

ACCO,TRO,(GJSx),CLOSED,DISCOVERY

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)  
CIVIL DOCKET FOR CASE #: 2:17-cv-00702-SJO-GJS**

Ali Khoshbakhti Vayeghan v. John F. Kelly, et al.  
Assigned to: Judge S. James Otero  
Referred to: Magistrate Judge Gail J. Standish  
Related Cases: [2:17-cv-00706-SJO-GJS](#)  
[2:17-cv-00786-SJO-GJS](#)  
Cause: 28:1651 Petition for Writ of Habeas Corpus

Date Filed: 01/28/2017  
Date Terminated: 06/27/2017  
Jury Demand: None  
Nature of Suit: 463 Habeas Corpus –  
Alien Detainee  
Jurisdiction: U.S. Government Defendant

**Petitioner**

**Ali Khoshbakhti Vayeghan**

represented by **Ahilan T Arulanantham**  
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**TERMINATED: 05/18/2017**  
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V.

**Defendant**

**John F. Kelly**  
*Secretary, Department of Homeland Security*

represented by **Brian Christopher Ward**  
 US Department of Justice  
 Office of Immigration Litigation – Civil Division  
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 LEAD ATTORNEY  
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**Defendant**

**Donald Trump**  
*President of the United States*

represented by **Brian Christopher Ward**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Defendant**

**U.S. Department of Homeland Security**  
*DHS*

represented by **Brian Christopher Ward**  
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 ATTORNEY TO BE NOTICED

**Defendant**

**U.S. Customs and Border Protection**  
*CBP*

represented by **Brian Christopher Ward**  
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 ATTORNEY TO BE NOTICED

**Defendant**

**John Kelly**  
*Secretary of DHS*

represented by **Brian Christopher Ward**  
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**Defendant**

**Kevin K. McAleenan**  
*Acting commissioner of CBP*

represented by **Brian Christopher Ward**  
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**Defendant**

**Mitchell Merriam**  
*Los Angeles Director, CBP*

represented by **Brian Christopher Ward**  
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Date Filed	#	Docket Text
01/28/2017	<u>1</u>	PETITION for Writ of Habeas Corpus by a Person in Federal Custody (28 USC 2241), Receipt No. 0973-19268510 for \$5 filing fee, filed by Plaintiff Ali Khoshbakhti

		Vayeghan. (Attachments: # <u>1</u> Civil Cover Sheet) (Attorney Carmen G Iguina added to party Ali Khoshbakhti Vayeghan(pty:pet))(Iguina, Carmen) (Entered: 01/28/2017)
01/28/2017	<u>2</u>	EX PARTE APPLICATION for Temporary Restraining Order as to Staying of Petitioner's Removal from the United Sates filed by Petitioner Ali Khoshbakhti Vayeghan. Ex Parte Application set for hearing on 1/28/2017 at 05:00 PM before Magistrate Judge Paul L. Abrams. (Attachments: # <u>1</u> Points & Authorities, # <u>2</u> Declaration Iguina Declaration, # <u>3</u> Proposed Order Order to Show Cause) (Iguina, Carmen) (Entered: 01/28/2017)
01/29/2017	<u>3</u>	NOTICE of Appearance (Ward, Brian) (Entered: 01/29/2017)
01/29/2017	<u>4</u>	PETITION AMENDED APPLICATION FOR TEMPORARY RESTRAINING ORDER with filing fee previously paid (5.00 paid on 01/28/2017., filed by plaintiffs Ali Khoshbakhti Vayeghan. (Attachments: # <u>1</u> Declaration in support of Petitioner's Amended Temporary Restraining Order, # <u>2</u> Proposed Order to Show Cause) (Attorney Peter Bibring added to party Ali Khoshbakhti Vayeghan(pty:pet))(Bibring, Peter) (Entered: 01/29/2017)
01/29/2017	<u>5</u>	ORDER by Judge Dolly M. Gee: granting <u>2</u> EX PARTE APPLICATION for TRO (kr) (Entered: 01/29/2017)
01/29/2017	<u>6</u>	TEMPORARY RESTRAINING ORDER [AMENDED and CORRECTED] by Judge Dolly M. Gee: The Amended TRO Application is GRANTED. Respondents and their officers, agents, employees, attorneys, and all persons acting in concert or participating with them, are enjoined and restrained from barring Petitioners return to the United States. Respondents shall transport Petitioner back to the United States and admit him under the terms of his previously approved visa. Respondents shall communicate the terms of this Courts order immediately to officers in Dubai, and to authorities in the airport in Dubai holding Petitioner on Respondents orders. (see order for complete details.) (kd) (Entered: 01/29/2017)
01/30/2017	<u>7</u>	NOTICE OF REFERENCE to a U.S. Magistrate Judge. This case has been assigned to the calendar of the Honorable District Judge S. James Otero and referred to Magistrate Judge Steve Kim, who is authorized to consider preliminary matters and conduct all further hearings as may be appropriate or necessary. Pursuant to Local Rule 83-2.4, the Court must be notified within five (5) days of any address change. See notice for additional details. (jtil) (Entered: 01/30/2017)
01/30/2017	<u>8</u>	INITIAL STANDING ORDER upon filing of the complaint by Judge S. James Otero. (vcr) (Entered: 01/30/2017)
01/30/2017	<u>9</u>	CIVIL COVER SHEET filed by Petitioner Ali Khoshbakhti Vayeghan. (Iguina, Carmen) (Entered: 01/30/2017)
01/30/2017	<u>10</u>	NOTICE of Interested Parties filed by Petitioner All Plaintiffs, identifying ALI KHOSHBAKHTI VAYEGHAN JOHN F. KELLY, Secretary, Department of Homeland Security DONALD TRUMP, President of the United States U.S. DEPARTMENT OF HOMELAND SECURITY U.S. CUSTOMS AND BORDER PROTECTION KEVIN K. MCALEENAN, Acting Commissioner of CBP MITCHELL MERRIAM, Los Angeles Field Director, CBP. (Bibring, Peter) (Entered: 01/30/2017)
01/30/2017	<u>11</u>	NOTICE of Errata and Corrected Proof of Service filed by petitioner Ali Khoshbakhti Vayeghan. (Bibring, Peter) (Entered: 01/30/2017)
01/30/2017	<u>12</u>	Request for Clerk to Issue Summons on Petition for Writ of Habeas Corpus, <u>1</u> filed by petitioner Ali Khoshbakhti Vayeghan. (Bibring, Peter) (Entered: 01/30/2017)
01/31/2017	<u>13</u>	STIPULATION to Continue TRO Briefing and Hearing filed by petitioner Ali Khoshbakhti Vayeghan. (Attachments: # <u>1</u> Proposed Order re TRO Briefing and Hearing)(Bibring, Peter) (Entered: 01/31/2017)
01/31/2017	<u>14</u>	60 DAY Summons Issued, In re: Petition for Writ of Habeas Corpus, <u>1</u> as to all Defendants. (mkr) (Entered: 01/31/2017)
02/01/2017	<u>15</u>	ORDER RE TRO BRIEFING AND HEARING <u>13</u> by Judge S. James Otero; 1. The briefing schedule set forth in the Temporary Restraining Order [Amended and

		Corrected], Dkt. No. 6 (TRO) at 3 (filed January 29, 2017), is stayed until further notice of this Court; 2. The hearing presently set in the TRO for February 10, 2017, at 9:30 a.m. is vacated; 3. In lieu of the TRO hearing, the Court will set an in-person status conference for February 10, 2017 at 9:30 a.m., to discuss the status of the compliance. In the event Mr. Vayeghan is admitted to the United States pursuant to the terms of the TRO, and the Plaintiffs determine they need no further action on the TRO, the Court directs them to file a notice withdrawing their motion before that date. (lc) (Entered: 02/01/2017)
02/03/2017	<u>16</u>	ORDER TRANSFERRING CIVIL ACTION pursuant to General Order 05-07. ORDER case transferred from Magistrate Judge Steve Kim to the calendar of Magistrate Judge Gail J. Standish for Discovery. The case number will now reflect the initials of the transferee Judge 2:17-cv-00702 SJO (GJSx). Signed by Magistrate Judge Gail J. Standish and Magistrate Judge Steve Kim. (esa) (Entered: 02/03/2017)
02/09/2017	<u>17</u>	STATUS REPORT filed by Petitioner Ali Khoshbakhti Vayeghan. (Bibring, Peter) (Entered: 02/09/2017)
02/10/2017	<u>24</u>	MINUTES OF Status Conference held before Judge S. James Otero: Court and counsel confer whether the Court should dissolve the TRO or dismiss it as moot. The Court dissolve the TRO and sets a Status Conference on 3/10/17 9:00 a.m. The parties shall file a joint status report by 3/3/17. Court Reporter: Carol Zurberg. (lc) Modified on 3/30/2017 (lc). (Entered: 03/30/2017)
02/17/2017	<u>18</u>	TRANSCRIPT for proceedings held on 2/10/17 10:07 a.m. Court Reporter: Carol Jean Zurberg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/10/2017. Redacted Transcript Deadline set for 3/20/2017. Release of Transcript Restriction set for 5/18/2017. (Zurberg, Carol) (Entered: 02/17/2017)
02/17/2017	19	NOTICE OF FILING TRANSCRIPT filed for proceedings 2/10/17 10:07 a.m. re Transcript <u>18</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (Zurberg, Carol) TEXT ONLY ENTRY (Entered: 02/17/2017)
03/03/2017	<u>20</u>	STATUS REPORT AND STIPULATION TO CONTINUE STATUS CONFERENCE filed by Defendants John F. Kelly, John Kelly, Kevin K. Mcaleenan, Mitchell Merriam, Donald Trump, U.S. Customs and Border Protection, U.S. Department of Homeland Security. (Attachments: # <u>1</u> Proposed Order)(Ward, Brian) (Entered: 03/03/2017)
03/03/2017	<u>21</u>	ORDER CONTINUING STATUS CONFERENCE <u>20</u> by Judge S. James Otero:: The status conference currently set for March 10, 2017, is vacated. A status conference is set for March 24, 2017, at 9:30 a.m. The Parties will submit a joint status report on March 17, 2017. (lc) (Entered: 03/03/2017)
03/17/2017	<u>22</u>	STATUS REPORT filed by Defendants John F. Kelly, John Kelly, Kevin K. Mcaleenan, Mitchell Merriam, Donald Trump, U.S. Customs and Border Protection, U.S. Department of Homeland Security. (Ward, Brian) (Entered: 03/17/2017)
03/24/2017	<u>23</u>	MINUTES OF Status Conference held before Judge S. James Otero: Court and counsel discuss the status of the case. The Court sets the following schedule: Governments Motion to Dismiss due – April 24, 2017; Plaintiffs Opposition due – May 8, 2017; Governments Reply due – May 15, 2017; Hearing on Motion to Dismiss – June 5, 2017 at 10:00 a.m. Court Reporter: Carol Zurberg. (lc) (Entered: 03/27/2017)
04/24/2017	<u>25</u>	NOTICE OF MOTION AND MOTION to Dismiss Case filed by Respondents John F. Kelly, John Kelly, Kevin K. Mcaleenan, Mitchell Merriam, Donald Trump, U.S. Customs and Border Protection, U.S. Department of Homeland Security. Motion set for hearing on 6/5/2017 at 10:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Proposed Order) (Ward, Brian) (Entered: 04/24/2017)
05/04/2017	<u>26</u>	STIPULATION to Vacate Hearing on Motion to Dismiss and Briefing Schedule NOTICE OF MOTION AND MOTION to Dismiss Case <u>25</u> , Status Conference, <u>23</u>

		filed by Petitioner Ali Khoshbakhti Vayeghan. (Attachments: # <u>1</u> Proposed Order)(Bibring, Peter) (Entered: 05/04/2017)
05/08/2017	<u>27</u>	ORDER UPON JOINT STATUS REPORT AND STIPULATION <u>26</u> by Judge S. James Otero : 1. The briefing schedule set at the status conference on March 24, 2017, and set out in the Minutes of Status Conference, ECF No. 23, is stayed until further notice of the Court; and, 2. The hearing currently set for June 5, 2017, is vacated. 3. A telephonic status conference shall be held on Friday, July 7, 2017, at 10 a.m. The parties shall file a joint status report by Monday, June 26, 2017. If there is any change in the status of this case, the Parties shall promptly notify the Court. (lc) Modified on 5/8/2017 (lc). (Entered: 05/08/2017)
05/18/2017	<u>28</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Ahilan T Arulanantham counsel for Petitioner Ali Khoshbakhti Vayeghan. Carmen Iguina is no longer counsel of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by Petitioner Ahilan T. Arulanantham. (Arulanantham, Ahilan) (Entered: 05/18/2017)
06/06/2017	29	TEXT ONLY ENTRY: NOTICE TO PARTIES: Effective June 1, 2017, Judge Standish is located at the Edward R. Roybal Federal Building, COURTROOM 640 on the 6th floor, located at 255 East Temple Street, Los Angeles, California 90012. All Court appearances shall be made in Courtroom 640 of the Roybal Federal Building, and all mandatory chambers copies shall be hand delivered to the judge's mail box located outside the Clerk's Office on the 12th floor of the Roybal Federal Building. The location for filing civil documents in paper format exempted from electronic filing and for viewing case files and other records services remains at the United States Courthouse, 312 North Spring Street, Room G-8, Los Angeles, California 90012. The location for filing criminal documents in paper format exempted from electronic filing remains at the Roybal Federal Building, 255 East Temple Street, Room 178, Los Angeles, California 90012. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (rrey) TEXT ONLY ENTRY (Entered: 06/06/2017)
06/26/2017	<u>30</u>	NOTICE of Voluntary Dismissal filed by Petitioner Ali Khoshbakhti Vayeghan. Dismissal is with prejudice. (Attachments: # <u>1</u> Proposed Order)(Bibring, Peter) (Entered: 06/26/2017)
06/26/2017	<u>31</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Notice of Voluntary Dismissal of an Action (Pursuant to FRCP 41a(1)) <u>30</u> , with a proposed order submitted as an attachment.pdf document is a stipulation to dismiss. The following error(s) was found: Incorrect event selected. The correct event is: Stipulation : Dismiss Case. 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. You need not take any action in response to this notice unless and until the court directs you to do so. (lc) (Entered: 06/26/2017)
06/27/2017	<u>32</u>	ORDER RE STIPULATED DISMISSAL WITH PREJUDICE <u>30</u> by Judge S. James Otero. (Made JS-6. Case Terminated.) (lc) (Entered: 06/28/2017)