

(SHx),APPEAL,CLOSED,DISCOVERY,RELATED-G,STAYED

**UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF
CALIFORNIA (Eastern Division – Riverside)
CIVIL DOCKET FOR CASE #: 5:08-cv-00840-JVS-SH**

Rosalina De Osorio et al v. Jonathan Scharfen et al
Assigned to: Judge James V. Selna
Referred to: Magistrate Judge Stephen J. Hillman
Related Cases: [8:08-cv-00688-JVS-SH](#)
[8:09-cv-00093-JVS-SH](#)

Case in other court: 9th CCA, 09-56786
Cause: 08:1105(a) Aliens: Habeas Corpus to Release INS
Detainee

Date Filed: 06/23/2008
Date Terminated: 10/09/2009
Jury Demand: None
Nature of Suit: 465 Other Immigration
Actions
Jurisdiction: U.S. Government Defendant

Plaintiff

Rosalina Cuellar De Osorio

represented by **Amy Carole Prokop**
Carl Shusterman Law Offices
600 Wilshire Blvd Suite 1550
Los Angeles, CA 90017
213-623-4592
Fax: 213-623-3720
Email: aprokop@shusterman.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carl Shusterman
Carl Shusterman Law Offices
600 Wilshire Boulevard, Suite 1550
Los Angeles, CA 90017
213-623-4592
Fax: 213-623-3720
Email: carl@shusterman.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Elizabeth Magpantay

represented by **Amy Carole Prokop**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carl Shusterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Evelyn Y Santos

represented by **Amy Carole Prokop**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carl Shusterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Maria Eloisa Liwag

represented by

Amy Carole Prokop
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carl Shusterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Norma Uy

represented by **Amy Carole Prokop**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carl Shusterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Ruth Uy

represented by **Amy Carole Prokop**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carl Shusterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Jonathan Scharfen
Acting Director of the United States
Citizenship and Immigration Services

represented by **Aaron D Nelson**
US Department of Justice
Office of Immigration Litigation
P O Box 868
Ben Franklin Station
Washington, DC 20044
202-305-0691
Fax: 202-616-8962
Email: aaron.nelson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Assistant US Attorney LA-CV
AUSA – Office of US Attorney
Civil Division
300 North Los Angeles Street Suite 7516
Los Angeles, CA 90012
213-894-2879
Email: USACAC.Civil@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gisela A Westwater
US Department of Justice
PO Box 868 Ben Franklin Station
Washington, DC 20044
202-532-4174

Fax: 202-616-8962
 Email: gisela.westwater@usdoj.gov
 ATTORNEY TO BE NOTICED

Defendant

Michael Chertoff
 Secretary US Department of Homeland
 Security

represented by **Aaron D Nelson**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Assistant US Attorney LA-CV
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Gisela A Westwater
 (See above for address)
 ATTORNEY TO BE NOTICED

Defendant

Condoleeza Rice
 Secretary of State

represented by **Aaron D Nelson**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Assistant US Attorney LA-CV
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Gisela A Westwater
 (See above for address)
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/23/2008	<u>1</u>	COMPLAINT filed by plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos against Defendants Jonathan Scharfen, Michael Chertoff, Condoleeza Rice. (Filing fee \$350)(ad) (ad). (Entered: 06/26/2008)
06/23/2008		60 DAY Summons Issued re Complaint <u>1</u> as to defendants Jonathan Scharfen, Michael Chertoff, Condoleeza Rice. (ad) (Entered: 06/26/2008)
06/23/2008	<u>2</u>	CERTIFICATION AND NOTICE of Interested Parties filed by plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. (ad) (ad). (Entered: 06/26/2008)
06/30/2008	<u>3</u>	STANDING ORDER by Judge Stephen G. Larson (See document for further information) (am) (Entered: 06/30/2008)
08/14/2008	<u>4</u>	NOTICE of Appearance filed by attorney Aaron D Nelson on behalf of Defendants Jonathan Scharfen, Michael Chertoff, Condoleeza Rice (Nelson, Aaron) (Entered: 08/14/2008)
08/15/2008	<u>5</u>	NOTICE Notice of Related Case filed by Defendant Jonathan Scharfen, Michael Chertoff, Condoleeza Rice. (Nelson, Aaron) (Entered: 08/15/2008)
08/18/2008	<u>6</u>	FIRST STIPULATION Extending Time to Answer the complaint as to Jonathan Scharfen answer now due 9/22/2008; Michael Chertoff answer now due 9/22/2008; Condoleeza Rice answer now due 9/22/2008, filed by Defendant Jonathan Scharfen; Michael Chertoff; Condoleeza Rice.(Nelson, Aaron) (Entered: 08/18/2008)

08/20/2008	<u>7</u>	PROOF OF SERVICE Executed by Plaintiff Maria Eloisa Liwag, Norma Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos, upon Jonathan Scharfen served on 6/23/2008, answer due 9/22/2008. The Summons and Complaint were served by personal service and certified mail, by Federal statute. Service accepted by Patricia Myles on behalf of Jonathan Scharfen. Original Summons not returned. (Prokop, Amy) (Entered: 08/20/2008)
08/20/2008	<u>8</u>	PROOF OF SERVICE Executed by Plaintiff Maria Eloisa Liwag, Norma Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos, upon Michael Chertoff served on 6/23/2008, answer due 9/22/2008. The Summons and Complaint were served by personal service and certified mail, by Federal statute. Service accepted by Patricia Myles on behalf of Michael Chertoff. Original Summons not returned. (Prokop, Amy) (Entered: 08/20/2008)
08/20/2008	<u>9</u>	PROOF OF SERVICE Executed by Plaintiff Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos, upon Condoleeza Rice served on 6/23/2008, answer due 9/22/2008. The Summons and Complaint were served by personal service and certified mail, by Federal statute. Service accepted by Patricia Myles on behalf of Condoleeza Rice. Original Summons not returned. (Prokop, Amy) (Entered: 08/20/2008)
09/03/2008	<u>10</u>	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 07-02 -Related Case- filed. Related Case No: SA CV 08-688 JVS (SHx). Case transferred from Judge Stephen G. Larson and Magistrate Judge Ralph Zarefsky to Judge James V. Selna and Magistrate Judge Stephen J. Hillman for all further proceedings. The case number will now reflect the initials of the transferee Judge ED CV 08-840 JVS (SHx). Signed by Judge James V. Selna (la) (Entered: 09/09/2008)
09/11/2008	<u>11</u>	INITIAL ORDER FOLLOWING FILING OF COMPLAINT ASSIGNED TO JUDGE SELNA by Judge James V. Selna. (See Order for details) (db) (Entered: 09/15/2008)
09/22/2008	<u>12</u>	NOTICE OF MOTION AND MOTION to hold case in abeyance pending Precedent Decision by BIA, MOTION to Dismiss Complaint(Motion set for hearing on 12/8/2008 at 01:30 PM before Judge James V. Selna.) filed by defendants Jonathan Scharfen, Michael Chertoff, Condoleeza Rice. (Attachments: # <u>1</u> Motion to Dismiss, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Exhibit Exhibit C, # <u>5</u> Exhibit Exhibit D, # <u>6</u> Exhibit Exhibit E, # <u>7</u> Proposed Order)(Nelson, Aaron) (Entered: 09/22/2008)
11/14/2008	<u>13</u>	ORDER setting Scheduling Conference for 1/5/2009 10:30 AM before Judge James V. Selna. (Attachments: # <u>1</u> Exhibit) (kt) (Entered: 11/14/2008)
11/24/2008	<u>14</u>	MEMORANDUM in Opposition to MOTION to hold case in abeyance pending Precedent Decision by BIA MOTION to Dismiss Complaint <u>12</u> filed by Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. (Prokop, Amy) (Entered: 11/24/2008)
11/24/2008	<u>15</u>	NOTICE OF ERRATA filed by Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. correcting MEMORANDUM in Opposition to Motion, <u>14</u> (Prokop, Amy) (Entered: 11/24/2008)
11/24/2008	<u>16</u>	MEMORANDUM in Opposition to MOTION to hold case in abeyance pending Precedent Decision by BIA MOTION to Dismiss Complaint <u>12</u> filed by Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. (Prokop, Amy) (Entered: 11/24/2008)
12/02/2008	<u>17</u>	MINUTES OF IN CHAMBERS ORDER Granting Defendants' Motion to Stay Action held before Judge James V. Selna <u>12</u> . This action is stayed in its entirety...The Court finds that oral argument would not be helpful and vacates the 12/08/08 hearing. FRCivP 78; L.R. 7-15. (See minute order for further details) (db) (Entered: 12/02/2008)
12/17/2008	<u>18</u>	STIPULATION to Continue Scheduling Conference from January 5, 2009 to March 16, 2009 Re: Scheduling Order, Set Deadlines/Hearings <u>13</u> filed by Plaintiff Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. (Attachments: # <u>1</u> Proposed Order Proposed Order

		to Continue Scheduling Conference)(Prokop, Amy) (Entered: 12/17/2008)
12/17/2008	<u>19</u>	ORDER ON STIPULATION TO CONTINUE CONFERENCE by Judge James V. Selna <u>18</u> . Scheduling Conference now set for 01/05/09 is continued to 03/16/09 at 10:30 a.m. (db) (Entered: 12/19/2008)
03/02/2009	<u>20</u>	PARTIES' JOINT RULE 26(F) REPORT filed by Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. (Attachments: # <u>1</u> Exhibit Exhibit A to Joint Report)(Prokop, Amy) (Entered: 03/02/2009)
04/02/2009	<u>21</u>	NOTICE of Manual Filing filed by Defendants Jonathan Scharfen, Michael Chertoff, Condoleeza Rice of Select Immigration Records. (Nelson, Aaron) (Entered: 04/02/2009)
04/07/2009	<u>22</u>	Defendants' EX PARTE APPLICATION to File Certified Documents Under Seal (smi) (Entered: 04/13/2009)
04/07/2009	<u>23</u>	ORDER by Judge James V. Selna granting <u>22</u> Ex Parte Application to Seal (smi) (Entered: 04/13/2009)
04/07/2009	<u>24</u>	SEALED DOCUMENT – NOTICE OF FILING OF CERTAIN DOCUMENTS IN ACCORDANCE WITH AGREEMENT BETWEEN THE PARTIES (smi) (Entered: 04/13/2009)
04/07/2009	<u>25</u>	SEALED DOCUMENT – CERTIFIED IMMIGRATION DOCUMENTS LIWAG VOL. 1 (smi) (Entered: 04/13/2009)
04/07/2009	<u>26</u>	SEALED DOCUMENT – CERTIFIED IMMIGRATION DOCUMENTS LIWAG VOL. 2 (smi) (Entered: 04/13/2009)
04/07/2009	<u>27</u>	SEALED DOCUMENT – CERTIFIED IMMIGRATION DOCUMENTS CUELLAR DE OSORIO VOL 1 (smi) (Entered: 04/13/2009)
04/07/2009	<u>28</u>	SEALED DOCUMENT – CERTIFIED IMMIGRATION DOCUMENTS CUELLAR DE OSORIO VOL 2 (smi) (Entered: 04/13/2009)
04/07/2009	<u>29</u>	SEALED DOCUMENT – CERTIFIED IMMIGRATION DOCUMENTS CUELLAR DE OSORIO VOL 3 (smi) (Entered: 04/13/2009)
04/07/2009	<u>30</u>	SEALED DOCUMENT – CERTIFIED IMMIGRATION DOCUMENTS MAGPANTAY, ELIZABETH VOL 1 (smi) (Entered: 04/13/2009)
04/07/2009	<u>31</u>	SEALED DOCUMENT – CERTIFIED IMMIGRATION DOCUMENTS MAGPANTAY, ELIZABETH VOL 2 (smi) (Entered: 04/13/2009)
04/07/2009	<u>32</u>	SEALED DOCUMENT – CERTIFIED IMMIGRATION DOCUMENTS MAGPANTAY, ELIZABETH VOL 3 (smi) (Entered: 04/13/2009)
04/07/2009	<u>33</u>	SEALED DOCUMENT – CERTIFIED IMMIGRATION DOCUMENTS MAGPANTAY, ELIZABETH VOL 4 (smi) (Entered: 04/13/2009)
04/07/2009	<u>34</u>	SEALED DOCUMENT – CERTIFIED IMMIGRATION DOCUMENTS SANTOS VOL 1 (smi) (Entered: 04/13/2009)
04/07/2009	<u>35</u>	SEALED DOCUMENT – CERTIFIED IMMIGRATION DOCUMENTS SANTOS VOL 2 (smi) (Entered: 04/13/2009)
04/07/2009	<u>36</u>	SEALED DOCUMENT – CERTIFIED IMMIGRATION DOCUMENTS UY VOL 1 (smi) (Entered: 04/13/2009)
04/07/2009	<u>37</u>	SEALED DOCUMENT – CERTIFIED IMMIGRATION DOCUMENTS UY VOL 2 (smi) (Entered: 04/13/2009)
04/20/2009	<u>38</u>	NOTICE OF MOTION AND MOTION to Continue Scheduling Conference from April 27, 2009 to June 8, 2009 filed by Defendant Jonathan Scharfen, Michael Chertoff, Condoleeza Rice. Motion set for hearing on 4/27/2009 at 10:30 AM before Judge James V. Selna. (Attachments: # <u>1</u> Exhibit)(Nelson, Aaron) (Entered: 04/20/2009)

04/21/2009	<u>39</u>	MEMORANDUM in Opposition to MOTION to Continue Scheduling Conference from April 27, 2009 to June 8, 2009 <u>38</u> filed by Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. (Prokop, Amy) (Entered: 04/21/2009)
04/21/2009	<u>40</u>	ORDER by Judge James V. Selna: granting <u>38</u> Motion to Continue: IT IS FURTHER ORDERED THAT this matter is reset for a scheduling conference on May 11, 2009, at 10:30 a.m. [Note date change.] Absent an affirmative indication from the BIA that it intends to issue written opinions in Patel and/or Wang, the Court will not entertain further continuances of the Rule 26(f) Conference. IT IS SO ORDERED. (rla) Modified on 4/21/2009 (rla). (Entered: 04/21/2009)
05/11/2009	<u>45</u>	MINUTES OF Scheduling Conference held before Judge James V. Selna. The Court and counsel confer regarding scheduling. The Court continues the Scheduling Conference to 6/15/2009 01:30 PM before Judge James V. Selna. Court Reporter: Sharon Seffens. (db) (Entered: 06/23/2009)
06/11/2009	<u>41</u>	NOTICE of Appearance filed by attorney Gisela A Westwater on behalf of Defendants Jonathan Scharfen, Michael Chertoff, Condoleeza Rice (Westwater, Gisela) (Entered: 06/11/2009)
06/15/2009	<u>43</u>	MINUTES OF Scheduling Conference held before Judge James V. Selna. The Court and counsel confer regarding motions for summary judgment. The Court will consider the matter and issue a further minute order setting this case and the related cases for hearing on said motion on the same date. Court Reporter: Sharon Seffens. (db) (Entered: 06/18/2009)
06/18/2009	<u>42</u>	Notice of BIA Decision in Related Matter of Wang filed by Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos (Attachments: # <u>1</u> Exhibit BIA Decision in Matter of Wang)(Prokop, Amy) (Entered: 06/18/2009)
06/18/2009	<u>44</u>	MINUTES OF IN CHAMBERS ORDER Setting Hearing Date for Motions for Summary Judgment held before Judge James V. Selna. The Court orders that motions for summary judgment matters shall be filed with a hearing date of 09/21/2009 at 3:00 p.m. The Court directs counsel to meet and confer regarding a briefing schedule with the last brief being filed no later than 09/08/2009. (db) (Entered: 06/18/2009)
07/01/2009	<u>46</u>	BRIEFING SCHEDULE AND RESET HEARING DATE filed by Defendants Jonathan Scharfen, Michael Chertoff, Condoleeza Rice (Westwater, Gisela) (Entered: 07/01/2009)
07/08/2009	<u>47</u>	NOTICE OF LODGING filed re Miscellaneous Document <u>46</u> (Attachments: # <u>1</u> Proposed Order Approving Schedule)(Westwater, Gisela) (Entered: 07/08/2009)
07/08/2009	<u>48</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Incorrect event selected, correct event is Reset RE: Miscellaneous Document <u>46</u> . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (rrp) (Entered: 07/08/2009)
07/09/2009	<u>49</u>	ORDER by Judge James V. Selna, Approving stipulated Briefing and hearing schedule on Motion for Summary Judgment <u>46</u> , (Responses due by 9/8/2009, Replies due by 9/14/2009. Motion set for hearing on 9/28/2009 at 03:00 PM before Judge James V. Selna.) (ade) (Entered: 07/10/2009)
08/21/2009	<u>50</u>	NOTICE OF MOTION AND MOTION to Stay Case pending Resolution of Class Action in Costelo v. Napolitano 08-688 (JVS) filed by Defendants Jonathan Scharfen, Michael Chertoff, Condoleeza Rice. Motion set for hearing on 9/14/2009 at 01:30 PM before Judge James V. Selna. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Proposed Order Granting Defendants' Motion to Stay Proceedings)(Nelson, Aaron) (Entered: 08/21/2009)
08/31/2009	<u>51</u>	NOTICE OF MOTION AND MOTION for Summary Judgment filed by Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. Motion set for hearing on 9/28/2009 at 03:00 PM before Judge James V. Selna. (Attachments: # <u>1</u> Memorandum of Points and

		Authorities in Support of Motion, # <u>2</u> Statement of Uncontroverted Facts and Conclusions of Law, # <u>3</u> Proposed Statement of Decision)(Prokop, Amy) (Entered: 08/31/2009)
08/31/2009	<u>52</u>	NOTICE OF ERRATA filed by Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. correcting MOTION for Summary Judgment <u>51</u> (Prokop, Amy) (Entered: 08/31/2009)
08/31/2009	<u>53</u>	NOTICE OF MOTION AND Corrected MOTION for Summary Judgment filed by Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. Motion set for hearing on 9/28/2009 at 03:00 PM before Judge James V. Selna. (Attachments: # <u>1</u> Memorandum of Points and Authorities in Support of Motion for Summary Judgment, # <u>2</u> Corrected Statement of Uncontroverted Facts and Conclusions of Law, # <u>3</u> Cuellar de Osorio Proposed Statement of Decision)(Prokop, Amy) (Entered: 08/31/2009)
08/31/2009	<u>54</u>	MEMORANDUM in Opposition to MOTION to Stay Case pending Resolution of Class Action in Costelo v. Napolitano 08-688 (JVS) MOTION to Stay Case pending Resolution of Class Action in Costelo v. Napolitano 08-688 (JVS) <u>50</u> filed by Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. (Prokop, Amy) (Entered: 08/31/2009)
08/31/2009	<u>55</u>	NOTICE OF MOTION AND MOTION for Summary Judgment as to Complaint filed by Defendants Jonathan Scharfen, Michael Chertoff, Condoleeza Rice. Motion set for hearing on 9/28/2009 at 03:00 PM before Judge James V. Selna. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Declaration Declaration of Aaron Nelson, # <u>3</u> Exhibit Ex. A, # <u>4</u> Exhibit Ex. B, # <u>5</u> Exhibit Ex. C, # <u>6</u> Statement of Uncontroverted Facts and Conclusions of Law, # <u>7</u> Proposed Order Proposed Judgment)(Nelson, Aaron) (Entered: 08/31/2009)
09/07/2009	<u>56</u>	REPLY In support of motion MOTION to Stay Case pending Resolution of Class Action in Costelo v. Napolitano 08-688 (JVS) MOTION to Stay Case pending Resolution of Class Action in Costelo v. Napolitano 08-688 (JVS) <u>50</u> filed by Defendants Jonathan Scharfen, Michael Chertoff, Condoleeza Rice. (Nelson, Aaron) (Entered: 09/07/2009)
09/08/2009	<u>57</u>	MEMORANDUM in Opposition to MOTION for Summary Judgment as to Complaint <u>55</u> filed by Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. (Prokop, Amy) (Entered: 09/08/2009)
09/09/2009	<u>58</u>	MINUTES OF IN CHAMBERS ORDER by Judge James V. Selna Denying <u>50</u> Motion to Stay Case. The Court finds that oral argument would not be helpful on these matters and vacates the 09/14/09 hearing. (nbo) (Entered: 09/09/2009)
09/14/2009	<u>59</u>	OPPOSITION to Corrected MOTION for Summary Judgment <u>53</u> filed by Defendants Jonathan Scharfen, Michael Chertoff, Condoleeza Rice. (Attachments: # <u>1</u> Exhibit A)(Nelson, Aaron) (Entered: 09/14/2009)
09/21/2009	<u>60</u>	REPLY to Defendants' Opposition to Plaintiffs' Corrected MOTION for Summary Judgment <u>53</u> filed by Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. (Prokop, Amy) (Entered: 09/21/2009)
09/21/2009	<u>61</u>	REPLY In support of motion MOTION for Summary Judgment as to Complaint <u>55</u> filed by Defendants Jonathan Scharfen, Michael Chertoff, Condoleeza Rice. (Nelson, Aaron) (Entered: 09/21/2009)
09/28/2009	<u>62</u>	MINUTES re Plaintiff's Motion for Summary Judgment <u>51</u> , Defendants' Motion for Summary Judgment <u>55</u> held before Judge James V. Selna. The Courts tentative ruling is issued. The Court takes the above referenced motions under submission. Court Reporter: Sharon Seffens. (db) (Entered: 09/30/2009)
10/09/2009	<u>63</u>	ORDER by Judge James V. Selna: RE CROSS-MOTIONS FOR SUMMARY JUDGMENT AND MOTION TO DISMISS DOWLATSHAHI ACTION: (See document for details.) the Court DISMISSES Dowlatshahi v. Holder, et al., CV

		08-5301 JVS (SHx). The Court DENIES the Plaintiffs' motions and GRANTS Defendants' motions in the remaining cases. The Court cannot compel Defendants to act where their inaction was not arbitrary, capricious, or an abuse of discretion. 5 U.S.C. § 706(2)(A). IT IS SO ORDERED. MD JS-6. Case Terminated. (rla) (Entered: 10/13/2009)
11/03/2009	<u>64</u>	NOTICE OF APPEAL to the 9th CCA filed by Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. Appeal of Order on Motion for Summary Judgment,,,,,, <u>63</u> . (Filing fee \$455, receipt number 0973000000006100693.) (Prokop, Amy) (Entered: 11/03/2009)
11/03/2009	<u>65</u>	Civil Appeals Docketing Statement received from Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos forwarded to 9th CCA. RE: Notice of Appeal to 9th Circuit Court of Appeals, <u>64</u> (Attachments: # <u>1</u> Order on Summary Judgment, # <u>2</u> Representation Statement)(Prokop, Amy) (Entered: 11/03/2009)
11/12/2009	<u>67</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 09-56786, 9th CCA regarding Notice of Appeal to 9th Circuit Court of Appeals, <u>64</u> as to Plaintiffs Maria Eloisa Liwag, Norma Uy, Ruth Uy, Jonathan Scharfen, Rosalina Cuellar De Osorio, Elizabeth Magpantay, Evelyn Y Santos. (lra) (Entered: 11/16/2009)
11/13/2009	<u>66</u>	TRANSCRIPT DESIGNATION AND ORDERING FORM Court of Appeals Case Number: 09-56786; Re: <u>64</u> (Prokop, Amy) (Entered: 11/13/2009)
11/16/2009	<u>68</u>	CERTIFICATE OF RECORD Transmitted to USCA re Notice of Appeal to 9th Circuit Court of Appeals, <u>64</u> filed by Maria Eloisa Liwag, Elizabeth Magpantay, Rosalina Cuellar De Osorio, Norma Uy, Evelyn Y Santos, Ruth Uy ; Court of Appeals Case Number: 09-56786. (dmap) (Entered: 11/16/2009)
11/08/2011	<u>69</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>64</u> filed by Maria Eloisa Liwag, Elizabeth Magpantay, Rosalina Cuellar De Osorio, Norma Uy, Evelyn Y Santos and Ruth Uy CCA # 09-56786 and 09-56846. Defendants-appellees are directed to file a response to plaintiffs-appellants petition for rehearing and petition for rehearing en banc filed with this court on October 17, 2011. The response shall not exceed 15 pages or 4200 words and shall be filed within 21 days of the date of this order. Parties who are registered for ECF must file the response electronically without submission of paper copies. Parties who are not registered ECF filers must file the original response plus 50 paper copies. Order received in this district on 11/8/2011. (dmap) (Entered: 11/10/2011)
04/20/2012	<u>70</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>64</u> , CCA # 09-56786. En banc oral argument will take place during the week of 6/18/2012, in Pasadena, California. The date and time will be determined by separate order. For further information or special requests regarding scheduling, please contact Deputy Clerk. Within 7 days from the date of this Order, the parties shall forward to the Clerk of Court 25 additional paper copies of the original briefs including amicus briefs) and excerpts of record. (See attached Order for further details). The Order received in this district on 4/20/2012. (jp) (Entered: 04/25/2012)
04/20/2012	<u>71</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>64</u> filed by Maria Eloisa Liwag, Elizabeth Magpantay, Rosalina Cuellar De Osorio, Norma Uy, Evelyn Y Santos, Ruth Uy CCA # 09-56786. Upon the vote of a majority of nonrecused active judges, it is ordered that this case be reheard en banc pursuant to Circuit Rule 35-3. This three-judge panel opinion shall not be cited as precedent by or to any court of the Ninth Circuit. Order received in this district on 4/20/2012. (dmap) (Main Document 71 replaced on 4/25/2012) (dmap). (Entered: 04/25/2012)
04/27/2012	<u>72</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>64</u> filed by Maria Eloisa Liwag, Elizabeth Magpantay, Rosalina Cuellar De Osorio, Norma Uy, Evelyn Y Santos and Ruth Uy CCA # 09-56786. Oral argument in this en bane case will be held at 10:00 a.m. on Tuesday, June 19,2012, in Courtroom Three of the Richard H. Chambers Courthouse, located at 125 South Grand Avenue

		in Pasadena, California 91105. Order received in this district on 4/27/2012. (dmap) (Main Document 72 replaced on 5/2/2012) (dmap). (Entered: 05/02/2012)
05/23/2012	<u>73</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>64</u> filed by Maria Eloisa Liwag, Elizabeth Magpantay, Rosalina Cuellar De Osorio, Norma Uy, Evelyn Y Santos, Ruth Uy, CCA # 09-56786. The motions of the National Immigrant Justice Center and the American Immigration Council; the American Immigration Lawyers Association and the Catholic Legal Immigration Network, Inc.; and Active Dreams LLC for leave to file amicus briefs are granted. The Clerk shall file the briefs submitted with the motions. See the order for the rest of the details. Order received in this district on 5/23/2012. Order received in this district on 5/23/2012. (dmap) (Entered: 05/24/2012)
06/11/2012	<u>74</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>64</u> filed by Maria Eloisa Liwag, Elizabeth Magpantay, Rosalina Cuellar De Osorio, Norma Uy, Evelyn Y Santos, Ruth Uy CCA # 09-56786. Appellees' motion for leave to file a brief and exhibits responding to amici is granted. Order received in this district on 6/11/2012. (dmap) (Entered: 06/12/2012)
11/16/2012	<u>75</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>64</u> filed by Maria Eloisa Liwag, Elizabeth Magpantay, Rosalina Cuellar De Osorio, Norma Uy, Evelyn Y Santos, Ruth Uy CCA # 09-56786. The unopposed motion to stay the mandate pending filing a petition of or writ of certiorari is granted. The mandate is stayed until December 26, 2012. If a petition for certiorari is filed, the stay shall continue until final disposition by the U.S. Supreme Court. Order received in this district on 11/16/2012. (dmap) (Entered: 11/19/2012)
12/19/2012	<u>76</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>64</u> CCA # 09-56786. The unopposed motion to stay the mandate pending filing of a petition for writ of certiorari is GRANTED (Doc. 101). The mandate is stayed until 1/25/2013. If a petition for certiorari is filed, the stay shall continue until final disposition by the U.S. Supreme Court. Order received in this district on 12/19/12. (car) Modified on 12/20/2012 (car). (Entered: 12/20/2012)