

**U.S. District Court
Southern District of California (San Diego)
CIVIL DOCKET FOR CASE #: 3:18-cv-01626-DMS-JLB**

N.T.C. et al v. U.S. Immigration and Customs Enforcement et al Date Filed: 07/19/2018
Assigned to: Judge Dana M. Sabraw Jury Demand: None
Referred to: Magistrate Judge Jill L. Burkhardt Nature of Suit: 440 Civil Rights: Other
Case in other court: New York Southern, 1:18-cv-06428 Jurisdiction: U.S. Government Defendant
Cause: 08:1101

Plaintiff

N.T.C.
*by and through his net friend Rev. Marie
A. Tatro*

represented by **Charles D. Reiter**
Simpson Thacher & Bartlett LLP
1999 Avenue of the Stars
Los Angeles, CA 90067
310-407-7500
Fax: 310-407-7502
Email: charles.reiter@stblaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Chet A Kronenberg
Simpson Thacher and Bartlett LLP
1999 Avenue of the Stars
29th Floor
Los Angeles, CA 90067-4607
(310)407-7557
Fax: (310)407-7502
Email: ckronenberg@stblaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth Mary Rieser-Murphy
The Legal Aid Society of New York
199 Water Street
New York, NY 10038-3526
212-577-3000
Email: ERieser-Murphy@legal-aid.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Gregory Paul Copeland
The Legal Aid Society of New York
199 Water Street
New York, NY 10038-3526
212-577-3000
Email: GCopeland@legal-aid.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Harrison J. Frahn , IV
Simpson Thacher & Bartlett LLP
2475 Hanover Street
Palo Alto, CA 94304
650.251.5000
Fax: 650.251.5002
Email: hfrahn@stblaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer L. Levy

The Legal Aid Society of New York
199 Water Street
New York, NY 10038-3526
212-577-3000
Email: JLevy@legal-aid.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Judith Goldiner
The Legal Aid Society of New York
199 Water Street
New York, NY 10038-3526
212-577-3000
Email: JGoldiner@legal-aid.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Scott Alan Rosenberg
The Legal Aid Society (Civil Div. NYC)
199 Water Street
3rd Floor
New York, NY 10038
212-440-4226
Fax: 212-509-8753
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah Telo Gillman
The Legal Aid Society
199 Water Street 3rd Floor
New York, NY 11201
212-577-3356
Fax: 646-616-4356
Email: stgillman@legal-aid.org
ATTORNEY TO BE NOTICED

Plaintiff

H.M.C.
*by and through her next friend Mallory
Winter*

represented by **Charles D. Reiter**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Chet A Kronenberg
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth Mary Rieser-Murphy
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Gregory Paul Copeland
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Harrison J. Frahn , IV
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Jennifer L. Levy
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Judith Goldiner
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Scott Alan Rosenberg
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. Immigration and Customs
Enforcement**
("ICE")

represented by **August Edward Flentje**
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Room 3613
Washington, DC 20530
202-514-3309
Email: august.flentje@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brandon Matthew Waterman
United States Attorney's Office, SDNY
86 Chambers Street
New York, NY 10007
(212)-637-2741
Email: brandon.waterman@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah B. Fabian
U.S. Department of Justice
Office of Immigration Litigation
P. O. Box 868
Ben Franklin Station
Washington, DC 20044
202-532-4824
Email: sarah.b.fabian@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ann M. Welhaf
U.S. Department of Justice
Civil Division, Federal Programs Branch
P.O. Box 883
Washington, DC 20044
202-532-4090
Fax: 202-616-8460
Email: ann.welhaf@usdoj.gov
ATTORNEY TO BE NOTICED

Michael James Byars
U.S. Attorney's Office, SDNY (Chambers

Street)
86 Chambers Street
New York, NY 10007
(212) 637-2793
Fax: (212) 637-2717
Email: michael.byars@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

U.S. Department of Homeland Security
("DHS")

represented by **August Edward Flentje**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brandon Matthew Waterman
United States Attorney's Office, SDNY
86 Chambers Street
New York, NY 10007
(212)-637-2741
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah B. Fabian
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ann M. Welhaf
(See above for address)
ATTORNEY TO BE NOTICED

Michael James Byars
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

U.S. Customs and Border Protection
("CBP")

represented by **August Edward Flentje**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brandon Matthew Waterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah B. Fabian
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ann M. Welhaf
(See above for address)
ATTORNEY TO BE NOTICED

Michael James Byars
U.S. Attorney's Office, SDNY (Chambers
Street)
86 Chambers Street
New York, NY 10007
(212) 637-2793
Fax: (212) 637-2717
ATTORNEY TO BE NOTICED

Defendant

U.S. Citizenship and Immigration Services
("USCIS")

represented by **August Edward Flentje**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brandon Matthew Waterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah B. Fabian
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ann M. Welhaf
(See above for address)
ATTORNEY TO BE NOTICED

Michael James Byars
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

U.S. Department of Health and Human Services
("HHS")

represented by **August Edward Flentje**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brandon Matthew Waterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah B. Fabian
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ann M. Welhaf
(See above for address)
ATTORNEY TO BE NOTICED

Michael James Byars
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Office of Refugee Resettlement
("ORR")

represented by **August Edward Flentje**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brandon Matthew Waterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah B. Fabian
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Ann M. Welhaf
(See above for address)
ATTORNEY TO BE NOTICED

Michael James Byars
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Ronald Vitiello
Acting Director of ICE

represented by **August Edward Flentje**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brandon Matthew Waterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah B. Fabian
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ann M. Welhaf
(See above for address)
ATTORNEY TO BE NOTICED

Michael James Byars
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Kirstjen Nielsen
Secretary of DHS

represented by **August Edward Flentje**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brandon Matthew Waterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah B. Fabian
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ann M. Welhaf
(See above for address)
ATTORNEY TO BE NOTICED

Michael James Byars
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Jefferson Beauregard Sessions III
Attorney General of the United States

represented by **August Edward Flentje**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brandon Matthew Waterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah B. Fabian
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ann M. Welhaf
(See above for address)
ATTORNEY TO BE NOTICED

Michael James Byars
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

L. Francis Cissna
Director of USCIS

represented by **August Edward Flentje**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brandon Matthew Waterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah B. Fabian
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ann M. Welhaf
(See above for address)
ATTORNEY TO BE NOTICED

Michael James Byars
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Kevin K. McAleenan
Commissioner of CBP

represented by **August Edward Flentje**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brandon Matthew Waterman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah B. Fabian
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ann M. Welhaf
(See above for address)
ATTORNEY TO BE NOTICED

Michael James Byars

(See above for address)
 ATTORNEY TO BE NOTICED

Defendant

Alex Azar
 Secretary of the Department of Health
 and Human Services

represented by **August Edward Flentje**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Brandon Matthew Waterman
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Sarah B. Fabian
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Ann M. Welhaf
 (See above for address)
 ATTORNEY TO BE NOTICED

Michael James Byars
 (See above for address)
 ATTORNEY TO BE NOTICED

Defendant

Scott Lloyd
 Director of the Office of Refugee
 Resettlement

represented by **August Edward Flentje**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Brandon Matthew Waterman
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Sarah B. Fabian
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Ann M. Welhaf
 (See above for address)
 ATTORNEY TO BE NOTICED

Michael James Byars
 (See above for address)
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/16/2018	<u>1</u>	COMPLAINT against Alex Azar, L. Francis Cissna, Scott Lloyd, Kevin K. McAleenan, Kirstjen Nielsen, Office of Refugee Resettlement, Jefferson Beauregard Sessions III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Ronald Vitiello. (Filing Fee \$ 400.00, Receipt Number 465401213888) Document filed by H.M.C., N.T.C..(pc) (jgo). [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)

07/16/2018	<u>2</u>	CIVIL COVER SHEET filed. (pc) (jgo). [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/16/2018		Magistrate Judge Debra C. Freeman is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (pc) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/16/2018		Case Designated ECF. (pc) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/17/2018		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney Scott Alan Rosenberg for noncompliance with Section 14.2 of the S.D.N.Y. Electronic Case Filing Rules & Instructions. E-MAIL the PDF for Document <u>1</u> Complaint, <u>2</u> Civil Cover Sheet to: caseopenings@nysd.uscourts.gov. (pc) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/17/2018		Minute Entry for proceedings held before Judge Laura Taylor Swain: Temporary Restraining Order Hearing held on 7/17/2018. Court Reporter Michael McDaniel present. TRO HEARING held. Defendants are restrained from taking any action to remove minor children who are in ORR custody w/o providing 48 hrs advance notice. The injunction is in effect until 10am on Thursday, 7/19/2018. (Order to follow.) (lan) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/17/2018	<u>3</u>	NOTICE OF APPEARANCE by Brandon Matthew Waterman on behalf of Alex Azar, L. Francis Cissna, Scott Lloyd, Kevin K. McAleenan, Kirstjen Nielsen, Office of Refugee Resettlement, Jefferson Beauregard Sessions III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Ronald Vitiello. (Waterman, Brandon) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/17/2018	<u>4</u>	ORDER: The parties shall appear for a conference with the Court TODAY, at 3:30 p.m., in Courtroom 1105 of the Thurgood Marshall Courthouse, 40 Centre Street, New York, NY 10007. All counsel who appeared last night before Judge Swain or will appear before this Court shall promptly enter a notice of appearance on ECF. SO ORDERED. (Signed by Judge Jesse M. Furman on 7/17/2018) (Text Only Order) (Furman, Jesse) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/17/2018	<u>5</u>	NOTICE OF APPEARANCE by Sarah Telo Gillman on behalf of N.T.C.. (Gillman, Sarah) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/17/2018	<u>6</u>	NOTICE OF APPEARANCE by Gregory Paul Copeland on behalf of H.M.C., N.T.C.. (Copeland, Gregory) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/17/2018	<u>7</u>	LETTER addressed to Judge Jesse M. Furman from Gregory P. Copeland dated July 17, 2018 re: Transcript of Order to Show Cause Hearing. Document filed by H.M.C., N.T.C.. (Attachments: # <u>1</u> Exhibit NTC v ICE OTSC 7.17.18 Transcript)(Copeland, Gregory) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/17/2018	<u>8</u>	NOTICE OF APPEARANCE by Jennifer L. Levy on behalf of H.M.C., N.T.C.. (Levy, Jennifer) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/17/2018	<u>9</u>	ORDER: ORDERED, that Defendants ARE HEREBY RESTRAINED from taking any action to remove minor children clients of the Legal Aid Society from New York State who are in ORR custody without providing forty-eight (48) hours' advance notice of such forthcoming action to children and their counsel (including, without limitation, the location to which the minor child client will be moved, the location where the child's parent or parents currently reside, and whether the movement is for the purpose of release, detention, and/or repatriation), in order to permit consultation among the child, the child's parent or other close family member(s), and counsel to protect the child's ability to make informed decisions about his or her legal rights and potential claims. It is further ORDERED, that the injunction set forth in the foregoing paragraph is in effect from the time of issuance of this order until 10:00 a.m. on Thursday, July 19, 2018, subject to extension, other modification or vacatur by further

		order of the assigned judge. It is further ORDERED, that Plaintiffs' counsel shall deliver to Defendants' counsel a list of the names of the client children by 9:00 a.m. on Tuesday, July 17, 2018, and that, pending such delivery, Defendants shall assume that all minor children in New York in ORR custody who have been forcibly separated from their parents are clients of the Legal Aid Society. It is further ORDERED, that no bond is required. It is further ORDERED, that Plaintiffs shall file their Complaint in the office of the Clerk of Court by 9:30 a.m. on Tuesday July 17, 2018, and promptly inform Defendants' counsel of the name of the assigned judge. (Signed by Judge Laura Taylor Swain, Part 1, on 7/16/2018) (rro) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/17/2018	<u>10</u>	LETTER addressed to Judge Jesse M. Furman from Brandon M. Waterman dated July 17, 2018 re: Submission of electronic copies of the documents submitted at today's conference. Document filed by Alex Azar, L. Francis Cissna, Scott Lloyd, Kevin K. McAleenan, Kirstjen Nielsen, Office of Refugee Resettlement, Jefferson Beauregard Sessions III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Ronald Vitiello. (Attachments: # <u>1</u> Ms. L. conference transcript 7-16-18, # <u>2</u> Ms. L plaintiffs' motion for a stay of removal and TRO, # <u>3</u> Ms. L. order granting TRO, # <u>4</u> Ms. L. status report concerning dueling Notices, # <u>5</u> Ms. L court-approved current Notice of Potential Rights (English), # <u>6</u> Ms. L court-approved current Notice of Potential Rights (Spanish))(Waterman, Brandon) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/17/2018	11	ORDER: In the letters to be filed tomorrow, the parties should also address the following questions: (1) whether there would be any impediment, legal or practical, to the Plaintiffs' intervening in the Ms. L litigation in the Southern District of California (and, in the Government's case, whether it would consent to Plaintiffs' intervention in the Ms. L litigation); (2) in the alternative, whether this case should be transferred to the Southern District of California to be consolidated with the Ms. L litigation; (3) whether there is any relief that Plaintiffs are seeking here that could not be obtained in the Ms. L litigation if intervention were granted; and (4) whether the order granting temporary relief should be extended (and, if so, for how long) to allow Plaintiffs' to seek intervention and relief in the Ms. L litigation. In addition, Plaintiffs' counsel shall confer with Plaintiffs' counsel in the Ms. L litigation and advise the Court of the latter's views on the questions of intervention or transfer as well. In light of these additional questions to address, the parties are granted until 3 p.m. to file the letters. SO ORDERED. (Signed by Judge Jesse M. Furman on 7/17/2018) (Text Only Order)(Furman, Jesse) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/17/2018)
07/18/2018	<u>12</u>	NOTICE OF APPEARANCE by Michael James Byars on behalf of Alex Azar, L. Francis Cissna, Scott Lloyd, Kevin K. McAleenan, Kirstjen Nielsen, Office of Refugee Resettlement, Jefferson Beauregard Sessions III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Ronald Vitiello. (Byars, Michael) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/18/2018)
07/18/2018	13	ORDER: To ensure that the record in this case is complete, Plaintiffs shall, no later than July 19, 2018, file on ECF electronic versions of their application for emergency relief and supporting materials. SO ORDERED. (Signed by Judge Jesse M. Furman on 7/18/2018) (Text Only Order) (Furman, Jesse) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/18/2018)
07/18/2018	<u>14</u>	LETTER addressed to Judge Jesse M. Furman from Gregory P. Copeland dated July 18, 2018 re: ECF No. 11 Order. Document filed by H.M.C., N.T.C.. (Attachments: # <u>1</u> Exhibit Ex. A, Flores Settlement, # <u>2</u> Exhibit Ex. B, Commander White Transcript, # <u>3</u> Exhibit Ex. C, Ms. L Order re on Notice, # <u>4</u> Exhibit Ex. D, Ms L July 13 Order, # <u>5</u> Exhibit Ex. E, Separated Parent's Removal Form, # <u>6</u> Exhibit Ex. F, Ms. L Notice of Potential Rights, # <u>7</u> Exhibit Ex. G, Reunification Form)(Copeland, Gregory) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/18/2018)
07/18/2018	<u>15</u>	LETTER addressed to Judge Jesse M. Furman from Brandon M. Waterman dated July 18, 2018 re: The government's response to the Court's request for additional

		information. Document filed by Alex Azar, L. Francis Cissna, Scott Lloyd, Kevin K. McAleenan, Kirstjen Nielsen, Office of Refugee Resettlement, Jefferson Beauregard Sessions III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Ronald Vitiello. (Attachments: # <u>1</u> 7/17/18 Conference Transcript)(Waterman, Brandon) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/18/2018)
07/18/2018	<u>16</u>	LETTER addressed to Judge Jesse M. Furman from Brandon M. Waterman dated July 18, 2018 re: Corrected Government Letter. Document filed by Alex Azar, L. Francis Cissna, Scott Lloyd, Kevin K. McAleenan, Kirstjen Nielsen, Office of Refugee Resettlement, Jefferson Beauregard Sessions III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Ronald Vitiello. (Attachments: # <u>1</u> Corrected Government Letter, # <u>2</u> Election Form (i.e., Notice of Potential Rights))(Waterman, Brandon) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/18/2018)
07/18/2018	<u>17</u>	LETTER addressed to Judge Jesse M. Furman from Sarah T. Gillman dated 07/18/2018 re: ECF 13 Order. Document filed by N.T.C..(Gillman, Sarah) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/18/2018)
07/18/2018	<u>18</u>	ORDER re: <u>17</u> Letter filed by N.T.C. Plaintiffs are granted leave to file redacted versions of the documents at issue. (Indeed, the redactions are mandated by Rule 5.2(a) of the Federal Rules of Civil Procedure.) SO ORDERED. (Signed by Judge Jesse M. Furman on 7/18/2018) (Furman, Jesse) (ab). [Transferred from New York Southern on 7/19/2018.] (Entered: 07/18/2018)
07/19/2018	<u>19</u>	MEMORANDUM OF LAW re: <u>1</u> Complaint, . Document filed by N.T.C.. (Attachments: # <u>1</u> Exhibit Martinez Declaration, # <u>2</u> Exhibit Holtzman Declaration, # <u>3</u> Exhibit Murphy Declaration, # <u>4</u> Exhibit Krause Declaration, # <u>5</u> Exhibit Hoffman Declaration, # <u>6</u> Exhibit Zambrano Declaration, # <u>7</u> Exhibit Separated Parent's Removal Form, # <u>8</u> Exhibit Fores Settlement)(Gillman, Sarah) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/19/2018)
07/19/2018	<u>20</u>	MEMORANDUM OPINION AND ORDER. Pursuant to Title 28, United States Code, Section 1404(a), the Court transfers this case to the Southern District of California. See, e.g., Cont'l Grain Co. v. The Barge FBL-585, 364 U.S. 19, 26 (1960) ("To permit a situation in which two cases involving precisely the same issues are simultaneously pending in different District Courts leads to the wastefulness of time, energy and money that § 1404(a) was designed to prevent."); Wyndham Assocs. v. Bintliff, 398 F.2d 614, 619 (2d Cir. 1968) (recognizing a "strong policy favoring the litigation of related claims in the same tribunal"); Stroud Prods. & Enters. v. Castle Rock Entm't, No. 07-CV-8638 (HB), 2009 WL 2391676, at *3 (S.D.N.Y. Aug. 4, 2009) ("[T]rial efficiency and the interests of justice weigh heavily in favor of litigating all related causes of action... in a single forum." (citation omitted)). Further, to preserve the status quo, the temporary relief granted by this Court on July 17, 2018, (Docket No. 9), is extended to give Judge Sabraw an opportunity to consider Plaintiffs request for broader emergency relief. The parties should promptly present those issues to Judge Sabraw so that he can decide whether to maintain, modify, or vacate the order granting temporary relief. The Clerk of Court is directed to transfer this action forthwith to the United States District Court for the Southern District of California, to be assigned to Judge Sabraw. The Clerk of Court is directed to effectuate the transfer immediately, notwithstanding Local Rule 83.1, and then to close the case in this Court. SO ORDERED. (Signed by Judge Jesse M. Furman on 7/19/2018) (rjm) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/19/2018)
07/19/2018		CASE TRANSFERRED OUT ELECTRONICALLY from the U.S.D.C. Southern District of New York to the United States District Court – District of Southern District of California (rjm) [Transferred from New York Southern on 7/19/2018.] (Entered: 07/19/2018)
07/19/2018	<u>21</u>	Case transferred in from District of New York Southern; Case Number 1:18-cv-06428. Original file received electronically (Entered: 07/19/2018)

07/19/2018	<u>22</u>	Judge Dana M. Sabraw and Magistrate Judge Jill L. Burkhardt assigned to transfer case from Southern District of New York. (no document attached) (tel) Modified on 7/19/2018 to regenerate NEF, added attorneys email addresses & mailed NEF transfer to in-registered parties (dlg). (Entered: 07/19/2018)
07/20/2018	<u>23</u>	NOTICE of Appearance by Harrison J. Frahn, IV on behalf of H.M.C., N.T.C. (Frahn, Harrison)Attorney Harrison J. Frahn, IV added to party H.M.C. (pty:pla), Attorney Harrison J. Frahn, IV added to party N.T.C. (pty:pla) (acc). (Entered: 07/20/2018)
07/20/2018	<u>24</u>	NOTICE of Appearance by Chet A Kronenberg on behalf of H.M.C., N.T.C. (Kronenberg, Chet)Attorney Chet A Kronenberg added to party H.M.C. (pty:pla), Attorney Chet A Kronenberg added to party N.T.C. (pty:pla)(acc). (Entered: 07/20/2018)
07/20/2018	<u>25</u>	NOTICE of Appearance by Charles D. Reiter on behalf of H.M.C., N.T.C. (Reiter, Charles)Attorney Charles D. Reiter added to party H.M.C. (pty:pla), Attorney Charles D. Reiter added to party N.T.C. (pty:pla) (acc). (Entered: 07/20/2018)
07/20/2018	<u>26</u>	Request to Appear Pro Hac Vice, (Filing fee received: \$ 206 receipt number 0974-11466679 - See 18cv0428-DMS-MDD, #127). (Application to be reviewed by Clerk.) (Rieser-Murphy, Elizabeth) Modified text on 7/23/2018 re filing fee info. (mdc) (Entered: 07/20/2018)
07/20/2018	<u>27</u>	Request to Appear Pro Hac Vice, (Filing fee received: \$ 206 receipt number 0974-11466944 - See 18cv0428-DMS-MDD, #130). (Application to be reviewed by Clerk.) (Copeland, Gregory) Modified text on 7/23/2018 re filing fee info. (mdc) (Entered: 07/20/2018)
07/20/2018	<u>28</u>	Request to Appear Pro Hac Vice, (Filing fee received: \$ 206 receipt number 0974-11466925 - See 18cv0428-DMS-MDD, #129). (Application to be reviewed by Clerk.) (Goldiner, Judith) Modified text on 7/23/2018 re filing fee info. (mdc) (Entered: 07/20/2018)
07/20/2018	<u>29</u>	Request to Appear Pro Hac Vice, (Filing fee received: \$ 206 receipt number 0974-11466899 - See 18cv0428-DMS-MDD, #128). (Application to be reviewed by Clerk.) (Levy, Jennifer) Modified text on 7/23/2018 re filing fee info. (mdc) (Entered: 07/20/2018)
07/23/2018	<u>30</u>	NOTICE of Appearance by August Edward Flentje on behalf of Alex Azar, L. Francis Cissna, Scott Lloyd, Kevin K. McAleenan, Kirstjen Nielsen, Office of Refugee Resettlement, Jefferson Beauregard Sessions III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Ronald Vitiello (Flentje, August)Attorney August Edward Flentje added to party Alex Azar(pty:dft), Attorney August Edward Flentje added to party L. Francis Cissna(pty:dft), Attorney August Edward Flentje added to party Scott Lloyd(pty:dft), Attorney August Edward Flentje added to party Kevin K. McAleenan(pty:dft), Attorney August Edward Flentje added to party Kirstjen Nielsen(pty:dft), Attorney August Edward Flentje added to party Office of Refugee Resettlement(pty:dft), Attorney August Edward Flentje added to party Jefferson Beauregard Sessions III(pty:dft), Attorney August Edward Flentje added to party U.S. Citizenship and Immigration Services(pty:dft), Attorney August Edward Flentje added to party U.S. Customs and Border Protection(pty:dft), Attorney August Edward Flentje added to party U.S. Department of Health and Human Services(pty:dft), Attorney August Edward Flentje added to party U.S. Department of Homeland Security(pty:dft), Attorney August Edward Flentje added to party U.S. Immigration and Customs Enforcement(pty:dft), Attorney August Edward Flentje added to party Ronald Vitiello(pty:dft) (acc). (Entered: 07/23/2018)
07/23/2018	<u>31</u>	NOTICE of Appearance by Sarah B. Fabian on behalf of Alex Azar, L. Francis Cissna, Scott Lloyd, Kevin K. McAleenan, Kirstjen Nielsen, Office of Refugee Resettlement, Jefferson Beauregard Sessions III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Ronald Vitiello (Fabian, Sarah)Attorney Sarah B. Fabian added to party Alex Azar(pty:dft), Attorney Sarah B. Fabian added to party L. Francis Cissna(pty:dft), Attorney Sarah B. Fabian added to party Scott Lloyd(pty:dft), Attorney Sarah B.

		Fabian added to party Kevin K. McAleenan(pty:dft), Attorney Sarah B. Fabian added to party Kirstjen Nielsen(pty:dft), Attorney Sarah B. Fabian added to party Office of Refugee Resettlement(pty:dft), Attorney Sarah B. Fabian added to party Jefferson Beauregard Sessions III(pty:dft), Attorney Sarah B. Fabian added to party U.S. Citizenship and Immigration Services(pty:dft), Attorney Sarah B. Fabian added to party U.S. Customs and Border Protection(pty:dft), Attorney Sarah B. Fabian added to party U.S. Department of Health and Human Services(pty:dft), Attorney Sarah B. Fabian added to party U.S. Department of Homeland Security(pty:dft), Attorney Sarah B. Fabian added to party U.S. Immigration and Customs Enforcement(pty:dft), Attorney Sarah B. Fabian added to party Ronald Vitiello(pty:dft) (acc). (Entered: 07/23/2018)
07/23/2018	<u>32</u>	ORDER Approving the Pro Hac Vice Application of Gregory Copeland, re <u>27</u> Request to Appear Pro Hac Vice. Signed by Judge Dana M. Sabraw on 7/23/2018. (mdc) (Entered: 07/24/2018)
07/23/2018	<u>33</u>	ORDER Approving the Pro Hac Vice Application of Judith Goldiner, re <u>28</u> Request to Appear Pro Hac Vice. Signed by Judge Dana M. Sabraw on 7/23/2018. (mdc) (Entered: 07/24/2018)
07/23/2018	<u>34</u>	ORDER Approving the Pro Hac Vice Application of Jennifer Levy, re <u>29</u> Request to Appear Pro Hac Vice. Signed by Judge Dana M. Sabraw on 7/23/2018. (mdc) (Entered: 07/24/2018)
07/23/2018	<u>35</u>	ORDER Approving the Pro Hac Vice Application of Elizabeth Rieser-Murphy, re <u>26</u> Request to Appear Pro Hac Vice. Signed by Judge Dana M. Sabraw on 7/23/2018. (mdc) (Entered: 07/24/2018)
07/24/2018	<u>36</u>	NOTICE of Appearance <i>Ann M. Welhaf</i> by Ann M. Welhaf on behalf of Alex Azar, L. Francis Cissna, Scott Lloyd, Kevin K. McAleenan, Kirstjen Nielsen, Office of Refugee Resettlement, Jefferson Beauregard Sessions III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Ronald Vitiello (Welhaf, Ann)Attorney Ann M. Welhaf added to party Alex Azar(pty:dft), Attorney Ann M. Welhaf added to party L. Francis Cissna(pty:dft), Attorney Ann M. Welhaf added to party Scott Lloyd(pty:dft), Attorney Ann M. Welhaf added to party Kevin K. McAleenan(pty:dft), Attorney Ann M. Welhaf added to party Kirstjen Nielsen(pty:dft), Attorney Ann M. Welhaf added to party Office of Refugee Resettlement(pty:dft), Attorney Ann M. Welhaf added to party Jefferson Beauregard Sessions III(pty:dft), Attorney Ann M. Welhaf added to party U.S. Citizenship and Immigration Services(pty:dft), Attorney Ann M. Welhaf added to party U.S. Customs and Border Protection(pty:dft), Attorney Ann M. Welhaf added to party U.S. Department of Health and Human Services(pty:dft), Attorney Ann M. Welhaf added to party U.S. Department of Homeland Security(pty:dft), Attorney Ann M. Welhaf added to party U.S. Immigration and Customs Enforcement(pty:dft), Attorney Ann M. Welhaf added to party Ronald Vitiello(pty:dft) (aef). (Entered: 07/24/2018)
07/24/2018	<u>37</u>	NOTICE OF RELATED CASE(S) by Alex Azar, L. Francis Cissna, Scott Lloyd, Kevin K. McAleenan, Kirstjen Nielsen, Office of Refugee Resettlement, Jefferson Beauregard Sessions III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Health and Human Services, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Ronald Vitiello of case(s) 18-428 . (Attachments: # <u>1</u> Exhibit SDNY Habeas Petition)(Flentje, August)(aef). (Entered: 07/24/2018)
07/27/2018	38	Minute Entry for proceedings held before Judge Dana M. Sabraw: Status Hearing held on 7/27/2018 re 18cv1626, 18cv1699 and new case not yet received from the District of New York. For the newest case, parties are to exchange the names of the nine children, and work on a stipulation to provide that they not be removed from New York.(Court Reporter/ECR N/A). (Plaintiff Attorneys appearing telephonically: Beth Kraus, Gregory Copeland, Jennifer Levy, Sarah Gillman, Harrison Frahn, Caroline Heller, D. Stanford, Rex Chen). (Defendant Attorney Scott Stewart). (no document attached) (jak) (Entered: 07/27/2018)