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**U.S. District Court
Southern District of California (San Diego)
CIVIL DOCKET FOR CASE #: 3:17-cv-01911-GPC-WVG**

People of the State of California, The et al v. United
States of America et al
Assigned to: Judge Gonzalo P. Curiel
Referred to: Magistrate Judge William V. Gallo
Lead case: [3:17-cv-01215-GPC-WVG](#)
Member case:

[3:17-cv-01873-GPC-WVG](#)

Related Case: [3:17-cv-01215-GPC-WVG](#)

Case in other court: USCA, 18-55476

Cause: 42:4321 Review of Agency Action-Environment
(Declaration of Purpose)

Date Filed: 09/20/2017
Date Terminated: 03/26/2018
Jury Demand: None
Nature of Suit: 893 Environmental
Matters
Jurisdiction: U.S. Government
Defendant

Plaintiff

**People of the State of California,
The**
*by and through Xavier Becerra,
Attorney General*

represented by **Michael P Cayaban**
Office of the Attorney General
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San Diego, CA 92101
(619) 738-9313
Fax: (619)645-2012
Email: Mike.Cayaban@doj.ca.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**California Coastal Commission,
The**

represented by **Michael P Cayaban**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

United States of America

represented by **U S Attorney CV**
U S Attorneys Office Southern
District of California

Civil Division
880 Front Street
Suite 6253
San Diego, CA 92101
(619)557-5662
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Galen N. Thorp
U.S. Department of Justice
Civil Division
Federal Programs Branch
950 Pennsylvania Avenue NW
Washington, DC 20530
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**United States Department of
Homeland Security**

represented by **U S Attorney CV**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Galen N. Thorp
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Acting Secretary Elaine Duke
in her Official Capacity

represented by **U S Attorney CV**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Galen N. Thorp
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**United States Customs and Border
Protection**

represented by **U S Attorney CV**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Galen N. Thorp

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

**Acting Commissioner Kevin K.
McAleenan**
in his Official Capacity

represented by **U S Attorney CV**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Galen N. Thorp

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|-------------------|--------------------------|---|
| 09/20/2017 | <u>1</u> | COMPLAINT against United States of America, United States Department of Homeland Security, Elaine Duke, United States Customs and Border Protection, Kevin K. McAleenan (Filing fee \$400 receipt number 0974-10457503), filed by People of the State of California, California Coastal Commission. (Attachments: # <u>1</u> Civil Cover Sheet) The new case number is 3:17-cv-1911-W-BLM. Judge Thomas J. Whelan and Magistrate Judge Barbara Lynn Major are assigned to the case. (Cayaban, Michael)(rmc) (jao). (Entered: 09/20/2017) |
| 09/20/2017 | <u>2</u> | Summons Issued. Counsel receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P and LR 4.1. (rmc) (jao). (Entered: 09/20/2017) |
| 09/20/2017 | <u>3</u> | NOTICE OF RELATED CASE(S) by California Coastal Commission, The, People of the State of California, The of case(s) 3:17-cv-01215-GPC-WVG and 3:17-cv-1873-JM-AGS re <u>1</u> Complaint, . (Cayaban, Michael) LNO prepared on 9/21/2017 (jao). (Entered: 09/20/2017) |
| 10/05/2017 | <u>4</u> | ORDER OF TRANSFER PURSUANT TO LOW NUMBER RULE. Case reassigned to Judge Gonzalo P. Curiel and Magistrate Judge William V. Gallo for all further proceedings. Judge Thomas J. Whelan, Magistrate Judge Barbara Lynn Major no longer assigned to case. Create association to 3:17-cv-01215-GPC-WVG. The new case |

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| | | number is 17cv1911-GPC(WVG). Signed by Judge Gonzalo P. Curiel on 9/20/2017. Signed by Judge Thomas J. Whelan on 10/2/2017. (jao) (Entered: 10/05/2017) |
| 10/17/2017 | 5 | Certificate of Service, NOTICE <i>Proof of Service by Mail Report of Clerk and Order of Transfer Pursuant to Low Number Rule</i> by California Coastal Commission, The, People of the State of California, The re 4 Order of Transfer Pursuant to Low Number Rule, (Cayaban, Michael) Incorrect event, edited to reflect document (dlg). (Entered: 10/17/2017) |
| 10/19/2017 | 6 | *** WITHDRAWN PER ECF 7 *** Joint MOTION to Consolidate Cases , Joint MOTION for Order <i>Regarding Further Proceedings</i> by Elaine Duke, Kevin K. McAleenan, United States Customs and Border Protection, United States Department of Homeland Security, United States of America. (Thorp, Galen)Attorney Galen N. Thorp added to party Elaine Duke(pty:dft), Attorney Galen N. Thorp added to party Kevin K. McAleenan(pty:dft), Attorney Galen N. Thorp added to party United States Customs and Border Protection(pty:dft), Attorney Galen N. Thorp added to party United States Department of Homeland Security(pty:dft), Attorney Galen N. Thorp added to party United States of America(pty:dft) QC email, document not signed. Attorney should withdraw and refile (dlg). Modified on 10/23/2017 (dlg). (Entered: 10/19/2017) |
| 10/20/2017 | 7 | NOTICE OF WITHDRAWAL OF DOCUMENT by United States Customs and Border Protection, United States Department of Homeland Security, Elaine Duke, Kevin K. McAleenan, United States of America re 6 Joint MOTION to Consolidate Cases Joint MOTION for Order <i>Regarding Further Proceedings</i> filed by Elaine Duke, United States Customs and Border Protection, Kevin K. McAleenan, United States of America, United States Department of Homeland Security . (Thorp, Galen) (dlg). (Entered: 10/20/2017) |
| 10/20/2017 | 8 | Joint MOTION to Consolidate Cases , Joint MOTION for Order <i>Regarding Further Proceedings</i> by Elaine Duke, Kevin K. McAleenan, United States Customs and Border Protection, United States Department of Homeland Security, United States of America. (Thorp, Galen) (dlg). (Entered: 10/20/2017) |
| 10/24/2017 | 9 | CONSOLIDATION ORDER (re ecf 8). Cases Consolidated, 17cv1215-GPC-WVG. All future docketing will be done in the lead case. Signed by Judge Gonzalo P. Curiel on 10/24/17.(dlg) (Entered: 10/24/2017) |
| 02/27/2018 | 10 | ORDER Denying Plaintiffs' Motions for Summary Judgment and Granting Defendants' Motions for Summary Judgment. Signed by Judge Gonzalo P. Curiel on 2/27/18.(See Motions in Lead Case 17cv1215-GPC-WVG) (dlg) (Entered: 03/26/2018) |

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| 03/26/2018 | 11 | CLERK'S JUDGMENT. The Court DENIES Plaintiffs' motions for summary judgment and GRANTS Defendants' motions for summary judgment (dlg) (jao). (Entered: 03/26/2018) |
| 04/09/2018 | 12 | NOTICE OF APPEAL to the 9th Circuit as to 11 Clerk's Judgment, 10 Order Denying Plaintiffs' Motions for Summary Judgment and Granting Defendants' Motions for Summary Judgment, by California Coastal Commission, The, People of the State of California, The. (Filing fee \$ 505 receipt number 0974-11093775.) (Notice of Appeal electronically transmitted to US Court of Appeals.) (Cayaban, Michael). (Modified on 4/9/2018: Edited docket text re linked Order.) (akr). (Entered: 04/09/2018) |
| 04/11/2018 | 13 | USCA Case Number 18-55476 for 12 Notice of Appeal to 9th Circuit, filed by People of the State of California, The, California Coastal Commission, The. (akr) (Entered: 04/11/2018) |
| 04/11/2018 | 14 | USCA Time Schedule Order as to 12 Notice of Appeal to 9th Circuit, filed by People of the State of California, The, California Coastal Commission, The. (NOTICE TO PARTIES of deadlines regarding appellate transcripts: Appellant shall file transcript designation and ordering form with the US District Court (see attached), provide a copy of the form to the court reporter, and make payment arrangements with the court reporter on or by 5/9/2018 (see Ninth Circuit Rule 10-3.1); Due date for filing of transcripts in US District Court is 6/8/2018.) (cc: Court Reporter). (Attachments: # 1 Transcript Designation and Ordering Form). (akr) (Entered: 04/11/2018) |
| 04/19/2018 | 15 | ORDER of USCA as to 12 Notice of Appeal to 9th Circuit, filed by People of the State of California, The, California Coastal Commission, The. The USCA sua sponte consolidates appeal Nos. 18-55474, 18-55475, and 18-55476. The USCA is in receipt of the motion to expedite filed by appellants in appeal No. 18-55476. Appellants indicate that appellees do not oppose the motion. Appellants in appeal Nos. 18-55474 and 18-55475 shall file a response or notice of non-opposition to the motion to expedite by Tuesday, April 24, 2018. Briefing is stayed pending further order. (akr) (Entered: 04/20/2018) |
| 04/26/2018 | 16 | ORDER of USCA as to 12 Notice of Appeal to 9th Circuit, filed by People of the State of California, The, California Coastal Commission, The. The unopposed motion to expedite these consolidated appeals is granted. Briefing schedule issued. Instructions issued. The Clerk shall calendar these cases before a panel of all Ninth Circuit Judges in August 2018. (akr) (Entered: 04/26/2018) |
| 04/18/2019 | 17 | MANDATE of USCA affirming the decision of the USDC as to 12 Notice of Appeal to the 9th Circuit filed by People of the State |

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| | | of California, The, California Coastal Commission, The. (akr) (Entered: 04/18/2019) |
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