

**United States District Court
District of Massachusetts (Springfield)
CIVIL DOCKET FOR CASE #: 3:20-cv-11765-MGM**

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Massachusetts Fair Housing Center and Housing Works Inc., v. United States Department of Housing and Urban Development and Ben Carson	Date Filed: 09/28/2020
Assigned to: Judge Mark G. Mastroianni	Jury Demand: None
Cause: 05:551 Administrative Procedure Act	Nature of Suit: 899 Other Statutes: Administrative Procedures Act/Review or Appeal of Agency Decision
	Jurisdiction: U.S. Government Defendant

Plaintiff

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Date Filed	#	Docket Text
09/28/2020	1	COMPLAINT against United States Department of Housing and Urban Development, Ben Carson Filing fee: \$ 400, receipt number 0101-8437693 (Fee Status: Filing Fee paid), filed by Housing Works, Inc., Massachusetts Fair Housing Center. (Attachments: # 1 Civil Category Sheet, # 2 Civil Cover Sheet, # 3 Exhibit A to Complaint, # 4 Exhibit B to Complaint)(Makarious, Mina) Modified docket text on 9/28/2020 (Pacho, Arnold). (Entered: 09/28/2020)
09/28/2020	2	Case transferred to Western Division (Springfield). (Pacho, Arnold) (Entered: 09/28/2020)
09/28/2020	3	ELECTRONIC NOTICE of Case Assignment. Judge Mark G. Mastroianni assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Katherine A. Robertson. (Healy, Bethaney) (Entered: 09/28/2020)
09/28/2020	4	Summons Issued as to All Defendants. Counsel receiving this notice electronically should download this summons, complete

		one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (Healy, Bethaney) (Entered: 09/28/2020)
09/29/2020	5	NOTICE of Appearance by Scott P. Lewis on behalf of Housing Works, Inc., Massachusetts Fair Housing Center (Lewis, Scott) (Entered: 09/29/2020)
09/29/2020	6	NOTICE of Appearance by Annie Lee on behalf of Housing Works, Inc., Massachusetts Fair Housing Center (Lee, Annie) (Entered: 09/29/2020)
09/29/2020	7	NOTICE of Appearance by Lauren A. Sampson on behalf of Housing Works, Inc., Massachusetts Fair Housing Center (Sampson, Lauren) (Entered: 09/29/2020)
09/29/2020	8	CORPORATE DISCLOSURE STATEMENT by Massachusetts Fair Housing Center. (Makarious, Mina) (Entered: 09/29/2020)
09/29/2020	9	CORPORATE DISCLOSURE STATEMENT by Housing Works, Inc.. (Makarious, Mina) (Entered: 09/29/2020)
09/29/2020	10	NOTICE of Appearance by Oren M. Sellstrom on behalf of Housing Works, Inc., Massachusetts Fair Housing Center (Sellstrom, Oren) (Entered: 09/29/2020)
10/06/2020	11	MOTION for Preliminary Injunction <i>Under 5 U.S.C. Sec. 705 to Postpone Effective Date of HUD's Unlawful New Rule</i> by Housing Works, Inc., Massachusetts Fair Housing Center.(Makarious, Mina) (Entered: 10/06/2020)
10/06/2020	12	MEMORANDUM in Support re 11 MOTION for Preliminary Injunction <i>Under 5 U.S.C. Sec. 705 to Postpone Effective Date of HUD's Unlawful New Rule</i> filed by Housing Works, Inc., Massachusetts Fair Housing Center. (Attachments: # 1 Exhibit Declaration of Meris Bergquist, # 2 Exhibit Declaration of Armen Merjian, # 3 Exhibit Declaration of Jo-Ann Barbour, # 4 Exhibit Declaration of William Berman, # 5 Exhibit Declaration of Andrew DeFranza, # 6 Exhibit Declaration of Jane Edmonstone, # 7 Exhibit Declaration of Lewis Finfer, # 8 Exhibit Declaration of Lisa Guisbond, # 9 Exhibit Declaration of Joseph Michalakes, # 10 Exhibit Declaration of Lisa Owens, # 11 Exhibit Declaration of Dinanyili Paulino, # 12 Exhibit Declaration of Brenda Torpy, # 13 Exhibit Declaration of Dwaign Tyndal, # 14 Exhibit Declaration of Ted Wimpey, # 15 Exhibit Declaration of John Woods)(Makarious, Mina) (Attachment 9 replaced on

		10/6/2020)PDF Attachment for Exhibit 9 had an error upon uploading Modified on 10/6/2020 (Zamorski, Michael). (Entered: 10/06/2020)
10/06/2020	13	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered re: 11 Motion for Preliminary Injunction. Defendant shall file any opposition to Plaintiffs' Motion for Preliminary Injunction by October 14, 2020. The court intends to hold a hearing on October 16, 2020; notice of the hearing will issue separately. Plaintiff shall serve Defendant with this order as soon as possible. (Figuroa, Tamara) (Entered: 10/06/2020)
10/06/2020	14	<p>ELECTRONIC NOTICE of Motion Hearing.</p> <p>This hearing will be conducted by video conference. Counsel of record will receive a video conference invite at the email registered in CM/ECF. If you have technical or compatibility issues with the technology, please notify the session's courtroom deputy as soon as possible.</p> <p>Access to the hearing will be made available to the media and public. In order to gain access to the hearing, you must sign up at the following address: https://forms.mad.uscourts.gov/courtlist.html.</p> <p>For questions regarding access to hearings, you may refer to the Court's general orders and public notices available on www.mad.uscourts.gov or contact media@mad.uscourts.gov.</p> <p>Motion Hearing set for 10/16/2020 at 10:15 AM in Remote Proceeding : Springfield before Judge Mark G. Mastroianni. (Figuroa, Tamara) (Entered: 10/06/2020)</p>
10/13/2020	15	NOTICE of Appearance by James D. Todd, Jr on behalf of Ben Carson, United States Department of Housing and Urban Development (Todd, James) (Entered: 10/13/2020)
10/13/2020	16	Consent MOTION for Leave to File Excess Pages <i>for Defendants' Brief in Opposition to Plaintiffs' Motion for a Preliminary Injunction and a Stay Under 5 U.S.C. 705</i> by Ben Carson, United States Department of Housing and Urban Development. (Attachments: # 1 Text of Proposed Order)(Todd, James) (Entered: 10/13/2020)

10/13/2020	17	NOTICE of Appearance by Vinita B. Andrapalliyal on behalf of Ben Carson, United States Department of Housing and Urban Development (Andrapalliyal, Vinita) (Entered: 10/13/2020)
10/13/2020	18	NOTICE of Appearance by Joshua M. Daniels on behalf of National Housing Law Project, Shriver Center on Poverty Law, Kansas Appleseed, Nebraska Appleseed, Public Justice Center (Daniels, Joshua) (Entered: 10/13/2020)
10/13/2020	19	MOTION for Leave to Appear Pro Hac Vice for admission of Eric Sirota, Marie Claire Tran-Leung, Clayton Pasley, Katherine Walz, Renee M. Williams Filing fee: \$ 500, receipt number 0101-8460921 by National Housing Law Project, Shriver Center on Poverty Law. (Attachments: # 1 Exhibit Exhibit A - Declarations of Eric Sirota, Marie Claire Tran-Leung, Clayton Pasley, Katherine Walz, and Renee M. Williams in Support of Motion for Admission Pro Hac Vice)(Daniels, Joshua) (Entered: 10/13/2020)
10/13/2020	20	Assented to MOTION for Leave to File <i>Amicus Brief in Support of Plaintiffs</i> by Kansas Appleseed, National Housing Law Project, Nebraska Appleseed, Public Justice Center, Shriver Center on Poverty Law. (Attachments: # 1 Exhibit Brief of Amicus Curiae)(Daniels, Joshua) (Entered: 10/13/2020)
10/13/2020	21	NOTICE of Appearance by Stuart T. Rossman on behalf of National Consumer Law Center (Rossman, Stuart) (Entered: 10/13/2020)
10/13/2020	22	Assented to MOTION for Leave to File <i>Amicus Brief</i> by National Consumer Law Center. (Attachments: # 1 Exhibit Attachment A Proposed Amicus Brief)(Rossman, Stuart) (Entered: 10/13/2020)
10/14/2020	23	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting 16 Consent Motion for Leave to File Excess Pages, 20 Assented to Motion for Leave to File Amicus Brief in Support of Plaintiffs, and 22 Assented to Motion for Leave to File Amicus Brief. In addition, the parties will be limited to 25 minutes each for oral argument. (Lindsay, Maurice) (Entered: 10/14/2020)
10/14/2020	24	MEMORANDUM in Opposition re 11 MOTION for Preliminary Injunction <i>Under 5 U.S.C. Sec. 705 to Postpone Effective Date of HUD's Unlawful New Rule</i> filed by Ben Carson, United States Department of Housing and Urban Development. (Attachments: # 1 Exhibit A: Plaintiff Mass. Fair Hous. Ctr.'s 2018 Comment, # 2 Exhibit B: Plaintiff Mass. Fair Hous. Ctr.'s 2019 Comment)(Todd, James) (Entered: 10/14/2020)

10/15/2020	25	MOTION for Leave to File <i>Reply Brief and Supplemental Declarations in Support of Plaintiffs' Motion Under 5 U.S.C. Section 705 to Postpone the Effective Date of HUD's Unlawful New Rule</i> by Housing Works, Inc., Massachusetts Fair Housing Center. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C)(Makarious, Mina) (Entered: 10/15/2020)
10/15/2020	26	MEMORANDUM in Opposition re 25 MOTION for Leave to File <i>Reply Brief and Supplemental Declarations in Support of Plaintiffs' Motion Under 5 U.S.C. Section 705 to Postpone the Effective Date of HUD's Unlawful New Rule</i> filed by Ben Carson, United States Department of Housing and Urban Development. (Andrapalliyal, Vinita) (Entered: 10/15/2020)
10/16/2020	27	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting in part and denying in part 25 Motion for Leave to File Reply Brief and Supplemental Declarations. The court allows Plaintiffs' motion to the extent it seeks leave to file a reply brief, but denies the motion as to the request to file supplemental declarations. As the government argues, the supplemental declarations come too late for purposes of the preliminary injunction, especially given that the factual assertions could have been raised in Plaintiffs' original filings in support of the injunction request. The court will, however, consider the legal arguments raised in the reply brief. (Figuroa, Tamara) (Entered: 10/16/2020)
10/16/2020	28	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Counsel appear for Motion Hearing held on 10/16/2020 re 11 MOTION for Preliminary Injunction <i>Under 5 U.S.C. Sec. 705 to Postpone Effective Date of HUD's Unlawful New Rule</i> filed by Housing Works, Inc., Massachusetts Fair Housing Center. Arguments heard. Matter taken under advisement. (Court Reporter: Alice Moran alice.moran@verizon.net.)(Attorneys present: Lewis, Makarious, Lee, Sampton, Todd) (Healy, Bethaney) (Entered: 10/16/2020)
10/25/2020	29	Judge Mark G. Mastroianni: ORDER entered: PRELIMINARY INJUNCTION. For the reasons stated in Memorandum and Order, the court ALLOWS Plaintiffs Motion for a Preliminary Injunction Under 5 U.S.C. § 705 to Postpone the Effective Date of HUDs Unlawful New Rule (Dkt. No. 11). It is so Ordered. See attached Memorandum and Order. (Rivera, Christina) (Main Document 29 replaced on 10/27/2020) (Lindsay, Maurice). (Entered: 10/25/2020)

11/20/2020	30	Consent MOTION for Extension of Time to File Answer re 1 Complaint, by Ben Carson, United States Department of Housing and Urban Development. (Attachments: # 1 Text of Proposed Order)(Todd, James) (Entered: 11/20/2020)
11/23/2020	31	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting 30 Consent MOTION for Extension of Time to 30 days for defendant HUD to File Answer to plaintiff's 1 Complaint. (Lindsay, Maurice) (Entered: 11/23/2020)
11/23/2020	32	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting 19 Motion for Leave to Appear Pro Hac Vice. ALLOWED. Added Clayton Pasley, Katherine Walz, Renee M. Williams, Marie Claire Tran-Leung, and Eric Sirota. Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Lindsay, Maurice) (Entered: 11/23/2020)

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