

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:20-cv-07184-EMC**

City Of Portland et al v. Barr et al
Assigned to: Judge Edward M. Chen
Cause: 05:551 Administrative Procedure Act

Date Filed: 10/14/2020
Jury Demand: None
Nature of Suit: 899 Other Statutes:
Administrative Procedures
Act/Review or Appeal of Agency
Decision
Jurisdiction: U.S. Government
Defendant

Plaintiff

City Of Oakland

represented by **Barbara Parker**
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City of Portland

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V.

Defendant

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In his official capacity as Acting
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Defendant

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*In his official capacity as Acting
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ATTORNEY TO BE NOTICED

Defendant

**United States Department of
Justice**

represented by **Jason Lynch**
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Michael Patrick Clendenen
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**United States Department of
Homeland Security**

represented by **Jason Lynch**
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ATTORNEY TO BE NOTICED

Michael Patrick Clendenen
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/14/2020	<u>1</u>	COMPLAINT <i>for Declaratory and Injunctive Relief</i> against All Defendants (Filing fee \$ 400, receipt number 0971-15065507.). Filed by City Of Oakland. (Attachments: # <u>1</u> Civil Cover Sheet)(McPherson, Malia) (Filed on 10/14/2020) (Entered: 10/14/2020)
10/14/2020	2	Case assigned to Magistrate Judge Sallie Kim. Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening .

		Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 10/28/2020. (bwS, COURT STAFF) (Filed on 10/14/2020) (Entered: 10/15/2020)
10/15/2020	3	Proposed Summons. (Gong, LiJia) (Filed on 10/15/2020) (Entered: 10/15/2020)
10/15/2020	4	Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 1/18/2021. Initial Case Management Conference set for 1/25/2021 01:30 PM in San Francisco, Courtroom C, 15th Floor. (elyS, COURT STAFF) (Filed on 10/15/2020) (Entered: 10/15/2020)
10/15/2020	5	Summons Issued as to William P. Barr, United States Department of Homeland Security, United States Department of Justice, Chad F. Wolf, U.S. Attorney, and U.S. Attorney General (elyS, COURT STAFF) (Filed on 10/15/2020) (Entered: 10/15/2020)
10/16/2020	6	NOTICE of Appearance by Victoria Stilwell (Stilwell, Victoria) (Filed on 10/16/2020) (Entered: 10/16/2020)
10/20/2020	7	MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 310, receipt number 0971-15090208.) filed by City of Portland. (Attachments: # 1 Certificate/Proof of Service)(Taylor, Robert) (Filed on 10/20/2020) (Entered: 10/20/2020)
10/20/2020	8	MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 310, receipt number 0971-15090259.) filed by City of Portland. (Attachments: # 1 Certificate/Proof of Service)(Reeve, Tracy) (Filed on 10/20/2020) (Entered: 10/20/2020)
10/20/2020	9	MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 310, receipt number 0971-15090302.) filed by City of Portland. (Attachments: # 1 Certificate/Proof of Service)(Vannier, Denis) (Filed on 10/20/2020) (Entered: 10/20/2020)
10/20/2020	10	MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 310, receipt number 0971-15090320.) filed by City of Portland. (Attachments: # 1 Certificate/Proof of Service)(Sheffield, Naomi) (Filed on 10/20/2020) (Entered: 10/20/2020)
10/21/2020	11	ORDER by Magistrate Judge Sallie Kim granting 7 Motion for Pro Hac Vice. (sklc2S, COURT STAFF) (Filed on 10/21/2020) (Entered: 10/21/2020)

10/21/2020	12	ORDER by Magistrate Judge Sallie Kim granting 9 Motion for Pro Hac Vice. (sklc2S, COURT STAFF) (Filed on 10/21/2020) (Entered: 10/21/2020)
10/21/2020	13	ORDER by Magistrate Judge Sallie Kim granting 10 Motion for Pro Hac Vice. (sklc2S, COURT STAFF) (Filed on 10/21/2020) (Entered: 10/21/2020)
10/21/2020	14	Amended MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 310, receipt number 0971-15090259.) Filing fee previously paid on 10/20/20 filed by City of Portland. (Attachments: # 1 Certificate/Proof of Service)(Reeve, Tracy) (Filed on 10/21/2020) (Entered: 10/21/2020)
10/22/2020	15	ORDER Granting Application for Admission Pro Hac Vice signed by Magistrate Judge Sallie Kim: granting 14 Application. (shyS, COURT STAFF) (Filed on 10/22/2020) (Entered: 10/22/2020)
10/28/2020	16	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by City Of Oakland, City of Portland.. (Stilwell, Victoria) (Filed on 10/28/2020) (Entered: 10/28/2020)
10/28/2020	17	MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 310, receipt number 0971-15126821.) filed by City Of Oakland, City of Portland. (Attachments: # 1 Certificate of Good Standing)(Miller, Jonathan) (Filed on 10/28/2020) (Entered: 10/28/2020)
10/29/2020	18	CLERK'S NOTICE OF IMPENDING REASSIGNMENT TO A U.S. DISTRICT COURT JUDGE: The Clerk of this Court will now reassign this case to a District Judge because a party has not consented to the jurisdiction of a Magistrate Judge. You will be informed by separate notice of the district judge to whom this case is reassigned. ALL HEARING DATES PRESENTLY SCHEDULED BEFORE THE CURRENT MAGISTRATE JUDGE ARE VACATED AND SHOULD BE RE-NOTICED FOR HEARING BEFORE THE JUDGE TO WHOM THIS CASE IS REASSIGNED. <i>This is a text only docket entry; there is no document associated with this notice.</i> (shyS, COURT STAFF) (Filed on 10/29/2020) (Entered: 10/29/2020)
10/30/2020	19	ORDER, Case Reassigned using a proportionate, random, and blind system pursuant to General Order No. 44 to Judge Edward M. Chen for all further proceedings. Magistrate Judge Sallie Kim no longer assigned to the case. Notice: The assigned judge participates in the Cameras in the Courtroom Pilot Project. See

		General Order No. 65 and http://cand.uscourts.gov/cameras.. Signed by The Clerk on 10/30/20. (Attachments: # 1 Notice of Eligibility for Video Recording)(haS, COURT STAFF) (Filed on 10/30/2020) (Entered: 10/30/2020)
11/06/2020	20	Order by Judge Edward M. Chen granting 17 Motion for Pro Hac Vice.(afmS, COURT STAFF) (Filed on 11/6/2020) (Entered: 11/08/2020)
11/09/2020	21	CERTIFICATE OF SERVICE by City Of Oakland, City of Portland re 1 Complaint (Miller, Jonathan) (Filed on 11/9/2020) (Entered: 11/09/2020)
11/12/2020	22	NOTICE of Appearance by Jill Ellen Habig (Habig, Jill) (Filed on 11/12/2020) (Entered: 11/12/2020)
11/16/2020	23	CASE MANAGEMENT CONFERENCE ORDER IN REASSIGNED CASE: Initial Case Management Conference set for 2/11/2021 09:30 AM in San Francisco, Courtroom 05, 17th Floor. Joint Case Management Statement due by 2/4/2021. Signed by Judge Edward M. Chen on 11/16/2020. (afmS, COURT STAFF) (Filed on 11/16/2020) (Entered: 11/16/2020)
12/04/2020	24	CERTIFICATE OF SERVICE by City Of Oakland, City of Portland re 20 Order on Motion for Pro Hac Vice, 12 Order on Motion for Pro Hac Vice, 16 Consent/Declination to Proceed Before a US Magistrate Judge, 19 Order,, Case Assigned/Reassigned,, 18 Clerk's Notice of Impending Reassignment - Text Only,, 13 Order on Motion for Pro Hac Vice, 15 Order on Motion for Pro Hac Vice, 11 Order on Motion for Pro Hac Vice, 21 Certificate of Service (Miller, Jonathan) (Filed on 12/4/2020) (Entered: 12/04/2020)
12/09/2020	25	NOTICE of Appearance by Jason Lynch <i>on Behalf of All Defendants</i> (Lynch, Jason) (Filed on 12/9/2020) (Entered: 12/09/2020)
12/11/2020	26	NOTICE of Appearance by Michael Patrick Clendenen (Clendenen, Michael) (Filed on 12/11/2020) (Entered: 12/11/2020)
12/16/2020	27	STIPULATION WITH PROPOSED ORDER <i>to Extend Page Limitations on Defendants' Motion to Dismiss</i> filed by William P. Barr, United States Department of Homeland Security, United States Department of Justice, Chad F. Wolf. (Lynch, Jason) (Filed on 12/16/2020) (Entered: 12/16/2020)
12/16/2020	28	MOTION for Extension of Time to File Response/Reply <i>to Defendants' Motion to Dismiss</i> filed by City Of Oakland, City of Portland. (Attachments: # 1 Proposed Order)(Miller, Jonathan) (Filed on 12/16/2020) (Entered: 12/16/2020)

12/17/2020	29	Order by Judge Edward M. Chen granting 27 Stipulation to Extend Page Limitations on Defendants' Motion to Dismiss. Defendants may file a motion to dismiss of up to 40 pages and a reply of up to 25 pages. (afmS, COURT STAFF) (Filed on 12/17/2020) (Entered: 12/17/2020)
12/21/2020	30	MOTION to Dismiss for Lack of Jurisdiction <i>or in the Alternative to Transfer Venue</i> filed by William P. Barr, United States Department of Homeland Security, United States Department of Justice, Chad F. Wolf. Motion Hearing set for 1/28/2021 01:30 PM in San Francisco, - Videoconference Only before Judge Edward M. Chen. Responses due by 1/4/2021. Replies due by 1/11/2021. (Attachments: # 1 Declaration of Juliana Blackwell, # 2 Declaration of Neal J. Swartz)(Clendenen, Michael) (Filed on 12/21/2020) (Entered: 12/21/2020)
12/23/2020	31	NOTICE of Change In Counsel by Victoria Stilwell (Stilwell, Victoria) (Filed on 12/23/2020) (Entered: 12/23/2020)
12/23/2020	32	(DISREGARD. SEE [34] Order by Judge Edward M. Chen granting 28 Motion for Extension of Time to File Response/Reply to Defendants' Motion to Dismiss. Due 1/25/2021.(afmS, COURT STAFF) (Filed on 12/23/2020) Modified on 12/23/2020 (afmS, COURT STAFF). (Entered: 12/23/2020)
12/23/2020	33	CLERK'S NOTICE CONTINUING MOTION HEARING RE: 30 MOTION TO DISMISS FROM 1/28/2021 TO 2/11/2021: 30 MOTION to Dismiss for Lack of Jurisdiction <i>or in the Alternative to Transfer Venue</i>. Motion Hearing set for 1/28/2021 is vacated and rescheduled for 2/11/2021 01:30 PM in San Francisco, - Videoconference Only before Judge Edward M. Chen. This proceeding will be held via a Zoom webinar. Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/emc General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited. Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/.

		Motion Hearing set for 2/11/2021 01:30 PM in San Francisco, - Videoconference Only before Judge Edward M. Chen. (This is a text-only entry generated by the court. There is no document associated with this entry.)(afmS, COURT STAFF) (Filed on 12/23/2020) (Entered: 12/23/2020)
12/23/2020	34	AMENDED ORDER granting 28 MOTION for Extension of Time to File Response/Reply to <i>Defendants' Motion to Dismiss</i> filed by City Of Oakland, City of Portland. Opposition due 12/21/2020. Signed by Judge Edward M. Chen on 12/23/2020. (afmS, COURT STAFF) (Filed on 12/23/2020) (Entered: 12/23/2020)
12/23/2020	35	CLERK'S NOTICE SETTING BRIEFING DEADLINES RE: 30 MOTION TO DISMISS: Briefing deadlines are as follows: Responses due by 1/21/2021. Replies due by 1/28/2021. Hearing set 2/11/2021 at 1:30PM. (This is a text-only entry generated by the court. There is no document associated with this entry.) (afmS, COURT STAFF) (Filed on 12/23/2020) (Entered: 12/23/2020)
12/23/2020	36	NOTICE of Change In Counsel by Tracy Pool Reeve (Reeve, Tracy) (Filed on 12/23/2020) (Entered: 12/23/2020)
01/05/2021	37	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Miller, Jonathan) (Filed on 1/5/2021) (Entered: 01/05/2021)
01/11/2021	38	ADMINISTRATIVE MOTION for Extension of Time to Amend <i>Under FRCP 15(a)</i> filed by City Of Oakland, City of Portland. (Attachments: # 1 Declaration, # 2 Proposed Order)(Gong, LiJia) (Filed on 1/11/2021) Modified on 1/12/2021 (afmS, COURT STAFF). (Entered: 01/11/2021)
01/12/2021	39	CLERK'S NOTICE: The Government has until Friday, 1/15/2021, 5PM (PST) to respond to 38 ADMINISTRATIVE MOTION for Extension of Time to Amend Under FRCP 15(a). (This is a text-only entry generated by the court. There is no document associated with this entry.) (afmS, COURT STAFF) (Filed on 1/12/2021) (Entered: 01/12/2021)
01/15/2021	40	OPPOSITION/RESPONSE (re 38 ADMINISTRATIVE MOTION) filed byWilliam P. Barr, United States Department of Homeland Security, United States Department of Justice, Chad F. Wolf. (Lynch, Jason) (Filed on 1/15/2021) (Entered: 01/15/2021)
01/18/2021	41	ORDER GRANTING 38 Administrative Motion for Extension of Time to Amend Under FRCP 15(a). Plaintiffs may file an amended complaint on or before 1/21/2021. Defendants motion to dismiss, Docket No. 30, is dismissed as moot in light of the

		forthcoming amended complaint. Signed by Judge Edward M. Chen on 1/18/2021. (afmS, COURT STAFF) (Filed on 1/18/2021) (Entered: 01/18/2021)
01/21/2021	42	AMENDED COMPLAINT against All Defendants. Filed by City of Portland, City Of Oakland. (Miller, Jonathan) (Filed on 1/21/2021) (Entered: 01/21/2021)
01/27/2021	43	STIPULATION WITH PROPOSED ORDER <i>to Extend Deadlines and Page Limits</i> filed by David P. Pecoske, United States Department of Homeland Security, United States Department of Justice, Robert M Wilkinson. (Lynch, Jason) (Filed on 1/27/2021) (Entered: 01/27/2021)
01/28/2021	44	Order as Modified by Judge Edward M. Chen granting 43 Stipulation to Extend Deadlines and Page Limits. Response and/or Motion due 3/5/2021. Page limits: 35 pages for the motion and opposition and 20 pages for the reply. Initial Case Management Conference reset for 4/1/2021 09:30 AM in San Francisco, - Videoconference Only. Joint Case Management Statement due by 3/25/2021.(afmS, COURT STAFF) (Filed on 1/28/2021) (Entered: 01/28/2021)
02/22/2021	45	STIPULATION WITH PROPOSED ORDER filed by City Of Oakland, City of Portland. (Attachments: # 1 Declaration)(Miller, Jonathan) (Filed on 2/22/2021) (Entered: 02/22/2021)
02/23/2021	46	Order by Judge Edward M. Chen granting 45 Stipulation. Parties to file with the Court a joint status report every 60 days. The joint status reports shall be filed on or before: 4/15/2021; 6/15/2021; 8/16/2021. Joint Case Management Statement due by 9/30/2021. Initial Case Management Conference set for 4/1/2021 is vacated and rescheduled for 10/7/2021 09:30 AM in San Francisco, Courtroom 05, 17th Floor.(afmS, COURT STAFF) (Filed on 2/23/2021) (Entered: 02/23/2021)

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