

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00124-EGS**

BLIXT et al v. UNITED STATES DEPARTMENT OF STATE et al
Assigned to: Judge Emmet G. Sullivan
Cause: 05:702 Administrative Procedure Act
Date Filed: 01/22/2018
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

STEFANIA ZACCARI
*Guardian Ad Litem for Plaintiff Lucas
Alexander Zaccari-Blixt*

represented by **Elizabeth A. Cassidy**
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Plaintiff

ALLISON DAWN BLIXT

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Plaintiff

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ZACCARI-BLIXT**

represented by **Elizabeth A. Cassidy**

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TERMINATED: 02/27/2018

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V.

Defendant

**UNITED STATES DEPARTMENT
OF STATE**

represented by **Vinita B. Andrapalliyal**

U.S. DEPARTMENT OF JUSTICE

Civil Division, Federal Programs Branch

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Defendant

REX W. TILLERSON
The Honorable, Secretary of State

represented by **Vinita B. Andrapalliyal**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/22/2018	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0090-5295125) filed by Lucas Alexander Zaccari-Blixt, Allison Dawn Blixt. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Summons Summons to the Department of State, # <u>7</u> Summons Summons to Rex W. Tillerson, in his official capacity, # <u>8</u> Civil Cover Sheet Civil Cover Sheet)(Cassady, Elizabeth) Modified on 1/22/2018 to correct docket text (jf). (Attachment 8 replaced on 1/24/2018) (jd) (Entered: 01/22/2018)
01/22/2018	<u>2</u>	NOTICE of Appearance by Elizabeth A. Cassady on behalf of All Plaintiffs (Cassady, Elizabeth) (Entered: 01/22/2018)
01/22/2018	<u>3</u>	MOTION Waive Identification of Address Requirements of Local Rule 5.1(c)(1) by Allison Dawn Blixt, Lucas Alexander Zaccari-Blixt (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Cassady, Elizabeth) (Entered: 01/22/2018)
01/22/2018		Case Assigned to Chief Judge Beryl A. Howell. (jd) (Entered: 01/24/2018)
01/23/2018	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Theodore, :Firm- Edelman, :Address- 125 Broad Street, New York, NY 10004-2498. Phone No. - (212) 558-3436. Fax No. - (212) 291-9045 Fee Status: No Fee Paid. by Allison Dawn Blixt, Lucas Alexander Zaccari-Blixt (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Cassady, Elizabeth) (Entered: 01/23/2018)
01/23/2018	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Jessica M. Klein, :Firm- Sullivan & Cromwell, :Address- 125 Broad Street, New York, NY 10004-2498. Phone No. - (212) 558-3153. Fax No. - (212) 291-9357 Fee Status: No Fee Paid. by Allison Dawn Blixt, Lucas Alexander Zaccari-Blixt (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Cassady, Elizabeth) (Entered: 01/23/2018)
01/23/2018	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Scott E. Blair, :Firm- Sullivan & Cromwell, :Address- 125 Broad Street, New York, NY 10004-2498. Phone No. - (212) 558-3413. Fax No. - (212) 291-9724 Fee Status: No Fee Paid. by Allison Dawn Blixt, Lucas Alexander Zaccari-Blixt (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Cassady, Elizabeth) (Entered: 01/23/2018)
01/23/2018	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Alexandra H. Moss, :Firm- Sullivan & Cromwell, :Address- 125 Broad Street, New York, NY 10004-2498. Phone No. - (212) 558-4334. Fax No. - (212) 291-9502 Fee Status: No Fee Paid. by Allison Dawn Blixt, Lucas Alexander Zaccari-Blixt (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Cassady, Elizabeth) (Entered: 01/23/2018)
01/23/2018	<u>8</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Andrew K. Jennings, :Firm- Sullivan & Cromwell, :Address- 125 Broad Street, New York, NY 10004-2498. Phone No. - (212) 558-3197. Fax No. - (212) 558-3588 Fee Status: No Fee Paid. by Allison Dawn Blixt, Lucas Alexander Zaccari-Blixt (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Cassady, Elizabeth) (Entered: 01/23/2018)
01/24/2018	<u>9</u>	SUMMONS (2) Issued Electronically as to REX W. TILLERSON, UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Notice and Consent)(jd) (Entered: 01/24/2018)
01/24/2018		SUMMONS Not Issued as to United States Attorney General and United States Attorney for the District of Columbia. (jd) (Entered: 01/24/2018)

01/24/2018		Filing fee received in the amount of \$ 100.00, receipt number: 4616089173 re <u>4</u> MOTION for Leave to Appear Pro Hac Vice. (zrdj) (Entered: 01/25/2018)
01/24/2018		Filing fee received in the amount of \$ 100.00, receipt number: 4616089174 re <u>5</u> MOTION for Leave to Appear Pro Hac Vice. (zrdj) (Entered: 01/25/2018)
01/24/2018		Filing fee received in the amount of \$ 100.00, receipt number: 4616089175 re <u>6</u> MOTION for Leave to Appear Pro Hac Vice. (zrdj) (Entered: 01/25/2018)
01/24/2018		Filing fee received in the amount of \$ 100.00, receipt number: 4616089177 re <u>7</u> MOTION for Leave to Appear Pro Hac Vice. (zrdj) (Entered: 01/25/2018)
01/24/2018		Filing fee received in the amount of \$ 100.00, receipt number: 4616089176 re <u>8</u> MOTION for Leave to Appear Pro Hac Vice. (zrdj) (Entered: 01/25/2018)
01/26/2018	<u>10</u>	Case randomly reassigned to Judge Emmet G. Sullivan. Chief Judge Beryl A. Howell is no longer assigned to the case. (ztnr) (Entered: 01/26/2018)
01/29/2018	<u>11</u>	STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 1/29/18. (Attachment: # <u>1</u> Exhibit 1) (mac) (Entered: 01/29/2018)
01/31/2018		MINUTE ORDER granting <u>4</u> , <u>5</u> , <u>6</u> , <u>7</u> , <u>8</u> motions for pro hac vice. Attorneys Theodore Edelman, Jessica Klein, Scott Blair, Alexandra Moss, and Andrew Jennings are hereby admitted to practice pro hac vice in this case pursuant to Local Rule 83.2. The Court also hereby grants <u>3</u> plaintiffs' motion to waive the address requirements of Local Rule 5.1(c)(1), finding that such action is needed to protect the interests of the young child involved. Signed by Judge Emmet G. Sullivan on 1/31/2018. (lcegs3) (Entered: 01/31/2018)
02/05/2018	<u>12</u>	CERTIFICATE OF SERVICE by ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT for Defendant U.S. Department of State (service to the Attorney General). (Cassady, Elizabeth) (Entered: 02/05/2018)
02/05/2018	<u>13</u>	CERTIFICATE OF SERVICE by ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT for Defendant U.S. Department of State (service to U.S. Attorney). (Cassady, Elizabeth) (Entered: 02/05/2018)
02/05/2018	<u>14</u>	CERTIFICATE OF SERVICE by ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT for Defendant U.S. Department of State. (Cassady, Elizabeth) (Entered: 02/05/2018)
02/05/2018	<u>15</u>	CERTIFICATE OF SERVICE by ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT for Defendant Hon. Rex W. Tillerson (service to the Attorney General). (Cassady, Elizabeth) (Entered: 02/05/2018)
02/05/2018	<u>16</u>	CERTIFICATE OF SERVICE by ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT for Defendant Hon. Rex W. Tillerson (service to U.S. Attorney). (Cassady, Elizabeth) (Entered: 02/05/2018)
02/05/2018	<u>17</u>	CERTIFICATE OF SERVICE by ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT for Defendant Hon. Rex W. Tillerson. (Cassady, Elizabeth) (Entered: 02/05/2018)
02/05/2018	<u>18</u>	CERTIFICATE OF SERVICE by ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT re <u>11</u> Order, Service of Standing Order to Defendants (service to counsel). (Cassady, Elizabeth) (Entered: 02/05/2018)
02/27/2018	<u>19</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT. Attorney Scott E. Blair terminated. (Cassady, Elizabeth) (Entered: 02/27/2018)
02/28/2018	<u>20</u>	CERTIFICATE OF SERVICE by ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT re <u>19</u> Notice of Withdrawal of Appearance of Scott E. Blair. (Cassady, Elizabeth) (Entered: 02/28/2018)

03/21/2018	<u>21</u>	NOTICE of Appearance by Vinita B. Andrapalliyal on behalf of REX W. TILLERSON, UNITED STATES DEPARTMENT OF STATE (Andrapalliyal, Vinita) (Entered: 03/21/2018)
03/21/2018	<u>22</u>	Joint MOTION to Extend Case Deadlines by REX W. TILLERSON, UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Andrapalliyal, Vinita) (Entered: 03/21/2018)
03/30/2018		MINUTE ORDER granting <u>22</u> joint motion to extend case deadlines. The parties shall therefore file a joint status report by no later than May 29, 2018 to update the Court as to the status of the parties' efforts to resolve this lawsuit. The defendant is also ordered to respond to the complaint by May 29, 2018. Signed by Judge Emmet G. Sullivan on 3/30/2018. (lcegs3) (Entered: 03/30/2018)
03/30/2018		Set/Reset Deadlines: Joint Status Report due by 5/29/2018. Defendant Response To The Complaint due by 5/29/2018. (mac) (Entered: 03/30/2018)
05/23/2018	<u>23</u>	Joint STATUS REPORT by REX W. TILLERSON, UNITED STATES DEPARTMENT OF STATE. (Andrapalliyal, Vinita) (Entered: 05/23/2018)
05/23/2018	<u>24</u>	Joint MOTION for Extension of Time <i>Extend Case Deadlines</i> by REX W. TILLERSON, UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Andrapalliyal, Vinita) Modified event title on 5/25/2018 (znmw). (Entered: 05/23/2018)
05/25/2018		MINUTE ORDER granting <u>24</u> joint motion to extend case deadlines, in view of the parties' representations that they are engaging in settlement discussions. The deadline for the defendants to respond to the complaint shall therefore be stayed. The parties are ordered to file a joint status report by no later than July 16, 2018 updating the Court as to the status of the parties' discussions and efforts to resolve this lawsuit. Signed by Judge Emmet G. Sullivan on 5/25/2018. (lcegs3) (Entered: 05/25/2018)
05/27/2018		Set/Reset Deadlines: Joint Status Report due by 7/16/2018 updating the Court as to the status of the parties' discussions and efforts to resolve this lawsuit. (jth) (Entered: 05/27/2018)
06/01/2018	<u>25</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT. Attorney Alexandra H. Moss terminated. (Cassady, Elizabeth) (Entered: 06/01/2018)
07/11/2018	<u>26</u>	Joint STATUS REPORT by REX W. TILLERSON, UNITED STATES DEPARTMENT OF STATE. (Andrapalliyal, Vinita) (Entered: 07/11/2018)
07/11/2018	<u>27</u>	Joint MOTION Extend Case Management Deadlines by REX W. TILLERSON, UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Andrapalliyal, Vinita) (Entered: 07/11/2018)
07/16/2018		MINUTE ORDER granting <u>27</u> joint motion to extend case deadlines, in view of the parties' representations that they are engaging in settlement discussions. The deadline for the defendants to respond to the complaint shall therefore be stayed. The parties are ordered to file a joint status report by no later than August 6, 2018 updating the Court as to the status of the parties' discussions and efforts to resolve this lawsuit. Signed by Judge Emmet G. Sullivan on 7/16/2018. (lcegs3) (Entered: 07/16/2018)
08/01/2018	<u>28</u>	Joint STATUS REPORT by REX W. TILLERSON, UNITED STATES DEPARTMENT OF STATE. (Andrapalliyal, Vinita) (Entered: 08/01/2018)
08/01/2018	<u>29</u>	Joint MOTION for Extension of Time to <i>Respond to Complaint</i> , Joint MOTION for Briefing Schedule by REX W. TILLERSON, UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Andrapalliyal, Vinita) (Entered: 08/01/2018)
08/03/2018		MINUTE ORDER granting <u>29</u> defendants' consent motion for extension of time to answer the complaint. The parties shall therefore adhere to the following briefing schedule: (1) defendants shall file a motion to dismiss by no later than September 3, 2018; (2) plaintiffs' response shall be filed by no later than October 17, 2018; (3) defendants' reply shall be filed by no later than November 7, 2018. Signed by Judge Emmet G. Sullivan on 8/3/2018. (lcegs3) (Entered: 08/03/2018)

08/03/2018	<u>30</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT. Attorney Andrew K. Jennings terminated. (Cassady, Elizabeth) (Entered: 08/03/2018)
08/03/2018		Set/Reset Deadlines: Motion To Dismiss due by 9/3/2018. Plaintiffs' Response due by 10/17/2018 Defendants' Reply due by 11/7/2018. (mac) (Entered: 08/03/2018)
09/03/2018	<u>31</u>	MOTION to Dismiss , MOTION to Dismiss for Lack of Jurisdiction by REX W. TILLERSON, UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Andrapalliyal, Vinita) (Entered: 09/03/2018)
10/17/2018	<u>32</u>	Memorandum in opposition to re <u>31</u> MOTION to Dismiss MOTION to Dismiss for Lack of Jurisdiction filed by ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT. (Attachments: # <u>1</u> Text of Proposed Order)(Cassady, Elizabeth) (Entered: 10/17/2018)
11/07/2018	<u>33</u>	REPLY to opposition to motion re <u>31</u> MOTION to Dismiss MOTION to Dismiss for Lack of Jurisdiction filed by REX W. TILLERSON, UNITED STATES DEPARTMENT OF STATE. (Andrapalliyal, Vinita) (Entered: 11/07/2018)
02/12/2019	<u>34</u>	Ex Parte MOTION to Appoint Guardian ad Litem by ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT (Attachments: # <u>1</u> Memorandum in Support of Ex Parte Application for Appointment of Guardian Ad Litem, # <u>2</u> Declaration of Elizabeth A. Cassady in Support of Ex Parte Application, # <u>3</u> Declaration of Stefania Zaccari in Support of Ex Parte Application, # <u>4</u> Text of Proposed Order)(Cassady, Elizabeth) (Entered: 02/12/2019)
02/13/2019		MINUTE ORDER treating <u>34</u> ex parte motion for appointment of guardian ad litem as an unopposed motion and granting the relief requested. Pursuant to Federal Rule of Civil Procedure 17(c)(2), the Court hereby appoints Stefania Zaccari as the guardian ad litem for Plaintiff Lucas Alexander Zaccari-Blixt. Signed by Judge Emmet G. Sullivan on 02/13/19. (mac) (Entered: 02/13/2019)
02/25/2019		MINUTE ORDER. In light of the recent decision in Andrew Mason Dvash-Banks et al. v. Michael R. Pompeo et al., No. 18-cv-523-JFW (JCx) (C.D. Cal. Feb. 21, 2019), ECF No. 123 at 8 (concluding that "Section 301 [of the Immigration and Nationality Act, 8 U.S.C. § 1401,] does not require a person born during their parents' marriage to demonstrate a biological relationship with both of their married parents."), the Court directs the parties to file supplemental briefs concerning <u>31</u> Defendant's Motion to Dismiss by no later than March 15, 2019. Each submission shall not exceed five pages. The parties need not address the issue of whether or not the recent decision is non-binding, persuasive authority. Signed by Judge Emmet G. Sullivan on 2/25/2019. (lcegs3) (Entered: 02/25/2019)
02/25/2019		Set/Reset Deadlines: Supplemental Briefs due by 3/15/2019. (mac) (Entered: 02/25/2019)
03/12/2019	<u>35</u>	MOTION for Extension of Time to <i>File Supplemental Briefing</i> by REX W. TILLERSON, UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Andrapalliyal, Vinita) (Entered: 03/12/2019)
03/13/2019		MINUTE ORDER granting over objection <u>35</u> Defendants' Motion for Extension of Time to File Supplemental Briefing. The parties shall file their supplemental briefs by no later than March 19, 2019. Defendants are advised that any future request for an extension of time as to the supplemental briefing will be strongly disfavored. Signed by Judge Emmet G. Sullivan on 3/13/2019. (lcegs3) (Entered: 03/13/2019)
03/14/2019		Set/Reset Deadlines: Supplemental Briefing due by 3/19/2019. (mac) (Entered: 03/14/2019)
03/19/2019	<u>36</u>	SUPPLEMENTAL MEMORANDUM <u>32</u> Memorandum in opposition to re <u>31</u> MOTION to Dismiss MOTION to Dismiss for Lack of Jurisdiction filed by ALLISON DAWN BLIXT, LUCAS ALEXANDER ZACCARI-BLIXT. (Cassady, Elizabeth) Modified on 3/20/2019 (jf). (Entered: 03/19/2019)
03/19/2019	<u>37</u>	SUPPLEMENTAL MEMORANDUM re <u>31</u> Support of Motion to Dismiss filed by REX W. TILLERSON, UNITED STATES DEPARTMENT OF STATE.

		(Andrapalliyal, Vinita) Modified on 3/20/2019 (jf). (Entered: 03/19/2019)
04/01/2019		MINUTE ORDER. The Court will hold a status hearing in this case on April 10, 2019 at 1:00 PM in Courtroom 24A. Signed by Judge Emmet G. Sullivan on 4/1/2019. (lcegs3) (Entered: 04/01/2019)
04/02/2019		MINUTE ORDER. Due to the Court's calendar, the status hearing currently scheduled for April 10, 2019 at 1:00 PM will now take place on May 15, 2019 at 1:00 PM in Courtroom 24A. The Court regrets any inconvenience to the parties. Signed by Judge Emmet G. Sullivan on 4/2/2019. (lcegs3) (Entered: 04/02/2019)
04/03/2019		Set/Reset Hearings: Status Conference set for 5/15/2019 at 1:00 PM in Courtroom 24A before Judge Emmet G. Sullivan. (mac) (Entered: 04/03/2019)