

**U.S. District Court  
Southern District of Florida (Miami)  
CIVIL DOCKET FOR CASE #: 1:08-cv-21588-FAM**

Weaver et al v. U.S. Citizenship and Immigration Services  
(USCIS) et al  
Assigned to: Chief Judge Federico A. Moreno  
Cause: 28:1361 Petition for Writ of Mandamus

Date Filed: 06/04/2008  
Date Terminated: 11/25/2008  
Jury Demand: None  
Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Oksana Weaver**

represented by **Cheryl Ada Elizabeth Little**  
Florida Immigrant Advocacy Center  
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*LEAD ATTORNEY*  
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**Plaintiff**

**Luciano Horna**

represented by **Cheryl Ada Elizabeth Little**  
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*LEAD ATTORNEY*  
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**Khurram B. Wahid**  
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**Mary M. Gundrum**  
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*LEAD ATTORNEY*  
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**Tania Galloni**  
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**Plaintiff**

**Raheel Rangoonwala**

represented by **Cheryl Ada Elizabeth Little**  
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**Khurram B. Wahid**  
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**Plaintiff**

**Din Mohammed**

represented by **Cheryl Ada Elizabeth Little**  
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**Khurram B. Wahid**  
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**Tania Galloni**  
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*LEAD ATTORNEY*  
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**Plaintiff**

**Saifuddin Siddiqui**

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**Khurram B. Wahid**  
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**Mary M. Gundrum**  
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**Tania Galloni**  
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**Plaintiff**

**Imtiaz Isakh**

represented by **Cheryl Ada Elizabeth Little**  
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**Khurram B. Wahid**  
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**Mary M. Gundrum**  
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**Tania Galloni**  
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*LEAD ATTORNEY*  
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**Plaintiff**

**Mercedes Gomez**

represented by **Cheryl Ada Elizabeth Little**  
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*ATTORNEY TO BE NOTICED*

**Khurram B. Wahid**  
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**Mary M. Gundrum**  
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*LEAD ATTORNEY*  
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**Tania Galloni**  
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**Plaintiff**

**Ney Roberto Boutet**

represented by **Cheryl Ada Elizabeth Little**  
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**Khurram B. Wahid**  
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**Mary M. Gundrum**  
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**Tania Galloni**  
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*LEAD ATTORNEY*  
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**Plaintiff**

**Imran Shaffi**

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**Khurram B. Wahid**  
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**Mary M. Gundrum**  
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**Tania Galloni**  
(See above for address)  
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**Plaintiff**

**Mohammed Kheiri**

*Plaintiffs—Petitioners, individually and on  
behalf of all others similarly situated*

represented by **Cheryl Ada Elizabeth Little**  
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**Khurram B. Wahid**  
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**Tania Galloni**  
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V.

**Defendant**

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

*Linda M. Swacina, District Director,  
Miami District*

represented by **Dexter Lee**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Kathy Redman**  
*District Director, Tampa District, USCIS*

represented by **Dexter Lee**  
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*ATTORNEY TO BE NOTICED*

**Christopher W. Dempsey**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**USCIS**  
*Jonathan Scharfen, Acting Director*

represented by **Dexter Lee**  
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*LEAD ATTORNEY*  
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**Christopher W. Dempsey**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of Homeland Security**  
("DHS")  
*Michael Chertoff, Secretary*

represented by **Dexter Lee**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Christopher W. Dempsey**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Federal Bureau of Investigation**  
("FBI");  
*Robert S. Mueller, III, Director*

represented by **Dexter Lee**  
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**Christopher W. Dempsey**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Attorney General**  
*Michael B. Mukasey*

represented by **Dexter Lee**  
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**Christopher W. Dempsey**  
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Date Filed	#	Docket Text
06/04/2008	<u>1</u>	COMPLAINT against all defendants Filing fee \$ 350. Receipt#: 981548, filed by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna.(mg) (Entered: 06/05/2008)
06/04/2008	<u>2</u>	Summons Issued as to U.S. Citizenship and Immigration Services (USCIS), Kathy Redman, USCIS, U.S. Department of Homeland Security ("DHS"), Federal Bureau of Investigation ("FBI");, U.S. Attorney General. (mg) (Entered: 06/05/2008)
06/06/2008	<u>3</u>	NOTICE of Attorney Appearance by Dexter Lee on behalf of U.S. Citizenship and Immigration Services (USCIS), Kathy Redman, USCIS, U.S. Department of Homeland Security ("DHS"), Federal Bureau of Investigation ("FBI");, U.S. Attorney General (Lee, Dexter) (Entered: 06/06/2008)
06/10/2008	<u>4</u>	SUMMONS (Affidavit) Returned Executed by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. U.S. Citizenship and Immigration Services (USCIS) served on 6/6/2008, answer due 8/4/2008; Kathy Redman served on 6/6/2008, answer due 8/4/2008; USCIS served on 6/6/2008, answer due 8/4/2008; U.S. Department of Homeland Security ("DHS") served on 6/6/2008, answer due 8/4/2008; Federal Bureau of Investigation ("FBI"); served on 6/6/2008, answer due 8/4/2008; U.S. Attorney General served on 6/6/2008, answer due 8/4/2008. (Galloni, Tania) (Entered: 06/10/2008)
07/11/2008	<u>5</u>	NOTICE of Attorney Appearance by Christopher W. Dempsey on behalf of U.S. Citizenship and Immigration Services (USCIS), Kathy Redman, USCIS, U.S. Department of Homeland Security ("DHS"), Federal Bureau of Investigation ("FBI");, U.S. Attorney General (Dempsey, Christopher) (Entered: 07/11/2008)
07/16/2008	<u>6</u>	MOTION to Dismiss <u>1</u> Complaint, by U.S. Citizenship and Immigration Services (USCIS), Kathy Redman, USCIS, U.S. Department of Homeland Security ("DHS"), Federal Bureau of Investigation ("FBI");, U.S. Attorney General. Responses due by 8/4/2008 (Attachments: # <u>1</u> Exhibit A-D)(Dempsey, Christopher) (Entered: 07/16/2008)
08/01/2008	<u>7</u>	AMENDED COMPLAINT, filed by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna.(Galloni, Tania) (Entered: 08/01/2008)
08/04/2008	<u>8</u>	RESPONSE in Opposition re <u>6</u> MOTION to Dismiss <u>1</u> Complaint, MOTION to Dismiss <u>1</u> Complaint, filed by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. (Galloni, Tania) (Entered: 08/04/2008)
08/04/2008	<u>9</u>	Plaintiff's MOTION to Certify Class <i>and Request for Oral Argument</i> by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. Responses due by 8/21/2008 (Attachments: # <u>1</u> Exhibit 1-5)(Galloni, Tania) (Entered: 08/04/2008)
08/21/2008	<u>10</u>	RESPONSE in Opposition re <u>9</u> Plaintiff's MOTION to Certify Class <i>and Request for Oral Argument</i> filed by U.S. Citizenship and Immigration Services (USCIS), Kathy Redman, USCIS, U.S. Department of Homeland Security ("DHS"), Federal Bureau of Investigation ("FBI");, U.S. Attorney General. (Attachments: # <u>1</u> Exhibit A-D)(Dempsey, Christopher) (Entered: 08/21/2008)
08/21/2008	<u>11</u>	MOTION to Dismiss <u>7</u> Amended Complaint by U.S. Citizenship and Immigration Services (USCIS), Kathy Redman, USCIS, U.S. Department of Homeland Security ("DHS"), Federal Bureau of Investigation ("FBI");, U.S. Attorney General. Responses due by 9/8/2008 (Attachments: # <u>1</u> Exhibit A-B)(Dempsey, Christopher) (Entered: 08/21/2008)
08/21/2008	<u>12</u>	REPLY to Response to Motion re <u>6</u> MOTION to Dismiss <u>1</u> Complaint, MOTION to Dismiss <u>1</u> Complaint, filed by U.S. Citizenship and Immigration Services

		(USCIS), Kathy Redman, USCIS, U.S. Department of Homeland Security ("DHS"), Federal Bureau of Investigation ("FBI");, U.S. Attorney General. (Attachments: # <u>1</u> Exhibit A–B)(Dempsey, Christopher) (Entered: 08/21/2008)
08/25/2008	<u>13</u>	SCHEDULING REPORT– Rule 26(f). (Galloni, Tania) (Entered: 08/25/2008)
08/29/2008	<u>14</u>	REPLY to Response to Motion re <u>9</u> Plaintiff's MOTION to Certify Class <i>and Request for Oral Argument</i> filed by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. (Attachments: # <u>1</u> Declaration of Lisette Losada)(Galloni, Tania) (Entered: 08/29/2008)
09/05/2008	<u>15</u>	MOTION to Stay <i>Discovery</i> by U.S. Citizenship and Immigration Services (USCIS), Kathy Redman, USCIS, U.S. Department of Homeland Security ("DHS"), Federal Bureau of Investigation ("FBI");, U.S. Attorney General. Responses due by 9/22/2008 (Dempsey, Christopher) (Entered: 09/05/2008)
09/08/2008	<u>16</u>	RESPONSE in Opposition re <u>11</u> MOTION to Dismiss <u>7</u> Amended Complaint MOTION to Dismiss <u>7</u> Amended Complaint filed by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. (Attachments: # <u>1</u> Roshandel Order Denying Motion to Dismiss)(Galloni, Tania) (Entered: 09/08/2008)
09/11/2008	<u>17</u>	MOTION for Leave to File <i>Surreply in Opposition to Plaintiffs' Motion for Class Certification</i> by U.S. Citizenship and Immigration Services (USCIS), Kathy Redman, USCIS, U.S. Department of Homeland Security ("DHS"), Federal Bureau of Investigation ("FBI");, U.S. Attorney General. (Attachments: # <u>1</u> Exhibit A)(Dempsey, Christopher) (Entered: 09/11/2008)
09/16/2008	<u>18</u>	ORDER granting <u>17</u> Defendants' Motion for Leave to File Surreply. Signed by Chief Judge Federico A. Moreno on 9/15/2008. (MM) (Entered: 09/16/2008)
09/19/2008	<u>19</u>	Plaintiff's MOTION for Leave to File <i>Response to Defendants' Sur–Reply</i> by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. (Attachments: # <u>1</u> Exhibit Plaintiffs' Response to Defendants' Sur–Reply)(Galloni, Tania) (Entered: 09/19/2008)
09/22/2008	<u>20</u>	RESPONSE/REPLY to <u>14</u> Reply to Response to Motion, <i>to Certify Class, or SURREPLY</i> , filed by U.S. Citizenship and Immigration Services (USCIS), Kathy Redman, USCIS, U.S. Department of Homeland Security ("DHS"), Federal Bureau of Investigation ("FBI");, U.S. Attorney General. (Attachments: # <u>1</u> Exhibit A–B)(Dempsey, Christopher) (Entered: 09/22/2008)
09/22/2008	<u>21</u>	RESPONSE in Opposition re <u>15</u> MOTION to Stay <i>Discovery</i> filed by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. (Galloni, Tania) (Entered: 09/22/2008)
10/15/2008	<u>22</u>	STATUS REPORT <i>AND REQUEST FOR RULING ON DEFENDANTS' MOTION TO STAY DISCOVERY</i> by U.S. Citizenship and Immigration Services (USCIS), Kathy Redman, USCIS, U.S. Department of Homeland Security ("DHS"), Federal Bureau of Investigation ("FBI");, U.S. Attorney General. (Dempsey, Christopher) (Entered: 10/15/2008)
10/15/2008	<u>23</u>	RESPONSE/REPLY to <u>22</u> Status Report, filed by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. (Galloni, Tania) (Entered: 10/15/2008)
10/27/2008	<u>24</u>	Plaintiff's MOTION for Leave to File <i>Second Amended Complaint</i> by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. (Attachments: # <u>1</u> Exhibit Proposed Second Amended Complaint)(Galloni, Tania) (Entered: 10/27/2008)

10/30/2008	<u>25</u>	Plaintiff's MOTION to Compel <i>Discovery</i> by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. Responses due by 11/17/2008 (Galloni, Tania) (Entered: 10/30/2008)
11/06/2008	<u>26</u>	RESPONSE in Opposition re <u>24</u> Plaintiff's MOTION for Leave to File <i>Second Amended Complaint</i> filed by U.S. Citizenship and Immigration Services (USCIS), Kathy Redman, USCIS, U.S. Department of Homeland Security ("DHS"), Federal Bureau of Investigation ("FBI");, U.S. Attorney General. (Attachments: # <u>1</u> Exhibit)(Dempsey, Christopher) (Entered: 11/06/2008)
11/17/2008	<u>27</u>	STIPULATION re <u>25</u> Plaintiff's MOTION to Compel <i>Discovery</i> by U.S. Citizenship and Immigration Services (USCIS), Kathy Redman, USCIS, U.S. Department of Homeland Security ("DHS"), Federal Bureau of Investigation ("FBI");, U.S. Attorney General. (Dempsey, Christopher) (Entered: 11/17/2008)
11/17/2008	<u>28</u>	REPLY to Response to Motion re <u>24</u> Plaintiff's MOTION for Leave to File <i>Second Amended Complaint</i> filed by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. (Attachments: # <u>1</u> Exhibit Revised Proposed Second Amended Complaint)(Galloni, Tania) (Entered: 11/17/2008)
11/17/2008	<u>29</u>	Joint MOTION for Hearing ( <i>Status Conference</i> ) by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. (Galloni, Tania) (Entered: 11/17/2008)
11/18/2008	<u>30</u>	NOTICE by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna re <u>9</u> Plaintiff's MOTION to Certify Class <i>and Request for Oral Argument</i> (Attachments: # <u>1</u> Affidavit – Declaration in Support of Plaintiffs' Motion for Class Certification)(Galloni, Tania) (Entered: 11/18/2008)
11/24/2008	<u>31</u>	Joint MOTION for Protective Order <i>re Privacy Act</i> by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. (Attachments: # <u>1</u> Text of Proposed Order)(Galloni, Tania) (Entered: 11/24/2008)
11/25/2008	<u>32</u>	ORDER REMANDING CASE to USCIS, DENYING Class Certification, and denying all other motions as MOOT. Signed by Chief Judge Federico A. Moreno on 11/24/2008. (MM) (Entered: 11/25/2008)
12/01/2008	<u>33</u>	Transmittal Letter Sent With remand order, To: USCIS (dg) (Entered: 12/01/2008)
12/10/2008	<u>34</u>	Plaintiff's MOTION for Reconsideration re <u>32</u> Order on Motion to Stay, Order on Motion for Leave to File,, Order on Motion to Compel, Order on Motion for Hearing, Order on Motion for Protective Order, Order on Motion to Dismiss, Order on Motion to Certify Class,, Plaintiff's MOTION to Alter Judgment ( Responses due by 12/29/2008) by Raheel Rangoonwala, Din Mohammed, Oksana Weaver, Saifuddin Siddiqui, Imtiaz Isakh, Mercedes Gomez, Ney Roberto Boutet, Imran Shaffi, Mohammed Kheiri, Luciano Horna. (Galloni, Tania) (Entered: 12/10/2008)
12/15/2008	<u>35</u>	ORDER denying <u>34</u> Motion for Reconsideration. Signed by Chief Judge Federico A. Moreno on 12/15/2008. (MM) (Entered: 12/15/2008)
01/06/2009	<u>36</u>	ACKNOWLEDGMENT OF RECEIPT order of Remand (cqs) (Entered: 01/07/2009)