

CLOSED, ICMS, RELATE

**U.S. District Court  
California Northern District (San Francisco)  
CIVIL DOCKET FOR CASE #: 3:96-cv-03583-MJJ**

Olivares, et al v. Meissner  
Assigned to: Judge Martin J. Jenkins  
Demand: \$0  
Cause: 08:1329 Writ of Mandamus to Adjudicate Visa Petition

Date Filed: 10/02/1996  
Date Terminated: 07/28/1999  
Jury Demand: None  
Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Miguel Olivares**

represented by **Jonathan Myles Kaufman**  
The Law Offices Of Jonathan M. Kaufman

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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Maria Gonzalez**

represented by **Jonathan Myles Kaufman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Leticia Chavez**

represented by **Jonathan Myles Kaufman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Roberto Ventura**

represented by **Jonathan Myles Kaufman**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Darshan Singh**

represented by **Jonathan Myles Kaufman**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant****INS Commissioner Doris M. Meissner**

represented by **Patricia A. Duggan**  
 U.S. Attorney's Office  
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**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
10/02/1996	2	ORDER RE COURT PROCEDURE and SCHEDULE (ADR Pilot) by Chief Judge Thelton E. Henderson: Proof of service to be filed by 11/18/96; counsels' case management statement to be filed by 1/27/97; initial case management conference will be held 3:00 2/6/97. (cc: all counsel) [3:96-cv-03583] (lcc, COURT STAFF) (Entered: 10/04/1996)
10/02/1996	1	COMPLAINT Summons(es) issued; Fee status pd entered on 10/2/96 in the amount of \$ 120.00 (Receipt No. 123773) [3:96-cv-03583] (lcc, COURT STAFF) (Entered: 10/04/1996)
10/21/1996	3	CLERK'S NOTICE Case Management Conference set for 3:00 2/11/97 [3:96-cv-03583] (slh, COURT STAFF) (Entered: 10/23/1996)
12/03/1996	4	ORDER TO SHOW CAUSE by Chief Judge Thelton E. Henderson for failure to serve under the provisions of General Order 34 (cc: all counsel) [3:96-cv-03583] (slh, COURT STAFF) (Entered: 12/04/1996)
12/05/1996	5	RETURN OF SERVICE executed upon defendant Doris M. Meissner by serving Janet Reno, Attorney General on 12/5/96 [3:96-cv-03583] (slh, COURT STAFF) (Entered: 12/09/1996)
12/27/1996	6	CLERK'S NOTICE of ADR phone conference set 1/14/97 11:15 a.m. [3:96-cv-03583] (ab, COURT STAFF) (Entered: 12/27/1996)
01/13/1997	7	NOTICE by Plaintiff of related case(s) C-96-2272 SBA [3:96-cv-03583] (slh, COURT STAFF) (Entered: 01/14/1997)

01/14/1997	8	ORDER by Judge Sandra B. Armstrong granting related case notice [7-1] relating cases; , Case reassigned to Judge Sandra B. Armstrong ( Date Entered: 1/16/97) (cc: all counsel) [3:96-cv-03583] (cg, COURT STAFF) (Entered: 01/16/1997)
01/30/1997	9	ORDER by Judge Sandra B. Armstrong Case Management Conference set for 3:00 3/6/97; (Date Entered: 2/3/97) (cc: all counsel) [4:96-cv-03583] (cg, COURT STAFF) (Entered: 02/03/1997)
01/30/1997	10	CLERK'S NOTICE Case Management Conference set for 3:00 3/6/97 ; [4:96-cv-03583] (cg, COURT STAFF) (Entered: 02/03/1997)
02/04/1997	11	ANSWER by defendant Doris M. Meissner to complaint [1-1] [4:96-cv-03583] (cg, COURT STAFF) (Entered: 02/04/1997)
02/07/1997	14	PROOF OF SERVICE by Plaintiffs of clerk's notice and order setting case management conference [4:96-cv-03583] (mmr, COURT STAFF) (Entered: 02/13/1997)
02/10/1997	12	EXPEDITED MOTION before Judge Sandra B. Armstrong by defendant for relief case management schedule with Notice set for February 11, 1997 at 3:00 p.m. [4:96-cv-03583] (cg, COURT STAFF) (Entered: 02/10/1997)
02/10/1997	13	RETURN OF SERVICE on summons and complaint executed upon defendant Doris M. Meissner on 12/10/96 [4:96-cv-03583] (cg, COURT STAFF) (Entered: 02/10/1997)
07/18/1997	15	ORDER by Judge Sandra B. Armstrong Case Management Conference set for 3:00 9/24/97; the order to show cause regarding dismissal is vacated. This action and related action C96-3583SBA are referred to Magistrate Judge Phyllis J. Hamilton for a Mandatory Settlement conference; ( Date Entered: 7/20/97) (cc: all counsel) [4:96-cv-03583] (cg, COURT STAFF) (Entered: 07/21/1997)
07/28/1997	17	ORDER by Judge Sandra B. Armstrong Settlement conf. (Mag) Hamilton at 1:30 8/27/97 ; ( Date Entered: 8/4/97) (cc: all counsel) [4:96-cv-03583] (cg, COURT STAFF) (Entered: 08/04/1997)
08/01/1997	16	ORDER by Judge Sandra B. Armstrong that defendant's request to file the declaration of Carolyn Wade is denied. (Date Entered: 8/4/97) (cc: all counsel) [4:96-cv-03583] (cg, COURT STAFF) (Entered: 08/04/1997)
09/12/1997	18	Joint CASE MANAGEMENT STATEMENT and PROPOSED ORDER filed. [4:96-cv-03583] (cg, COURT STAFF) (Entered: 09/16/1997)
09/17/1997	19	CLERK'S NOTICE Case Management Conference set for 3:30 9/24/97 ; [4:96-cv-03583] (kk, COURT STAFF) (Entered: 09/22/1997)
09/22/1997	20	PROOF OF SERVICE by Plaintiff of clerk notice [19-2] [4:96-cv-03583] (kk, COURT STAFF) (Entered: 09/22/1997)
09/23/1997	21	STIPULATION and ORDER for filing of amended complaint by Judge Sandra B. Armstrong : (cc: all counsel) [4:96-cv-03583] (oh, COURT STAFF) (Entered: 09/24/1997)
09/23/1997	22	FIRST AMENDED COMPLAINT and declaratory judgment and injunction [1-1]

		by Plaintiff [4:96-cv-03583] (oh, COURT STAFF) (Entered: 09/24/1997)
10/15/1997	23	MEMORANDUM by Plaintiff in support of motion for reconsideration and for summary judgment [4:96-cv-03583] (kk, COURT STAFF) (Entered: 10/17/1997)
11/04/1997	24	OPPOSITION by defendant Doris M. Meissner to plas' memorandum [23-1] [4:96-cv-03583] (mmr, COURT STAFF) (Entered: 11/05/1997)
11/10/1997	25	REPLY by Plaintiff in 4:96-cv-02272, Plaintiff in 4:96-cv-03583 to opposition to plaintiffs' motion for reconsideration and for summary judgment [4:96-cv-02272, 4:96-cv-03583] (kk, COURT STAFF) (Entered: 11/13/1997)
12/01/1997	26	ORDER by Judge Saundra B. Armstrong continuing hearing on memorandum [36-1] in 4:96-cv-02272 to 2:00 p.m. on 3/3/98; continuing hearing on memorandum [23-1] in 4:96-cv-03583 to 2:00 p.m. on 3/3/98; ( Date Entered: 12/1/97) (cc: all counsel) [4:96-cv-02272, 4:96-cv-03583] (mmr, COURT STAFF) (Entered: 12/01/1997)
12/17/1997	27	Reassignment ORDER by Judge Martin J. Jenkins vacating hearing re motion for relief case management schedule [12-1] referring to Judge Martin J. Jenkins the motion for relief case management schedule [12-1] Any status and/or case management conference dates are vacated , Case reassigned to Judge Martin J. Jenkins ( Date Entered: 12/18/97) (cc: all counsel) [4:96-cv-03583] (mmr, COURT STAFF) (Entered: 12/18/1997)
12/17/1997		Docket Modification (Administrative) to removing case from the Multi-Option ADR Pilot (ADR LR 3) upon reassignment. [3:96-cv-03583] (bdb, COURT STAFF) (Entered: 01/05/1998)
12/31/1997	28	RENOTICE OF HEARING AND MOTION before Judge Martin J. Jenkins by Plaintiffs for reconsideration of order denying motion for preliminary injunction and for summary judgment with Notice set for 2/24/98 at 9:30 a.m. [3:96-cv-03583] (bdb, COURT STAFF) (Entered: 01/05/1998)
04/06/1998	29	ORDER by Judge Martin J. Jenkins GRANTING plaintiff's motion for reconsideration [28-1] and motion for summary judgment [28-2]. (Date Entered: 4/10/98) (cc: all counsel) [3:96-cv-03583] (lh, COURT STAFF) (Entered: 04/10/1998)
04/06/1998	30	JUDGMENT: by Judge Martin J. Jenkins that pursuant to the order filed herewith [29-1], the Court grants judgment in favor of plaintiffs Jose Manuel Ortiz, et al; terminating case ; appeal filing ddl 6/9/98 (Date Entered: 4/10/98) (cc: all counsel) [3:96-cv-03583] (lh, COURT STAFF) (Entered: 04/10/1998)
04/22/1998	31	EMERGENCY EX-PARTE APPLICATION before Judge Martin J. Jenkins by Plaintiffs for clarification of 4/6/98 Judgment [3:96-cv-03583] (bdb, COURT STAFF) Modified on 04/24/1998 (Entered: 04/24/1998)
04/22/1998	32	DECLARATION by Jonathan M. Kaufman on behalf of Plaintiffs in support of emergency ex parte motion for clarification of 4/6/98 Judgment [31-1] [3:96-cv-03583] (bdb, COURT STAFF) (Entered: 04/24/1998)
04/22/1998		RECEIVED proposed order submitted by Plaintiffs re emergency ex parte

		motion for clarification of Judgment [31-1] [3:96-cv-03583] (bdb, COURT STAFF) (Entered: 04/24/1998)
04/23/1998	33	NOTICE OF MOTION AND MOTION WITH MEMORANDUM OF POINTS AND AUTHORITIES before Judge Martin J. Jenkins by defendant Doris M. Meissner to alter or amend 4/10/98 Order with Notice set for 6/2/98 at 9:30 a.m. [3:96-cv-03583] (bdb, COURT STAFF) (Entered: 04/24/1998)
04/23/1998	34	OPPOSITION by defendant Doris M. Meissner to plaintiffs' emergency ex parte motion for clarification of 4/6/98 Judgment [31-1] [3:96-cv-03583] (bdb, COURT STAFF) (Entered: 04/24/1998)
04/23/1998		RECEIVED proposed order submitted by defendant Doris M. Meissner granting defendant's rule 59(e) motion [33-1] [3:96-cv-03583] (bdb, COURT STAFF) (Entered: 04/24/1998)
04/23/1998		RECEIVED proposed order submitted by defendant Doris M. Meissner denying plaintiffs' emergency ex parte motion [31-1] [3:96-cv-03583] (bdb, COURT STAFF) (Entered: 04/24/1998)
04/23/1998	38	ORDER by Judge Martin J. Jenkins denying motion for clarification of 4/6/98 Judgment [31-1] ( Date Entered: 04/29/98) (cc: all counsel) [3:96-cv-03583] (RS, COURT STAFF) (Entered: 04/29/1998)
04/24/1998	35	MOTION before Judge Martin J. Jenkins by defendant Doris M. Meissner to stay judgment pending Rule 59(e) motion [3:96-cv-03583] (bdb, COURT STAFF) (Entered: 04/27/1998)
04/24/1998	36	MEMORANDUM OF POINTS AND AUTHORITIES by defendant Doris M. Meissner in support of motion to stay judgment [35-1] pending Rule 59(e) motion [3:96-cv-03583] (bdb, COURT STAFF) (Entered: 04/27/1998)
04/24/1998	37	DECLARATION by Jacquelyn A. Bednarz on behalf of defendant Doris M. Meissner in support of motion to stay judgment [35-1] [3:96-cv-03583] (bdb, COURT STAFF) (Entered: 04/27/1998)
04/24/1998		RECEIVED proposed order submitted by defendant Doris M. Meissner staying judgment [35-1] [3:96-cv-03583] (bdb, COURT STAFF) (Entered: 04/27/1998)
04/28/1998	39	OPPOSITION by Plaintiff Miguel Olivares, Plaintiff Maria Gonzalez, Plaintiff Leticia Chavez, Plaintiff Roberto Ventura, Plaintiff Darshan Singh to motion to stay judgment [35-1] [3:96-cv-03583] (RS, COURT STAFF) (Entered: 04/29/1998)
05/12/1998	40	ORDER by Judge Martin J Jenkins denying pltf's motion to expedite hearing on motion to stay ( Date Entered: 5/13/98) (cc: all counsel) [3:96-cv-03583] (awb, COURT (Entered: 05/13/1998)
05/19/1998	41	REPLY by defendant to opposition to motion to alter or amend 4/10/98 Order [33-1] [3:96-cv-03583] (RS, COURT STAFF) (Entered: 05/22/1998)
06/02/1998	42	MINUTES: ( C/R Roberta Rogers) ( Hearing Date: 06/02/98) that the motion to stay judgment [35-1] is submitted, that the motion to alter or amend 4/10/98 Order [33-1] is submitted [3:96-cv-03583] (RS, COURT STAFF) (Entered:

		06/04/1998)
07/27/1998	43	ORDER by Judge Martin J. Jenkins denying motion to alter or amend 4/10/98 Order [33-1] ( Date Entered: 7/29/98) (cc: all counsel) [3:96-cv-03583] (nd, COURT STAFF) (Entered: 07/29/1998)
08/03/1998	44	NOTICE OF MOTION AND MOTION WITH MEMORANDUM OF POINTS AND AUTHORITIES before Judge Martin J. Jenkins by defendant Doris M. Meissner for stay of judgment pending appeal with Notice set for 9/15/98 at 9:30 [3:96-cv-03583] (nd, COURT STAFF) (Entered: 08/04/1998)
08/03/1998		RECEIVED Proposed Order ( defendant Doris M. Meissner ) re: motion for stay of judgment pending appeal [44-1] [3:96-cv-03583] (nd, COURT STAFF) (Entered: 08/04/1998)
08/03/1998	45	NOTICE OF MOTION AND MOTION WITH MEMORANDUM OF POINTS AND AUTHORITIES before Judge Martin J. Jenkins by defendant Doris M. Meissner for stay of judgment pending appeal with Notice set for 9/15/98 at 9:30 [3:96-cv-03583] (nd, COURT STAFF) (Entered: 08/06/1998)
08/07/1998	46	SUPPLEMENT by defendant Doris M. Meissner re motion for stay of judgment pending appeal [44-1], re motion for stay of judgment pending appeal [45-1] [3:96-cv-03583] (nd, COURT STAFF) (Entered: 08/07/1998)
08/07/1998	47	NOTICE OF APPEAL by defendant Doris M. Meissner from Dist. Court decision order [43-1], order [29-1] Fee status ex [3:96-cv-03583] (nd, COURT STAFF) (Entered: 08/10/1998)
08/10/1998		Docket fee notification form and case information sheet to USCA [47-1] [3:96-cv-03583] (nd, COURT STAFF) (Entered: 08/10/1998)
08/14/1998		NOTIFICATION by Circuit Court of Appellate Docket Number 98-16472 [3:96-cv-03583] (nd, COURT STAFF) (Entered: 08/17/1998)
08/14/1998	48	OPPOSITION by Plaintiff Miguel Olivares, Plaintiff Maria Gonzalez, Plaintiff Leticia Chavez, Plaintiff Roberto Ventura, Plaintiff Darshan Singh to motion for stay of judgment pending appeal [44-1], motion for stay of judgment pending appeal [45-1] [3:96-cv-03583] (nd, COURT STAFF) (Entered: 08/17/1998)
08/14/1998		RECEIVED Proposed Order ( Plaintiff Miguel Olivares, Plaintiff Maria Gonzalez, Plaintiff Leticia Chavez, Plaintiff Roberto Ventura, Plaintiff Darshan Singh ) re: opposition [48-1] [3:96-cv-03583] (nd, COURT STAFF) (Entered: 08/17/1998)
08/21/1998	49	APPEAL ORDER briefing schedule from ninth circuit. [3:96-cv-03583] (nd, COURT STAFF) (Entered: 09/14/1998)
08/25/1998	50	REPLY by defendant Doris M. Meissner to opposition to motion for stay of judgment pending appeal [44-1] [3:96-cv-03583] (nd, COURT STAFF) (Entered: 09/14/1998)
09/10/1998	51	CLERK'S NOTICE vacating hearing re motion for stay of judgment pending appeal [44-1], vacating hearing re motion for stay of judgment pending appeal [45-1] [3:96-cv-03583] (scu, COURT STAFF) (Entered: 09/18/1998)

09/29/1998	52	ORDER by Judge Martin J. Jenkins denying motion for stay of judgment pending appeal [44-1], denying motion for stay of judgment pending appeal [45-1], denying motion to stay judgment [35-1] ( Date Entered: 10/1/98) (cc: all counsel) [3:96-cv-03583] (nd, COURT STAFF) (Entered: 10/01/1998)
07/22/1999	53	COPY of judgment from USCA reversing and remanding the Decision of the District Court [Appeal [47-1] [3:96-cv-03583] (nd, COURT STAFF) (Entered: 07/23/1999)
07/22/1999	54	CLERK's letter spreading the mandate to counsel. re appeal [47-1] [3:96-cv-03583] (nd, COURT STAFF) (Entered: 07/23/1999)
07/28/1999	55	ORDER by Judge Martin J. Jenkins for summary judgment in favor of defendant, in furtherance of the Ninth Circuit's mandate , terminating case ; appeal filing ddl 8/30/99 ( Date Entered: 7/29/99) (cc: all counsel) [3:96-cv-03583] (nd, COURT STAFF) (Entered: 07/29/1999)
03/23/2000	56	RECORD ON APPEAL RETURNED FROM USCA [47-1] [3:96-cv-03583] (db, COURT STAFF) (Entered: 03/25/2000)

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