

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:19-cv-00969-TNM**

UNITED STATES HOUSE OF REPRESENTATIVES v.  
MNUCHIN et al

Assigned to: Judge Trevor N. McFadden

Cases: [1:19-cv-00404-TNM](#)

[1:19-cv-00408-TNM](#)

[1:19-cv-00720-TNM](#)

Case in other court: USCA, 19-05176

Cause: 05:0701 Maritime Subsidy Board

**Plaintiff**

**UNITED STATES HOUSE OF  
REPRESENTATIVES**

Date Filed: 04/05/2019

Date Terminated: 06/18/2019

Jury Demand: None

Nature of Suit: 890 Other Statutory  
Actions

Jurisdiction: U.S. Government Plaintiff

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V.

**Defendant**

**STEVEN T. MNUCHIN**  
*in his official capacity as Secretary of the  
United States Department of the Treasury*

represented by **Andrew I. Warden**  
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**Defendant**

**UNITED STATES DEPARTMENT OF  
THE TREASURY**

represented by **Andrew I. Warden**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**James Mahoney Burnham**  
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**Kathryn Celia Davis**  
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**Defendant**

**PATRICK M. SHANAHAN**  
*in his official capacity as Acting Secretary  
of the United States Department of  
Defense*

represented by **Andrew I. Warden**  
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**James Mahoney Burnham**  
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**Kathryn Celia Davis**  
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**Defendant**

**UNITED STATES DEPARTMENT OF  
DEFENSE**

represented by **Andrew I. Warden**  
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*LEAD ATTORNEY*  
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**James Mahoney Burnham**  
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*LEAD ATTORNEY*  
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**Defendant**

**KIRSTJEN M. NIELSEN**  
*in her official capacity as Secretary of the  
United States Department of Homeland  
Security*  
*TERMINATED: 06/17/2019*

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**Kathryn Celia Davis**  
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**Defendant**

**UNITED STATES DEPARTMENT OF  
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**Kathryn Celia Davis**  
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**Defendant**

**DAVID BERNHARDT**  
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**Defendant**

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THE INTERIOR**

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**Defendant**

**KEVIN K. MCALEENAN**  
*in his official capacity as Acting Secretary  
of the United States Department of  
Homeland Security*

**Movant**

**ROBERT A. HEGHMANN**

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Date Filed	#	Docket Text
04/05/2019	<u>1</u>	COMPLAINT against All Defendants (Fee Status:Filing Fee Waived) filed by UNITED STATES HOUSE OF REPRESENTATIVES. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Summons, # <u>9</u> Summons, # <u>10</u> Summons, # <u>11</u> Summons)(Letter, Douglas) (Entered: 04/05/2019)
04/05/2019	<u>2</u>	NOTICE OF RELATED CASE by UNITED STATES HOUSE OF REPRESENTATIVES. Case related to Case No. 1:19-cv-404. (Letter, Douglas) (Entered: 04/05/2019)
04/08/2019		Case Assigned to Judge Trevor N. McFadden. (zsb) (Entered: 04/08/2019)
04/08/2019	<u>3</u>	SUMMONS (10) Issued Electronically as to DAVID BERNHARDT, STEVEN T. MNUCHIN, KIRSTJEN M. NIELSEN, PATRICK M. SHANAHAN, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES DEPARTMENT OF THE TREASURY, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 04/08/2019)
04/08/2019	<u>4</u>	STANDING ORDER establishing procedures for cases before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and strictly comply with the directives in the attached Order. Signed by Judge Trevor N. McFadden on 4/8/2019. (lctnm1) (Entered: 04/08/2019)
04/08/2019	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/8/2019. Answer due for ALL FEDERAL DEFENDANTS by 6/7/2019. (Letter, Douglas) (Entered: 04/08/2019)
04/12/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 04/12/2019. (Letter, Douglas) (Entered: 04/12/2019)
04/12/2019	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DAVID BERNHARDT served on 4/11/2019 (Letter, Douglas) (Entered: 04/12/2019)
04/12/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF HOMELAND SECURITY served on



		4/11/2019 (Letter, Douglas) (Entered: 04/12/2019)
04/12/2019	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF DEFENSE served on 4/11/2019 (Letter, Douglas) (Entered: 04/12/2019)
04/12/2019	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF THE INTERIOR served on 4/11/2019 (Letter, Douglas) (Entered: 04/12/2019)
04/12/2019	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. STEVEN T. MNUCHIN served on 4/12/2019 (Letter, Douglas) (Entered: 04/12/2019)
04/12/2019	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. KIRSTJEN M. NIELSEN served on 4/11/2019 (Letter, Douglas) (Entered: 04/12/2019)
04/12/2019	<u>13</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. PATRICK M. SHANAHAN served on 4/11/2019 (Letter, Douglas) (Entered: 04/12/2019)
04/12/2019	<u>14</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF THE TREASURY served on 4/12/2019 (Letter, Douglas) (Entered: 04/12/2019)
04/22/2019	<u>15</u>	NOTICE of Appearance by Andrew I. Warden on behalf of All Defendants (Warden, Andrew) (Entered: 04/22/2019)
04/23/2019	<u>16</u>	NOTICE of Appearance by Douglas N. Letter on behalf of UNITED STATES HOUSE OF REPRESENTATIVES (Letter, Douglas) (Entered: 04/23/2019)
04/23/2019	<u>17</u>	MOTION for Preliminary Injunction by UNITED STATES HOUSE OF REPRESENTATIVES (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Letter, Douglas) (Entered: 04/23/2019)
04/24/2019	<u>18</u>	Joint MOTION for Briefing Schedule by UNITED STATES HOUSE OF REPRESENTATIVES (Attachments: # <u>1</u> Text of Proposed Order)(Letter, Douglas) (Entered: 04/24/2019)
04/25/2019		MINUTE ORDER: A scheduling conference call is hereby set for April 25, 2019 at 11 a.m. in Chambers before Judge Trevor N. McFadden. Signed by Judge Trevor N. McFadden on 4/25/2019. (lctnm3) Modified on 4/25/2019 (hmc). (Entered: 04/25/2019)
04/25/2019		MINUTE ORDER establishing the following schedule: the Defendants shall file an Opposition to the Plaintiff's <u>17</u> Motion for Preliminary Injunction on or before May 8, 2019. The Plaintiff shall file any Reply on or before May 15, 2019. A Preliminary Injunction Hearing is scheduled for May 24, 2019 at 10 a.m. in Courtroom 2 before Judge Trevor N. McFadden. Signed by Judge Trevor N. McFadden on 4/25/2019. (lctnm3) (Entered: 04/25/2019)
04/25/2019		Minute Entry for proceedings held before Judge Trevor N. McFadden: Telephone Scheduling Conference held on 4/25/2019. Defendants' Opposition to Plaintiff's Motion for Preliminary Injunction due by 5/8/2019. Plaintiff's Reply due by 5/15/2019. Preliminary Injunction Hearing set for 5/24/2019 at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (Court Reporter: Elizabeth Saint-Loth.) (hmc) (Entered: 04/25/2019)
04/25/2019	<u>19</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Elizabeth Goitein, :Firm- Brennan Center for Justice, :Address- 1140 Connecticut Ave. NW, Ste. 1150, Washington, D.C. 20036. Phone No. - 202-249-7192. Filing fee \$ 100, receipt number 0090-6082405. Fee Status: Fee Paid. by BRENNAN CENTER FOR JUSTICE (Attachments: # <u>1</u> Declaration of Attorney Elizabeth Goitein in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Text of Proposed Order Granting Motion for Admission of Attorney Elizabeth Goitein Pro Hac Vice)(Weiner, Daniel) (Entered: 04/25/2019)

04/25/2019	<u>20</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– J. Andrew Boyle, :Firm– Brennan Center for Justice, :Address– 1140 Connecticut Ave. NW, Ste. 1150, Washington, D.C. 20036. Phone No. – 202–753–5909. Filing fee \$ 100, receipt number 0090–6082459. Fee Status: Fee Paid. by BRENNAN CENTER FOR JUSTICE (Attachments: # <u>1</u> Declaration of Attorney J. Andrew Boyle in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Text of Proposed Order Granting Motion for Admission of Attorney J. Andrew Boyle Pro Hac Vice)(Weiner, Daniel) (Entered: 04/25/2019)
04/25/2019		MINUTE ORDER granting the <u>19</u> and <u>20</u> Motions for Leave to Appear Pro Hac Vice. Attorneys Elizabeth Goitein and J. Andrew Boyle shall promptly register for this Court's CM/ECF system. Signed by Judge Trevor N. McFadden on 4/25/2019. (lctnm3) (Entered: 04/25/2019)
04/26/2019	<u>21</u>	TRANSCRIPT OF PROCEEDINGS before Judge Trevor N. McFadden held on 04–25–2019; Page Numbers: 1 – 13. Date of Issuance: 04–26–2019. Court Reporter/Transcriber Elizabeth SaintLoth, Telephone number 202–354–3242, Transcripts may be ordered by submitting the <a href="http://www.dcd.uscourts.gov/node/110">Transcript Order Form</a><P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.<P> <b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P>Redaction Request due 5/17/2019. Redacted Transcript Deadline set for 5/27/2019. Release of Transcript Restriction set for 7/25/2019.(Saint–Loth, Elizabeth) (Entered: 04/26/2019)
04/30/2019	<u>22</u>	MOTION for Leave to File <i>Amicus Brief</i> by BRENNAN CENTER FOR JUSTICE (Attachments: # <u>1</u> Proposed Amicus Brief, # <u>2</u> Text of Proposed Order)(Boyle, Joseph) (Entered: 04/30/2019)
05/01/2019		MINUTE ORDER granting the <u>22</u> Motion for Leave to File Amicus Brief. Signed by Judge Trevor N. McFadden on 5/1/2019. (lctnm3) (Entered: 05/01/2019)
05/01/2019	<u>23</u>	NOTICE of Appearance by Todd Barry Tatelman on behalf of UNITED STATES HOUSE OF REPRESENTATIVES (Tatelman, Todd) (Entered: 05/01/2019)
05/01/2019	<u>24</u>	NOTICE of Appearance by Kristin A. Shapiro on behalf of UNITED STATES HOUSE OF REPRESENTATIVES (Shapiro, Kristin) (Entered: 05/01/2019)
05/01/2019	<u>25</u>	NOTICE of Appearance by Megan Barbero on behalf of UNITED STATES HOUSE OF REPRESENTATIVES (Barbero, Megan) (Entered: 05/01/2019)
05/01/2019	<u>26</u>	AMICUS BRIEF by BRENNAN CENTER FOR JUSTICE. (tth) (Entered: 05/03/2019)
05/03/2019	<u>27</u>	MOTION for Leave to File <i>Amicus Brief</i> NATIONAL IMMIGRATION LAW CENTER, ASIAN AMERICANS ADVANCING JUSTICE–AAJC, ASIAN AMERICANS ADVANCING JUSTICE–LOS ANGELES, AALDEF, BLACK ALLIANCE FOR JUST IMMIGRATION AND LATINOJUSTICE PRLDEF. (Attachments: # <u>1</u> Proposed Amicus Brief, # <u>2</u> Proposed Order)(Wolson, Max); Modified text on 5/6/2019 (tth). (Entered: 05/03/2019)
05/03/2019	<u>28</u>	Unopposed MOTION for Leave to File Excess Pages <i>With Respect to Defendants' Opposition to Plaintiff's Motion For Preliminary Injunction</i> by DAVID BERNHARDT, STEVEN T. MNUCHIN, KIRSTJEN M. NIELSEN, PATRICK M. SHANAHAN, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES DEPARTMENT OF THE TREASURY (Attachments: # <u>1</u> Text of Proposed Order)(Warden, Andrew) (Entered: 05/03/2019)

05/03/2019		MINUTE ORDER granting the <u>27</u> Motion for Leave to File Amicus Brief. Signed by Judge Trevor N. McFadden on 5/3/2019. (lctnm3) (Entered: 05/03/2019)
05/03/2019		MINUTE ORDER: Upon consideration of the Defendants' <u>28</u> Motion, it is hereby ORDERED that the Defendants may file an opposition brief that is up to, but not more than, 55 pages in length. The Plaintiff may file a reply brief that is up to, but not more than, 35 pages in length. Signed by Judge Trevor N. McFadden on 5/3/2019. (lctnm3) (Entered: 05/03/2019)
05/03/2019	<u>29</u>	AMICUS BRIEF by ASIAN AMERICAN ADVANCING JUSTICE-LOS ANGELES, AALDEF, ASIAN AMERICANS ADVANCING JUSTICE-AAJC, BLACK ALLIANCE FOR JUST IMMIGRATION, LATINOJUSTICE PRLDEF, NATIONAL IMMIGRATION LAW CENTER. (tth) (Entered: 05/06/2019)
05/06/2019	<u>30</u>	NOTICE of Appearance by Lawrence Saul Robbins on behalf of William Pittard, Kerry W. Kircher, IRVIN B. NATHAN, Geraldine R. Gennet, CHARLES TIEFER, Thomas J. Spulak, STEVEN R. ROSS, Stanley Brand (Robbins, Lawrence) (Entered: 05/06/2019)
05/06/2019	<u>31</u>	NOTICE of Appearance by Alan Untereiner on behalf of Stanley Brand, Geraldine R. Gennet, Kerry W. Kircher, IRVIN B. NATHAN, William Pittard, STEVEN R. ROSS, Thomas J. Spulak, CHARLES TIEFER (Untereiner, Alan) (Entered: 05/06/2019)
05/06/2019	<u>32</u>	NOTICE of Appearance by David Hunter Smith on behalf of Stanley Brand, Geraldine R. Gennet, Kerry W. Kircher, IRVIN B. NATHAN, William Pittard, STEVEN R. ROSS, Thomas J. Spulak, CHARLES TIEFER (Smith, David) (Entered: 05/06/2019)
05/06/2019	<u>33</u>	MOTION for Leave to File <i>Amicus Brief</i> by Stanley Brand, Geraldine R. Gennet, Kerry W. Kircher, IRVIN B. NATHAN, William Pittard, STEVEN R. ROSS, Thomas J. Spulak, CHARLES TIEFER (Attachments: # <u>1</u> Proposed Amicus Brief, # <u>2</u> Text of Proposed Order)(Robbins, Lawrence) (Entered: 05/06/2019)
05/07/2019		MINUTE ORDER granting the <u>33</u> Motion for Leave to File Amicus Brief. Signed by Judge Trevor N. McFadden on 5/7/2019. (lctnm3) (Entered: 05/07/2019)
05/07/2019	<u>34</u>	Consent MOTION for Leave to File <i>Amicus Brief</i> by FORMER MEMBERS OF CONGRESS (Attachments: # <u>1</u> Proposed Amicus Brief, # <u>2</u> Text of Proposed Order)(Callahan, Samuel) (Entered: 05/07/2019)
05/07/2019	<u>35</u>	AMICUS BRIEF by STANLEY BRAND, GERALDINE R. GENNET, KERRY W. KIRCHER, IRVIN B. NATHAN, WILLIAM PITTARD, STEVEN R. ROSS, THOMAS J. SPULAK, CHARLES TIEFER. (tth) (Entered: 05/08/2019)
05/08/2019		MINUTE ORDER granting the <u>34</u> Motion for Leave to File an Amicus Brief. Signed by Judge Trevor N. McFadden on 5/8/2019. (lctnm3) (Entered: 05/08/2019)
05/08/2019	<u>36</u>	Memorandum in opposition to re <u>17</u> MOTION for Preliminary Injunction filed by DAVID BERNHARDT, STEVEN T. MNUCHIN, KIRSTJEN M. NIELSEN, PATRICK M. SHANAHAN, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Text of Proposed Order)(Warden, Andrew) (Entered: 05/08/2019)
05/08/2019	<u>37</u>	AMICUS BRIEF by FORMER MEMBERS OF CONGRESS. (tth) (Entered: 05/09/2019)
05/10/2019		MINUTE ORDER: The Preliminary Injunction Hearing currently set for May 24, 2019 is hereby rescheduled to May 23, 2019 at 10:00 a.m. in Courtroom 2 before Judge Trevor N. McFadden. Signed by Judge Trevor N. McFadden on 5/10/2019. (lctnm3) (Entered: 05/10/2019)
05/10/2019		Set/Reset Hearings: Preliminary Injunction Hearing rescheduled to 5/23/2019 at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 05/10/2019)
05/10/2019	<u>39</u>	STRICKEN PURSUANT TO MINUTE ORDER ENTERED ON 5/22/2019.....MOTION to Intervene by ROBERT A. HEGHMANN. (Attachments: # <u>1</u>

		Memorandum in Support, # <u>2</u> Exhibits A – G, # <u>3</u> Exhibit – Motion to Appoint Special Master, # <u>4</u> Exhibit – Memorandum in Opposition to Plaintiff's Motion for Preliminary Injunction) (tth) Modified on 5/24/2019 (hmc). (Entered: 05/14/2019)
05/13/2019	<u>38</u>	NOTICE of filing of <i>Second Declaration of Kenneth Rapuano</i> by DAVID BERNHARDT, STEVEN T. MNUCHIN, KIRSTJEN M. NIELSEN, PATRICK M. SHANAHAN, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES DEPARTMENT OF THE TREASURY re <u>36</u> Memorandum in Opposition,, (Attachments: # <u>1</u> Exhibit Second Declaration of Kenneth Rapuano (dated May 13, 2019))(Warden, Andrew) (Entered: 05/13/2019)
05/14/2019	<u>40</u>	Consent MOTION for Leave to File <i>Memorandum of Law in Support of Defendants as Amicus Curiae</i> by Andy Barr (Attachments: # <u>1</u> Text of Proposed Order Proposed Order, # <u>2</u> Exhibit Proposed Amicus Memo of Law)(Joseph, Lawrence) (Entered: 05/14/2019)
05/14/2019		MINUTE ORDER granting the <u>40</u> Consent Motion for Leave to file Amicus Brief. Signed by Judge Trevor N. McFadden on 5/14/2019. (lctnm3) (Entered: 05/14/2019)
05/14/2019	<u>41</u>	AMICUS BRIEF by ANDY BARR. (tth) (Entered: 05/15/2019)
05/15/2019	<u>42</u>	NOTICE of Appearance by Josephine T. Morse on behalf of UNITED STATES HOUSE OF REPRESENTATIVES (Morse, Josephine) (Entered: 05/15/2019)
05/15/2019	<u>43</u>	Consent MOTION for Leave to File <i>Amicus Curiae Brief in support of Defendants</i> by AMERICAN CENTER FOR LAW AND JUSTICE (Attachments: # <u>1</u> Exhibit proposed Amicus Curiae Brief, # <u>2</u> Text of Proposed Order)(Sisney, Benjamin) (Entered: 05/15/2019)
05/15/2019	<u>44</u>	MOTION for Leave to File <i>Supplemental Declaration</i> by UNITED STATES HOUSE OF REPRESENTATIVES (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Letter, Douglas) (Entered: 05/15/2019)
05/15/2019	<u>45</u>	REPLY to opposition to motion re <u>17</u> MOTION for Preliminary Injunction filed by UNITED STATES HOUSE OF REPRESENTATIVES. (Letter, Douglas) (Entered: 05/15/2019)
05/16/2019		MINUTE ORDER granting the <u>43</u> Motion for Leave to File an Amicus Brief. Signed by Judge Trevor N. McFadden on 5/16/2019. (lctnm3) (Entered: 05/16/2019)
05/16/2019		MINUTE ORDER granting the <u>44</u> Motion for Leave to File a Supplemental Declaration. Signed by Judge Trevor N. McFadden on 5/16/2019. (lctnm3) (Entered: 05/16/2019)
05/16/2019	<u>46</u>	AMICUS BRIEF by AMERICAN CENTER FOR LAW AND JUSTICE. (ztd) (Entered: 05/17/2019)
05/16/2019	<u>47</u>	AFFIDAVIT re <u>17</u> MOTION for Preliminary Injunction by UNITED STATES HOUSE OF REPRESENTATIVES. (ztd) (Entered: 05/17/2019)
05/17/2019	<u>48</u>	NOTICE of Filing of <i>Statement Submitted in Related Litigation</i> by DAVID BERNHARDT, STEVEN T. MNUCHIN, KIRSTJEN M. NIELSEN, PATRICK M. SHANAHAN, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES DEPARTMENT OF THE TREASURY (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Warden, Andrew) (Entered: 05/17/2019)
05/19/2019	<u>49</u>	NOTICE of Appearance by James Mahoney Burnham on behalf of All Defendants (Burnham, James) (Entered: 05/19/2019)
05/22/2019	<u>50</u>	Memorandum in opposition to re <u>39</u> MOTION to Intervene filed by DAVID BERNHARDT, STEVEN T. MNUCHIN, KIRSTJEN M. NIELSEN, PATRICK M. SHANAHAN, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Kathryn) (Entered: 05/22/2019)

		05/22/2019)
05/22/2019		MINUTE ORDER striking the <u>39</u> Motion to Intervene for failure to comply with Local Civil Rule 7(m), which requires the movant to certify, "[b]efore filing any nondispositive motion in a civil action," that he discussed the anticipated motion with opposing counsel "in a good-faith effort to determine whether there is any opposition to the relief sought and, if there is, to narrow the areas of disagreement." Because of this failure to comply, the Court need not address the substantive arguments raised in the Defendants' <u>50</u> Memorandum in Opposition. Signed by Judge Trevor N. McFadden on 5/22/2019. (lctnm3) (Entered: 05/22/2019)
05/23/2019		Minute Entry for proceedings held before Judge Trevor N. McFadden: Preliminary Injunction held on 5/23/2019. Matter taken under advisement. (Court Reporter: Patricia Kaneshiro-Miller.) (hmc) (Entered: 05/23/2019)
05/25/2019	<u>51</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by UNITED STATES HOUSE OF REPRESENTATIVES (Attachments: # <u>1</u> Exhibit Sierra Club v. Trump Order, # <u>2</u> Exhibit California v. Trump Order)(Letter, Douglas) (Entered: 05/25/2019)
05/28/2019	<u>52</u>	TRANSCRIPT OF PROCEEDINGS before Judge Trevor N. McFadden held on May 23, 2019; Page Numbers: 1-137. Date of Issuance: May 28, 2019. Court Reporter/Transcriber Pat Kaneshiro-Miller, Telephone number 202-354-3243, Tape Number: Patricia_Kaneshiro-Miller@dcd.uscourts.gov. Transcripts may be ordered by submitting the <a href="http://www.dcd.uscourts.gov/node/110">Transcript Order Form</a> For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter. <b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a> . Redaction Request due 6/18/2019. Redacted Transcript Deadline set for 6/28/2019. Release of Transcript Restriction set for 8/26/2019.(pk) (Entered: 05/28/2019)
06/03/2019	<u>53</u>	Unopposed MOTION to Stay <i>Defendants' Response to Plaintiff's Complaint Pending a Ruling on Plaintiff's Motion for Preliminary Injunction</i> by DAVID BERNHARDT, STEVEN T. MNUCHIN, KIRSTJEN M. NIELSEN, PATRICK M. SHANAHAN, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES DEPARTMENT OF THE TREASURY (Attachments: # <u>1</u> Text of Proposed Order)(Warden, Andrew) (Entered: 06/03/2019)
06/03/2019	<u>54</u>	MEMORANDUM OPINION re Plaintiff's <u>17</u> Motion for Preliminary Injunction. Signed by Judge Trevor N. McFadden on 6/3/2019. (lctnm3) (Entered: 06/03/2019)
06/03/2019	<u>55</u>	ORDER: For the reasons set forth in the accompanying <u>54</u> Memorandum Opinion, the Plaintiff's <u>17</u> Motion for a Preliminary Injunction is DENIED for lack of subject matter jurisdiction. See attached Order for details. Signed by Judge Trevor N. McFadden on 6/3/2019. (lctnm3) (Entered: 06/03/2019)
06/04/2019		MINUTE ORDER: Upon consideration of the Defendants' <u>53</u> Unopposed Motion, it is hereby ORDERED that the deadline for the Defendants' Answer or responsive pleading is STAYED. The parties shall file a Joint Status Report on or before June 10, 2019. This Report shall propose a schedule for further proceedings. Signed by Judge Trevor N. McFadden on 6/4/2019. (lctnm3) (Entered: 06/04/2019)
06/04/2019		Set/Reset Deadlines: Joint Status Report due by 6/10/2019. (hmc) (Entered: 06/04/2019)
06/10/2019	<u>56</u>	NOTICE OF APPEAL TO DC CIRCUIT COURT as to <u>54</u> Memorandum & Opinion, <u>55</u> Order on Motion for Preliminary Injunction, by UNITED STATES HOUSE OF REPRESENTATIVES. Fee Status: No Fee Paid. Parties have been notified. (Letter, Douglas) (Entered: 06/10/2019)

06/10/2019	<u>57</u>	Joint STATUS REPORT <i>Addressing Further Proceedings</i> by DAVID BERNHARDT, STEVEN T. MNUCHIN, KIRSTJEN M. NIELSEN, PATRICK M. SHANAHAN, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES DEPARTMENT OF THE TREASURY. (Warden, Andrew) (Entered: 06/10/2019)
06/12/2019	<u>58</u>	Transmission of the Notice of Appeal, Order Appealed (Memorandum Opinion), and Docket Sheet to US Court of Appeals. The Court of Appeals docketing fee was not paid because the appeal was filed by the government re <u>56</u> Notice of Appeal to DC Circuit Court. (tth) (Entered: 06/12/2019)
06/14/2019		USCA Case Number 19-5176 for <u>56</u> Notice of Appeal to DC Circuit Court filed by UNITED STATES HOUSE OF REPRESENTATIVES. (zrdj) (Entered: 06/14/2019)
06/14/2019	<u>59</u>	Unopposed MOTION for Leave to File <i>Amended Complaint &amp; Request for Additional Relief</i> by UNITED STATES HOUSE OF REPRESENTATIVES (Attachments: # <u>1</u> Exhibit Amended Complaint, # <u>2</u> Exhibit Original Complaint As Amended, # <u>3</u> Text of Proposed Order)(Letter, Douglas). Added MOTION for Judgment on 6/19/2019 (tth). (Entered: 06/14/2019)
06/14/2019	62	MOTION for Order by UNITED STATES HOUSE OF REPRESENTATIVES. (See Docket Entry <u>59</u> to view document) (tth) (Entered: 06/18/2019)
06/17/2019	<u>60</u>	ORDER: It is hereby ORDERED that the Plaintiff's <u>59</u> Unopposed Motion is GRANTED; it is further ORDERED that the Amended Complaint, ECF No. 59-1, is deemed filed with the Court upon entry of this Order; it is further ORDERED that the Plaintiff's request for an order denying preliminary and permanent injunctive relief with respect to the Administration's transfer of funds under Section 9002 of the 2019 Department of Defense Appropriations Act for purposes of constructing a border wall is hereby GRANTED. The Court holds that the House does not have standing to assert claims and seek relief with respect to Section 9002 for the reasons set forth in the Court's Memorandum Opinion dated June 3, 2019 (ECF No. 54); and it is further ORDERED that the Plaintiff's request for entry of final judgment is GRANTED. The Clerk of the Court shall prepare and enter judgment in this matter pursuant to Federal Rule of Civil Procedure 58. See attached Order for details. Signed by Judge Trevor N. McFadden on 6/17/2019. (lctnm3) (Entered: 06/17/2019)
06/17/2019	<u>61</u>	CLERK'S JUDGMENT in favor of Defendants STEVEN T. MNUCHIN et al, against Plaintiff UNITED STATES HOUSE OF REPRESENTATIVES. Signed by Judge Trevor N. McFadden on 6/17/2019. (hmc) (Entered: 06/17/2019)
06/17/2019	<u>63</u>	AMENDED COMPLAINT against DAVID BERNHARDT, STEVEN T. MNUCHIN, PATRICK M. SHANAHAN, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES DEPARTMENT OF THE TREASURY, KEVIN K. MCALEENAN filed by UNITED STATES HOUSE OF REPRESENTATIVES. (tth) (Entered: 06/18/2019)
06/18/2019	<u>64</u>	Amended NOTICE OF APPEAL re appeal <u>56</u> by UNITED STATES HOUSE OF REPRESENTATIVES. (Letter, Douglas) (Entered: 06/18/2019)
06/19/2019	<u>65</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re <u>56</u> Notice of Appeal to DC Circuit Court; Amended Notice of Appeal. (tth) (Entered: 06/19/2019)
08/27/2019	<u>66</u>	NOTICE <i>Of Decision by the Department of Defense to Authorize Additional Border Barrier Projects Pursuant to 10 U.S.C. § 284</i> by DAVID BERNHARDT, KEVIN K. MCALEENAN, STEVEN T. MNUCHIN, PATRICK M. SHANAHAN, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES DEPARTMENT OF THE TREASURY (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Warden, Andrew) (Entered: 08/27/2019)
09/03/2019	<u>67</u>	NOTICE <i>of Decision by the Department of Defense to Authorize Border Barrier Projects Pursuant to 10 U.S.C. § 2808</i> by DAVID BERNHARDT, KEVIN K. MCALEENAN, STEVEN T. MNUCHIN, PATRICK M. SHANAHAN, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF THE INTERIOR,

		UNITED STATES DEPARTMENT OF THE TREASURY (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Warden, Andrew) (Entered: 09/03/2019)
09/05/2019	<u>68</u>	NOTICE <i>Supplement to Notice of Decision by the Department of Defense to Authorize Border Barrier Projects Pursuant to 10 U.S.C. § 2808</i> by DAVID BERNHARDT, KEVIN K. MCALEENAN, STEVEN T. MNUCHIN, PATRICK M. SHANAHAN, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES DEPARTMENT OF THE TREASURY re <u>67</u> Notice (Other), (Attachments: # <u>1</u> Exhibit)(Warden, Andrew) (Entered: 09/05/2019)
09/16/2019	<u>69</u>	NOTICE <i>Supplemental Notice Regarding Decision by the Department of Defense to Authorize Additional Border Barrier Projects Pursuant to 10 U.S.C. § 284</i> by DAVID BERNHARDT, KEVIN K. MCALEENAN, STEVEN T. MNUCHIN, PATRICK M. SHANAHAN, UNITED STATES DEPARTMENT OF DEFENSE, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES DEPARTMENT OF THE TREASURY re <u>66</u> Notice (Other), (Attachments: # <u>1</u> Exhibit)(Warden, Andrew) (Entered: 09/16/2019)