

(See above for address)
TERMINATED: 12/23/2019

Respondent

John F Kelly
*Secretary of the Department of
Homeland Security;*
TERMINATED: 06/04/2019

represented by **US Attorney Habeas**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gladys M. Steffens Guzman
(See above for address)
ATTORNEY TO BE NOTICED

Sairah G Saeed
(See above for address)
TERMINATED: 12/23/2019

Respondent

Juan P. Osuna
*Director of Executive Office for
Immigration Review*
TERMINATED: 07/11/2017

represented by **US Attorney Habeas**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gladys M. Steffens Guzman
(See above for address)
ATTORNEY TO BE NOTICED

Respondent

Dana J Boente
*Acting Attorney General of the United
States*
TERMINATED: 07/11/2017

represented by **US Attorney Habeas**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gladys M. Steffens Guzman
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ATTORNEY TO BE NOTICED

Respondent

Lowell Clark
Warden

represented by **US Attorney Habeas**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gladys M. Steffens Guzman
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ATTORNEY TO BE NOTICED

Sairah G Saeed
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TERMINATED: 12/23/2019

Respondent

James McHenry
*Director of Executive Office for
Immigration Review*

represented by **US Attorney Habeas**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gladys M. Steffens Guzman
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ATTORNEY TO BE NOTICED

Sairah G Saeed
(See above for address)
TERMINATED: 12/23/2019

Respondent

Jefferson Beauregard Sessions, III
*Acting Attorney General of the United
States*
TERMINATED: 06/04/2019

represented by **US Attorney Habeas**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gladys M. Steffens Guzman
(See above for address)
ATTORNEY TO BE NOTICED

Sairah G Saeed
(See above for address)
TERMINATED: 12/23/2019

Respondent

Elizabeth Godfrey
Field Office Director

represented by **US Attorney Habeas**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gladys M. Steffens Guzman
(See above for address)
ATTORNEY TO BE NOTICED

Sairah G Saeed
(See above for address)
TERMINATED: 12/23/2019

Respondent

Kevin K McAleenan
*Secretary of the Department of
Homeland Security*

represented by **US Attorney Habeas**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gladys M. Steffens Guzman
(See above for address)
ATTORNEY TO BE NOTICED

Sairah G Saeed
(See above for address)
TERMINATED: 12/23/2019

Respondent

William Barr
United States Attorney General

represented by **US Attorney Habeas**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gladys M. Steffens Guzman
(See above for address)
ATTORNEY TO BE NOTICED

Sairah G Saeed
(See above for address)
TERMINATED: 12/23/2019

Date Filed	#	Docket Text
09/14/2016	1	PETITION for Writ of Habeas Corpus (Receipt # 0981-4601224), filed by Arturo Martinez Banos. (Attachments: # 1 Exhibit Exh. A, BIA Order, # 2 Exhibit Exh. B, IJ Orders, # 3 Civil Cover Sheet, # 4 Summons Summons Asher, # 5 Summons Summons Saldana, # 6 Summons Summons Johnson, # 7 Summons Summons Osuna, # 8 Summons Summons Lynch, # 9 Summons Summons Clark)(Adams, Matt) (Entered: 09/14/2016)
09/15/2016		Judge James L. Robart and Hon. Brian A Tsuchida added. (ST) (Entered: 09/15/2016)
09/15/2016	2	Summons electronically issued as to defendant(s) Nathalie Asher, Lowell Clark, Jeh Johnson, Loretta E. Lynch, Juan P. Osuna, Sarah R Saldana. (Attachments: # 1 Summons, # 2 Summons, # 3 Summons, # 4 Summons, # 5 Summons)(ST) (Entered: 09/15/2016)
09/15/2016		NOTICE TO FILER: Upon case opening, the filer is responsible for entering party text exactly as it appears on the complaint. For example, " <u>Secretary of the Department of Homeland Security</u> " should have been added as party text for <u>Jeh Johnson</u> . In addition, the parties roles should have been entered as <u>Petitioner</u> and <u>Respondent</u> . If you have questions about party text or party roles, please refer to the Attorney's Guide to Opening a Civil Case on the court's website at wawd.uscourts.gov . The docket has been corrected. Thank you. (ST) (Entered: 09/15/2016)

09/21/2016	3	SERVICE ORDER by Hon. Brian A Tsuchida. On or before October 21, 2016 , the petitioner shall file a motion for class certification or the parties shall file a joint status report. Counsel for petitioner shall inform the Court immediately should the petitioner decides not to seek class certification. If petitioner's custody status changes at any point, the parties shall file a status update with the Court as soon as possible and no later than 14 days after the change. (ST) (Entered: 09/22/2016)
10/19/2016	4	NOTICE of Appearance by attorney Gladys M. Steffens Guzman on behalf of Respondents Nathalie Asher, Lowell Clark, Jeh Johnson, Loretta E. Lynch, Juan P. Osuna, Sarah R Saldana. (Steffens Guzman, Gladys) (Entered: 10/19/2016)
10/19/2016	5	MOTION to Stay re 1 Petition for Writ of Habeas Corpus, 3 Order,, by Respondents Nathalie Asher, Lowell Clark, Jeh Johnson, Loretta E. Lynch, Juan P. Osuna, Sarah R Saldana. (Attachments: # 1 Proposed Order) Noting Date 11/4/2016, (Steffens Guzman, Gladys) (Entered: 10/19/2016)
10/20/2016	6	MOTION to Certify Class by Petitioner Arturo Martinez Banos. Oral Argument Requested. (Attachments: # 1 Proposed Order) Noting Date 11/11/2016, (Adams, Matt) (Entered: 10/20/2016)
10/20/2016	7	DECLARATION of Trina Realmuto filed by Petitioner Arturo Martinez Banos re 6 MOTION to Certify Class (Attachments: # 1 Exhibit Exh. A)(Adams, Matt) (Entered: 10/20/2016)
10/20/2016	8	DECLARATION of Timothy Warden-Hertz filed by Petitioner Arturo Martinez Banos re 6 MOTION to Certify Class (Adams, Matt) (Entered: 10/20/2016)
10/20/2016	9	DECLARATION of Elizabeth Benki filed by Petitioner Arturo Martinez Banos re 6 MOTION to Certify Class (Adams, Matt) (Entered: 10/20/2016)
10/20/2016	10	DECLARATION of Matt Adams filed by Petitioner Arturo Martinez Banos re 6 MOTION to Certify Class (Adams, Matt) (Entered: 10/20/2016)
10/28/2016	11	NOTICE of Appearance by attorney Leila Kang on behalf of Petitioner Arturo Martinez Banos. (Kang, Leila) (Entered: 10/28/2016)
10/31/2016	12	RESPONSE, by Petitioner Arturo Martinez Banos, to 5 MOTION to Stay re 1 Petition for Writ of Habeas Corpus, 3 Order,, . (Adams, Matt) (Entered: 10/31/2016)
10/31/2016	13	MOTION for Extension of Time to <i>Oppose Motion to Certify Class Until Such Time as the Court Adjudicates the Pending Motion to Stay Proceedings</i> by Respondents Nathalie Asher, Lowell Clark, Jeh Johnson, Loretta E. Lynch, Juan P. Osuna, Sarah R Saldana. (Attachments: # 1 Proposed Order) Noting Date 11/11/2016, (Steffens Guzman, Gladys) (Entered: 10/31/2016)

11/04/2016	14	REPLY, filed by Respondents Nathalie Asher, Lowell Clark, Jeh Johnson, Loretta E. Lynch, Juan P. Osuna, Sarah R Saldana, TO RESPONSE to 5 MOTION to Stay re 1 Petition for Writ of Habeas Corpus, 3 Order,, (Steffens Guzman, Gladys) (Entered: 11/04/2016)
11/04/2016	15	RESPONSE, by Petitioner Arturo Martinez Banos, to 13 MOTION for Extension of Time to <i>Oppose Motion to Certify Class Until Such Time as the Court Adjudicates the Pending Motion to Stay Proceedings</i> . (Adams, Matt) (Entered: 11/04/2016)
11/07/2016	16	MOTION to Dismiss <i>All Individual Claims</i> by Respondents Nathalie Asher, Lowell Clark, Jeh Johnson, Loretta E. Lynch, Juan P. Osuna, Sarah R Saldana. (Attachments: # 1 Exhibit A, # 2 Exhibit A - continued, # 3 Proposed Order) Noting Date 12/2/2016, (Steffens Guzman, Gladys) (Entered: 11/07/2016)
11/07/2016	17	RESPONSE, by Respondents Nathalie Asher, Lowell Clark, Jeh Johnson, Loretta E. Lynch, Juan P. Osuna, Sarah R Saldana, to 6 MOTION to Certify Class . Oral Argument Requested. (Steffens Guzman, Gladys) (Entered: 11/07/2016)
11/11/2016	18	REPLY, filed by Petitioner Arturo Martinez Banos, TO RESPONSE to 6 MOTION to Certify Class (Kang, Leila) (Entered: 11/11/2016)
11/21/2016	19	ORDER by Hon. Brian A Tsuchida denying as moot Government's 13 Motion for Extension of Time to oppose Mr. Martinez's motion for class certification. (AD) (Entered: 11/21/2016)
11/28/2016	20	NOTICE of Appearance by attorney Glenda Melinda Aldana Madrid on behalf of Petitioner Arturo Martinez Banos. (Aldana Madrid, Glenda) (Entered: 11/28/2016)
11/28/2016	21	RESPONSE, by Petitioner Arturo Martinez Banos, to 16 MOTION to Dismiss <i>All Individual Claims</i> . Oral Argument Requested. (Aldana Madrid, Glenda) (Entered: 11/28/2016)
11/29/2016	22	ORDER denying the Government's 5 Motion to Stay. Signed by Hon. Brian A Tsuchida. (PM) (Entered: 11/29/2016)
12/01/2016	23	MOTION for Preliminary Injunction by Petitioner Arturo Martinez Banos. Oral Argument Requested. (Attachments: # 1 Proposed Order) Noting Date 12/23/2016, (Aldana Madrid, Glenda) (Entered: 12/01/2016)
12/02/2016	24	REPLY, filed by Respondents Nathalie Asher, Lowell Clark, Jeh Johnson, Loretta E. Lynch, Juan P. Osuna, Sarah R Saldana, TO RESPONSE to 16 MOTION to Dismiss <i>All Individual Claims</i> (Steffens Guzman, Gladys) (Entered: 12/02/2016)
12/13/2016	25	ORDER SETTING ORAL ARGUMENT ON MOTION FOR CLASS CERTIFICATION AND DIRECTING ADDITIONAL BRIEFING; re Arturo Martinez Banos's 6 MOTION to Certify Class : Motion Hearing set for 2/1/2017 at 10:00 AM in Courtroom 12B before Hon. Brian A Tsuchida by Hon. Brian A Tsuchida. (RS) (Entered: 12/13/2016)

		12/13/2016)
12/16/2016	26	RESPONSE, by Respondents Nathalie Asher, Lowell Clark, Jeh Johnson, Loretta E. Lynch, Juan P. Osuna, Sarah R Saldana, to 23 MOTION for Preliminary Injunction . (Steffens Guzman, Gladys) (Entered: 12/16/2016)
12/23/2016	27	REPLY, filed by Petitioner Arturo Martinez Banos, TO RESPONSE to 23 MOTION for Preliminary Injunction (Adams, Matt) (Entered: 12/23/2016)
01/09/2017	28	MOTION for Leave to File <i>Amended Complaint</i> , filed by Petitioner Arturo Martinez Banos. Oral Argument Requested. (Attachments: # 1 Exhibit Amended Complaint with accompanying exhibits, # 2 Proposed Order) Noting Date 1/27/2017, (Aldana Madrid, Glenda) (Entered: 01/09/2017)
01/13/2017	29	RESPONSE by Respondents Nathalie Asher, Lowell Clark, Jeh Johnson, Loretta E. Lynch, Juan P. Osuna, Sarah R Saldana re 25 Order Setting Hearing on Motion, (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Steffens Guzman, Gladys) (Entered: 01/13/2017)
01/13/2017	30	STIPULATION by parties re 25 Order Setting Hearing on Motion, (Steffens Guzman, Gladys) (Entered: 01/13/2017)
01/13/2017	31	RESPONSE, by Petitioner Arturo Martinez Banos, to 6 MOTION to Certify Class . Oral Argument Requested. (Aldana Madrid, Glenda) (Entered: 01/13/2017)
01/13/2017	32	Supplemental DECLARATION of Timothy Warden-Hertz filed by Petitioner Arturo Martinez Banos re 6 MOTION to Certify Class (Aldana Madrid, Glenda) (Entered: 01/13/2017)
01/13/2017	33	Supplemental DECLARATION of Elizabeth Benki filed by Petitioner Arturo Martinez Banos re 6 MOTION to Certify Class (Aldana Madrid, Glenda) (Entered: 01/13/2017)
01/20/2017	34	RESPONSE, by Petitioner Arturo Martinez Banos, to 6 MOTION to Certify Class . Oral Argument Requested. (Kang, Leila) (Entered: 01/20/2017)
01/20/2017	35	REPLY by Respondents Nathalie Asher, Lowell Clark, Jeh Johnson, Loretta E. Lynch, Juan P. Osuna, Sarah R Saldana to 31 Response to Motion (Steffens Guzman, Gladys) (Entered: 01/20/2017)
01/23/2017	36	RESPONSE, by Respondents Nathalie Asher, Lowell Clark, Jeh Johnson, Loretta E. Lynch, Juan P. Osuna, Sarah R Saldana, to 28 MOTION for Leave to File <i>Amended Complaint</i> . (Steffens Guzman, Gladys) (Entered: 01/23/2017)
01/25/2017	37 R	ORDER by Hon. Brian A Tsuchida granting Petitioner's 28 Motion for leave to file an amended complaint; amended complaint due 2/1/2017; striking the 2/1/2017 oral argument 25 ; directing parties to file a Joint Status Report by 2/15/2017. (PM) (Entered: 01/25/2017)
01/31/2017	38	AMENDED PETITION FOR WRIT OF HABEAS CORPUS AND

		<i>CLASS ACTION COMPLAINT</i> , filed by Arturo Martinez Banos. (Attachments: # 1 Exhibit BIA Order, # 2 Exhibit IJ Orders, # 3 Exhibit Notice of Referral to IJ)(Kang, Leila) (Entered: 01/31/2017)
02/03/2017	39	JOINT STATUS REPORT signed by all parties estimated Trial Days: N/A. (Aldana Madrid, Glenda) (Entered: 02/03/2017)
02/07/2017	40	ORDER SETTING BRIEFING SCHEDULE; striking plaintiffs' 6 Motion to Certify Class; Plaintiffs to file their amended motion for class certification by 2/9/17, response due 2/27/17 and reply due on noting date of 3/3/17. Defendants' 16 MOTION to Dismiss <i>All Individual Claims</i> is renoted for 3/3/2017. Supplemental brief due 2/13/17, plaintiffs response due 2/27/17 and defendants to file reply by 3/3/17. Clerk to substitute Thomas Homan, Acting Director of US Immigration and Customs Enforcement; John Kelly, Secy of Dept of Homeland Security and Dana Boente, Acting Attorney General of the United States for defendant-respondents Saldana, Johnson and Lynch by Hon. Brian A Tsuchida.(RS) (Entered: 02/07/2017)
02/08/2017	41	Amended MOTION to Certify Class , filed by Petitioner Arturo Martinez Banos. Oral Argument Requested. (Attachments: # 1 Proposed Order) Noting Date 3/3/2017, (Kang, Leila) (Entered: 02/08/2017)
02/13/2017	42	SUPPLEMENT re 16 MOTION to Dismiss <i>All Individual Claims</i> by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F. Kelly, Juan P. Osuna (Steffens Guzman, Gladys) (Entered: 02/13/2017)
02/27/2017	43	RESPONSE, by Petitioner Arturo Martinez Banos, to 16 MOTION to Dismiss <i>All Individual Claims</i> . (Kang, Leila) (Entered: 02/27/2017)
02/27/2017	44	Second MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM OF <i>NEWLY-NAMED PLAINTIFFS FLORES AND VENTIURA</i> , filed by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, Juan P. Osuna. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Proposed Order) Noting Date 3/24/2017, (Steffens Guzman, Gladys) (Entered: 02/27/2017)
02/27/2017	45	RESPONSE, by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, Juan P. Osuna, to 41 Amended MOTION to Certify Class . (Steffens Guzman, Gladys) (Entered: 02/27/2017)
03/03/2017	46	REPLY, filed by Petitioner Arturo Martinez Banos, TO RESPONSE to 41 Amended MOTION to Certify Class (Kang, Leila) (Entered: 03/03/2017)
03/20/2017	47	RESPONSE, by Petitioner Arturo Martinez Banos, to 44 Second MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM OF <i>NEWLY-NAMED PLAINTIFFS FLORES AND VENTIURA</i> . Oral Argument Requested. (Aldana Madrid, Glenda) (Entered: 03/20/2017)

03/24/2017	48	REPLY, filed by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, Juan P. Osuna, TO RESPONSE to 44 Second MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM OF NEWLY-NAMED PLAINTIFFS FLORES AND VENTIURA (Steffens Guzman, Gladys) (Entered: 03/24/2017)
03/29/2017	49	REPORT AND RECOMMENDATION by Hon. Brian A Tsuchida re Government's 16 First Motion to Dismiss and 44 Second Motion to Dismiss. Objections to R&R due by 4/19/2017, Noting Date 4/21/2017. (Attachments: # 1 R&R Proposed Order) (PM) (Entered: 03/29/2017)
04/19/2017	50	OBJECTIONS by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, Juan P. Osuna to 49 Report and Recommendations. Noting Date 4/21/2017, (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Steffens Guzman, Gladys) (Entered: 04/19/2017)
04/19/2017		***Motion terminated: 49 REPORT AND RECOMMENDATIONS re 16 MOTION to Dismiss <i>All Individual Claims</i> filed by Nathalie Asher, Juan P. Osuna, Dana J Boente, John F Kelly, Lowell Clark, Thomas D Homan, 44 Second MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM. (SWT) (Entered: 04/20/2017)
04/21/2017		Noting Date Reset re 50 OBJECTIONS by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, Juan P. Osuna to Report and Recommendations: Noting Date 5/3/2017, reset pursuant to the Report and Recommendation (Dkt. # 49). (AD) (Entered: 04/21/2017)
05/03/2017	51	RESPONSE to 50 OBJECTIONS by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, Juan P. Osuna to 49 Report and Recommendations. filed by Petitioner Arturo Martinez Banos <i>et al.</i> (Kang, Leila) (Entered: 05/03/2017)
07/07/2017	52	NOTICE of Supplemental Authority by Petitioner Arturo Martinez Banos (Attachments: # 1 Exhibit)(Aldana Madrid, Glenda) (Entered: 07/07/2017)
07/11/2017	53 R	ORDER ADOPTING IN PART AND REJECTING IN PART REPORT AND RECOMMENDATIONS re 49 Report and Recommendations, 50 Objections to Report and Recommendation ; granting Defendants' 16 First Motion to Dismiss ; dismissing Mr. Martinez's claims without prejudice and without leave to amend ; striking Defendants' 44 Second Motion to Dismiss without prejudice to renewing ; REFERRING case back to Magistrate Judge Tsuchida for further processings ; directing Clerk to update docket, signed by Judge James L. Robart. (SWT) (Entered: 07/12/2017)
07/11/2017		Party James McHenry and Jefferson B. Sessions added. Party Dana J Boente (Acting Attorney General of the United States) and Juan P. Osuna (Director of Executive Office for Immigration Review) terminated. (See 53 R Order) (SWT) (Entered: 07/12/2017)

07/12/2017	54 R	ORDER directing parties to file Joint Status Report by 8/3/2017, signed by Hon. Brian A Tsuchida. (PM) (Entered: 07/12/2017)
07/24/2017	55	JOINT STATUS REPORT signed by all parties (Kang, Leila) (Entered: 07/24/2017)
07/25/2017	56	ORDER SETTING BRIEFING SCHEDULE by Hon. Brian A Tsuchida. Defendants' motion to dismiss due 8/4/2017 with a noting date of 9/1/2017. Clerk directed to RE-NOTE plaintiffs' 23 MOTION for Preliminary Injunction and 41 Amended MOTION for class certification: Noting Date 9/1/2017. (PM) (Entered: 07/25/2017)
08/04/2017	57	Amended MOTION to Dismiss <i>All of Remaining Petitioners-Plaintiffs' Individual Claims</i> , filed by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson B. Sessions. (Attachments: # 1 SEALED Exhibit A, # 2 SEALED Exhibit B, # 3 Exhibit C, # 4 Proposed Order) Noting Date 9/1/2017, (Steffens Guzman, Gladys) Modified on 8/11/2017 to seal per phone request from counsel. (PM). (Entered: 08/04/2017)
08/11/2017		NOTICE of Docket Text Modification re 57 Amended MOTION to Dismiss <i>All of Remaining Petitioners-Plaintiffs' Individual Claims</i> : SEALED Exhibit A and B to Amended Motion to Dismiss per phone request. Counsel will file a motion to seal. (PM) (Entered: 08/11/2017)
08/11/2017	58	Stipulated MOTION to Seal <i>Exhibits A and B in support of Respondents' Motion to Amend</i> , filed by Respondents Nathalie Asher, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson B. Sessions. (Attachments: # 1 Proposed Order) Noting Date 8/25/2017, (Steffens Guzman, Gladys) (Entered: 08/11/2017)
08/14/2017	59 R	ORDER granting Defendants-Respondents' unopposed 58 motion to seal and directing the Clerk to maintain the seal on Docket Nos. 57 -1 and 57 -2. Signed by Hon. Brian A Tsuchida. (PM) (Entered: 08/14/2017)
08/28/2017	60	RESPONSE, by Petitioners Edwin Flores Tejada, Arturo Martinez Banos, German Ventura Hernandez, to 57 Amended MOTION to Dismiss <i>All of Remaining Petitioners-Plaintiffs' Individual Claims</i> . Oral Argument Requested. (Attachments: # 1 Exhibit)(Aldana Madrid, Glenda) (Entered: 08/28/2017)
08/31/2017	61	REPLY, filed by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson B. Sessions, TO RESPONSE to 57 Amended MOTION to Dismiss <i>All of Remaining Petitioners-Plaintiffs' Individual Claims</i> (Steffens Guzman, Gladys) (Entered: 08/31/2017)
09/08/2017	62 R	ORDER DIRECTING SUPPLEMENTAL BRIEFING; plaintiffs' brief due 9/25/17; govt's response due 10/4/17; plaintiffs' reply due 10/6/17; directing clerk to renote 57 Amended MOTION to Dismiss

		<i>All of Remaining Petitioners-Plaintiffs' Individual Claims</i> , 23 MOTION for Preliminary Injunction , 41 Amended MOTION to Certify Class ; Noting Date 10/6/2017, by Hon. Brian A Tsuchida. (RS) (Entered: 09/08/2017)
09/13/2017	63 R	ORDER denying in part with prejudice and in part without prejudice Plaintiffs' 23 Motion for Preliminary Injunction. Signed by Judge James L. Robart. (PM) (Entered: 09/13/2017)
09/25/2017	64	BRIEF re 62 R Order to Re-Note Motion, by Petitioners Edwin Flores Tejada, Arturo Martinez Banos, German Ventura Hernandez (Kang, Leila) (Entered: 09/25/2017)
10/04/2017	65	RESPONSIVE BRIEF re 62 R Order to Re-Note Motion, 64 Brief by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson B. Sessions. (Attachments: # 1 Exhibit A)(Steffens Guzman, Gladys) (Entered: 10/04/2017)
10/06/2017	66	REPLY BRIEF re 64 Brief, 65 Brief - Responsive, by Petitioners Edwin Flores Tejada, Arturo Martinez Banos, German Ventura Hernandez. (Kang, Leila) (Entered: 10/06/2017)
10/17/2017	67	REPORT AND RECOMMENDATION by Hon. Brian A Tsuchida re Government's 57 Amended MOTION to Dismiss and plaintiffs' 41 Amended MOTION for Class Certification. Objections to R&R due by 11/1/2017, Noting Date 11/3/2017, (Attachments: # 1 Proposed Order on R&R) (PM) (Entered: 10/17/2017)
11/01/2017	68	OBJECTIONS by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson B. Sessions to 67 Report and Recommendations,. Noting Date 11/15/2017, (Steffens Guzman, Gladys) (Entered: 11/01/2017)
11/15/2017	69	RESPONSE to 68 OBJECTIONS by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson B. Sessions to 67 Report and Recommendations,. filed by Petitioners Edwin Flores Tejada, Arturo Martinez Banos, German Ventura Hernandez (Kang, Leila) (Entered: 11/15/2017)
12/11/2017	70 R	ORDER ADOPTING REPORT AND RECOMMENDATION 67 in its entirety. Signed by Judge James L. Robart. (PM) (Entered: 12/11/2017)
12/13/2017	71 R	MINUTE ORDER authorized by Judge James L. Robart. On December 11, 2017, the court issued an order adopting the report and recommendation of the Honorable Brian A. Tsuchida. (Order (Dkt. # 70 R).) Any dispositive motions shall be filed within 30 days of the date of the entry of that order. This matter is RE-REFERRED to Judge Tsuchida for further proceedings. (PM) (Entered: 12/13/2017)

12/14/2017	72	MOTION for Summary Judgment , filed by Petitioners Edwin Flores Tejada, Arturo Martinez Banos, German Ventura Hernandez. (Attachments: # 1 Proposed Order Proposed Order) Noting Date 1/5/2018, (Adams, Matt) (Entered: 12/14/2017)
12/27/2017	73	MOTION for Extension of Time , filed by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson B. Sessions. Noting Date 12/27/2017, (Steffens Guzman, Gladys) (Entered: 12/27/2017)
12/28/2017	74 R	STIPULATION AND ORDER re Petitioners' 72 MOTION for Summary Judgment . The Court hereby extends Defendants-Respondents' deadline to cross-move for summary judgment and oppose Plaintiffs-Petitioners' motion for summary judgment to Monday, January 8, 2018. The motions are re-noted for consideration for Friday, January 12, 2018, and any opposition to Defendants-Respondents' cross-motion for summary judgment shall be filed on that date. Signed by Judge James L. Robart. (TH) (Entered: 12/28/2017)
01/08/2018	75	Cross MOTION for Summary Judgment <i>and Opposition to Petitioners' Motion for Summary Judgment</i> , filed by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson B. Sessions. (Attachments: # 1 Proposed Order) Noting Date 1/12/2018, (Steffens Guzman, Gladys) (Entered: 01/08/2018)
01/12/2018	76	RESPONSE, by Petitioners Edwin Flores Tejada, Arturo Martinez Banos, German Ventura Hernandez, to 75 Cross MOTION for Summary Judgment <i>and Opposition to Petitioners' Motion for Summary Judgment</i> 72 . (Attachments: # 1 Exhibit)(Kang, Leila) Modified on 1/16/2018 to add link to motion for s/j (PM). (Entered: 01/12/2018)
01/23/2018	77	REPORT AND RECOMMENDATION signed by Hon. Brian A Tsuchida re: Petitioners' 72 MOTION for Summary Judgment and Respondents' 75 Cross MOTION for Summary Judgment. Objections to R&R due by 2/7/2018, Noting Date 2/9/2018, (Attachments: # 1 Proposed Order on R&R, # 2 Proposed Judgment R&R) (PM) (Entered: 01/23/2018)
02/07/2018	78	OBJECTIONS by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson B. Sessions to 77 Report and Recommendations,, Terminate Motions,. Noting Date 2/23/2018, (Steffens Guzman, Gladys) (Entered: 02/07/2018)
02/21/2018	79	RESPONSE to 78 OBJECTIONS by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson B. Sessions to 77 Report and Recommendations,, Terminate Motions,. filed by Petitioners Edwin Flores Tejada, Arturo Martinez Banos, German Ventura Hernandez

		(Kang, Leila) (Entered: 02/21/2018)
03/22/2018	80	NOTICE of Supplemental Authority by Petitioners Edwin Flores Tejada, Arturo Martinez Banos, German Ventura Hernandez (Aldana Madrid, Glenda) (Entered: 03/22/2018)
03/22/2018	81	NOTICE of Supplemental Authority re 78 OBJECTIONS by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson B. Sessions to 77 Report and Recommendations,, Terminate Motions,, by Respondents Nathalie Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson B. Sessions (Attachments: # 1 Exhibit)(Steffens Guzman, Gladys) (Entered: 03/22/2018)
03/23/2018	82	NOTICE of Supplemental Authority re 79 Response to Objections to R&R, by Petitioners Edwin Flores Tejada, Arturo Martinez Banos, German Ventura Hernandez (Attachments: # 1 Exhibit)(Aldana Madrid, Glenda) (Entered: 03/23/2018)
04/04/2018	83 R	ORDER ADOPTING REPORT AND RECOMMENDATION 77 in its entirety. Signed by Judge James L. Robart. (PM) (Entered: 04/04/2018)
04/04/2018	84	JUDGMENT BY COURT: The Report and Recommendation is adopted and approved. (See Order (Dkt. # 83 R).) Plaintiff Edwin Flores Tejada's 72 motion for summary judgment is granted in part and denied in part. (See id.) Defendants Nathalie Asher, Lowell Clark, Thomas D. Homan, John F. Kelly, James McHenry, and Jefferson B. Sessions's 75 motion for summary judgment is granted in part and denied in part. (See id.) Injunctive relief is granted in Plaintiff Edwin Flores Tejada and the class members' favor. (See id.) (PM) (Entered: 04/05/2018)
04/24/2018	85	NOTICE of Appearance by attorney Sairah G Saeed on behalf of Respondents Nathalie Asher, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Jefferson B. Sessions. (Saeed, Sairah) (Entered: 04/24/2018)
04/24/2018	86	Stipulated MOTION TO EXTEND TIME FOR RESPONDENTS TO HOLD BOND HEARINGS AND FILE STATUS REPORT, filed by Respondents Nathalie Asher, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Jefferson B. Sessions. Noting Date 4/24/2018, (Saeed, Sairah) (Entered: 04/24/2018)
04/25/2018	87 R	ORDER granting 86 Stipulated Motion to Extend Time for Respondents to Hold Bond Hearings and File Status Report. The new deadlines shall be May 7, 2018, for Respondents to conduct bond hearings for currently-eligible class members and May 11, 2018, for Respondents to file the directed report and list with the Court in accordance with the 77 Report and Recommendation. Signed by Judge James L. Robart. (PM) (Entered: 04/25/2018)

05/11/2018	88	STATUS REPORT by Respondents Nathalie Asher, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Jefferson B. Sessions (Attachments: # 1 Exhibit Bostock Declaration, # 2 Exhibit Neifert Declaration, # 3 Exhibit McDowell Declaration)(Saeed, Sairah) (Entered: 05/11/2018)
05/11/2018	89	SEALED DOCUMENT by Respondents Nathalie Asher, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Jefferson B. Sessions re 77 Report and Recommendations,, Terminate Motions, 83 R Order on Report and Recommendation, 84 Judgment by Court,, 88 Status Report, (Saeed, Sairah) (Entered: 05/11/2018)
05/18/2018	90	Stipulated MOTION for Protective Order , filed by Respondents Nathalie Asher, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Jefferson B. Sessions. (Attachments: # 1 Proposed Order Proposed Stipulated Protective Order) Noting Date 5/18/2018, (Saeed, Sairah) (Entered: 05/18/2018)
05/18/2018	91	ERRATA re 90 Stipulated MOTION for Protective Order <i>to Replace ECF No. 90-1</i> by Respondents Nathalie Asher, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Jefferson B. Sessions (Attachments: # 1 Proposed Order Stipulated Protective Order)(Saeed, Sairah) (Entered: 05/18/2018)
05/24/2018	92 R	PROTECTIVE ORDER <i>Governing Items Disclosed by Respondents to Comply with the Court's Final Order Granting Injunctive Relief</i> re parties' 90 Stipulated MOTION, by Judge James L. Robart. (SWT) (Entered: 05/25/2018)
05/30/2018	93	NOTICE OF APPEAL (18-35460) to Ninth Circuit re 83 R Order on Report and Recommendation, 84 Judgment by Court,, by Respondents Nathalie Asher, Lowell Clark, Thomas D Homan, James McHenry, Jefferson B. Sessions. (Saeed, Sairah) Modified on 6/1/2018 ADD CCA #(SG). (Entered: 05/30/2018)
05/31/2018	94	TIME SCHEDULE ORDER (18-35460) as to 93 Notice of Appeal filed by Nathalie Asher, Jefferson B. Sessions, James McHenry, Lowell Clark, Thomas D Homan (SG) (Entered: 06/01/2018)
04/04/2019	95	MOTION for Relief <i>from Order (Reporting Requirement) under Rule 60</i> , filed by Respondents Nathalie R Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson Beauregard Sessions, III. (Attachments: # 1 Proposed Order) Noting Date 4/4/2019, (Steffens Guzman, Gladys) (Entered: 04/04/2019)
04/05/2019		Noting date for Respondents' 95 MOTION for Relief <i>from Order (Reporting Requirement) under Rule 60</i> is RESET to 4/19/2019 pursuant to LCR 7(d)(3) per direction of chambers. (SWT) (Entered: 04/05/2019)
04/08/2019	96	NOTICE of Appearance by attorney Aaron Korthuis on behalf of Petitioners Edwin Flores Tejada, Arturo Martinez Banos, German

		Ventura Hernandez. (Korthuis, Aaron) (Entered: 04/08/2019)
04/15/2019	97	RESPONSE, by Petitioners Edwin Flores Tejada, Arturo Martinez Banos, German Ventura Hernandez, to 95 MOTION for Relief <i>from Order (Reporting Requirement) under Rule 60</i> . (Kang, Leila) (Entered: 04/15/2019)
04/15/2019	98	DECLARATION of Sydney Maltese filed by Petitioners Edwin Flores Tejada, Arturo Martinez Banos, German Ventura Hernandez re 95 MOTION for Relief <i>from Order (Reporting Requirement) under Rule 60</i> (Attachments: # 1 Exhibit A)(Kang, Leila) (Entered: 04/15/2019)
04/19/2019	99	REPLY, filed by Respondents Nathalie R Asher, Dana J Boente, Lowell Clark, Thomas D Homan, John F Kelly, James McHenry, Juan P. Osuna, Jefferson Beauregard Sessions, III, TO RESPONSE to 95 MOTION for Relief <i>from Order (Reporting Requirement) under Rule 60</i> (Attachments: # 1 Exhibit A - Declaration, # 2 Exhibit B - Declaration)(Steffens Guzman, Gladys) (Entered: 04/19/2019)
06/04/2019	100 R	ORDER deferring consideration of Defendants' 95 Rule 60 Motion for Relief from Court's Final order. Signed by Judge James L. Robart. (SWT) (Elizabeth Godfrey, Kevin McAleenan and William Barr added. Jefferson Beauregard Sessions, III, Nathalie R Asher and John F Kelly terminated.) (Entered: 06/04/2019)
12/13/2019	101	NOTICE OF WITHDRAWAL OF COUNSEL: Attorney Leila Kang for Petitioners Edwin Flores Tejada, Arturo Martinez Banos, German Ventura Hernandez. (Kang, Leila) (Entered: 12/13/2019)
12/23/2019	102	NOTICE OF WITHDRAWAL OF COUNSEL: Attorney Sairah G Saeed for Respondents William Barr, Lowell Clark, Elizabeth Godfrey, Thomas D Homan, Kevin K McAleenan, James McHenry. (Saeed, Sairah) (Entered: 12/23/2019)
12/26/2019		Party Chad F Wolf added per FRCP 25(d) re: footnote in Notice of Withdrawal 102 . (PM) (Entered: 12/26/2019)
01/02/2020	103	NOTICE OF WITHDRAWAL OF COUNSEL: Attorney Glenda Melinda Aldana Madrid (Adams, Matt) (Entered: 01/02/2020)
04/07/2020	104	OPINION FROM USCA (18-35460) (NOT THE MANDATE) as to 93 Notice of Appeal, filed by Jefferson Beauregard Sessions, III, Nathalie R Asher, James McHenry, Lowell Clark, Thomas D Homan. AFFIRMED in part, REVERSED and VACATED in part, and REMANDED. Each party shall bear its own costs. (CDA) (Entered: 04/08/2020)
06/01/2020	105	MANDATE OF USCA (18-35460) as to 93 Notice of Appeal, filed by Jefferson Beauregard Sessions, III, Nathalie R Asher, James McHenry, Lowell Clark, Thomas D Homan, 104 Memorandum/Opinion from USCA,. The Judgment from USCA takes effect this date. This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the

		Federal Rules of Appellate Procedure. AFFIRMED in part, REVERSED and VACATED in part, and REMANDED (CDA)cc Case Admins (Entered: 06/01/2020)
06/12/2020	106 R	ORDER re 105 Mandate of USCA, 104 Memorandum/Opinion from USCA. The court ORDERS the parties to file, within 14 days of the filing date of this order, a joint status report proposing how the court should proceed on remand. Signed by Judge James L. Robart. (PM) (Entered: 06/12/2020)
06/24/2020	107	Joint Stipulated MOTION to <i>STAY all proceedings until September 5, 2020</i> , filed by Respondents William Barr, Lowell Clark, Elizabeth Godfrey, Thomas D Homan, Kevin K McAleenan, James McHenry, Defendant Chad F Wolf. (Attachments: # 1 Proposed Order) Noting Date 6/24/2020, (Steffens Guzman, Gladys) (Entered: 06/24/2020)
06/25/2020	108 R	ORDER granting Parties' 107 Stipulated Motion to Stay Proceedings. Proceedings in this case are stayed until September 5, 2020. Joint Status Report due by 9/5/2020. Signed by Judge James L. Robart. (PM) (Entered: 06/25/2020)
10/16/2020	109	SHOW CAUSE MINUTE ORDER entered upon the authority of Judge James L. Robart -- Counsel show cause by 10/23/2020, why this action should not be dismissed for failing to comply with Order requiring Status Report by 9/5/2020. (AD) (Entered: 10/16/2020)
10/20/2020	110	RESPONSE TO ORDER TO SHOW CAUSE by Respondents Nathalie R Asher, William Barr, Dana J Boente, Lowell Clark, Elizabeth Godfrey, Thomas D Homan, John F Kelly, Kevin K McAleenan, James McHenry, Juan P. Osuna, Jefferson Beauregard Sessions, III, Defendant Chad F Wolf re: 109 Order to Show Cause (Steffens Guzman, Gladys) (Entered: 10/20/2020)
10/22/2020	111	MINUTE ORDER entered upon the authority of Judge James L. Robart -- This case is STAYED pursuant to the parties' Joint Status Report (Dkt. # 110). The parties are ORDERED to file another Joint Status Report two weeks after final action from the Supreme Court in <i>Barr v. Aleman Gonzalez</i> , No. 20-322. (AD) (Entered: 10/22/2020)

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