

**U.S. District Court
Southern District of Florida (West Palm Beach)
CIVIL DOCKET FOR CASE #: 9:18-cv-80131-DMM**

The City of West Palm Beach v. United States Attorney General et al
Assigned to: Judge Donald M. Middlebrooks
Referred to: Magistrate Judge Dave Lee Brannon
Cause: 05:0702 Administrative Procedure Act

Date Filed: 02/06/2018
Date Terminated: 03/29/2018
Jury Demand: None
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: U.S. Government Defendant

Plaintiff

The City of West Palm Beach

represented by **Leon Fresco**
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V.

Defendant

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Defendant

**Assistant United States Attorney
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Defendant

Bureau of Justice
Jon Adler, Director

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Defendant

United States Department of Justice

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Date Filed	#	Docket Text
02/06/2018	<u>1</u>	COMPLAINT FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF against All Defendants. Filing fees \$ 400.00 receipt number 113C-10388929, filed by THE CITY OF WEST PALM BEACH. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Civil Cover Sheet, # <u>16</u> Summon(s) JEFFERSON B. SESSIONS, # <u>17</u> Summon(s) ALAN R. HANSON, # <u>18</u> Summon(s) JON ADLER, # <u>19</u> Summon(s) UNITED STATES Department of Justice)(Brown, Alison) (Entered: 02/06/2018)
02/06/2018	2	<p>Clerks Notice of Judge Assignment to Judge Donald M. Middlebrooks and Magistrate Judge Dave Lee Brannon.</p> <p>Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Dave Lee Brannon is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent.</p> <p>Pro se (NON-PRISONER) litigants may receive Notices of Electronic Filings (NEFS) via email after filing a Consent by Pro Se Litigant (NON-PRISONER) to Receive Notices of Electronic Filing. The consent form is available under the forms section of our</p>

		website. (ail) (Entered: 02/07/2018)
02/07/2018	<u>3</u>	Summons Issued as to Assistant United States Attorney General, Bureau of Justice, United States Attorney General, United States Department of Justice (ail) (Entered: 02/07/2018)
02/07/2018	<u>4</u>	NOTICE of Attorney Appearance by Leon Fresco on behalf of The City of West Palm Beach. Attorney Leon Fresco added to party The City of West Palm Beach(pty:pla). (Fresco, Leon) (Entered: 02/07/2018)
02/16/2018	<u>5</u>	ORDER SETTING TRIAL DATE AND SCHEDULING CONFERENCE: Scheduling Conference set for 3/1/2018 at 1:15 PM in West Palm Beach Division before Judge Donald M. Middlebrooks. Jury Trial set for 10/1/2018 at 9:00 AM in West Palm Beach Division before Judge Donald M. Middlebrooks. Calendar Call set for 9/26/2018 at 1:15 PM in West Palm Beach Division before Judge Donald M. Middlebrooks. Signed by Judge Donald M. Middlebrooks on 2/15/2018. (ail) <i>Pattern Jury Instruction Builder</i> – To access the latest, up to date changes to the 11th Circuit Pattern Jury Instructions go to https://pji.ca11.uscourts.gov or click here . (Entered: 02/16/2018)
02/21/2018	<u>6</u>	Plaintiff's MOTION for Preliminary Injunction by The City of West Palm Beach. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10)(Fresco, Leon) (Entered: 02/21/2018)
02/23/2018	<u>7</u>	Unopposed MOTION for Leave to Appear <i>telephonically at March 1, 2018 Schedule Conference</i> . Attorney/Representative: <i>John R. Tyler</i> by Assistant United States Attorney General, Bureau of Justice, United States Attorney General, United States Department of Justice. Attorney Anthony Erickson–Pogorzelski added to party Assistant United States Attorney General(pty:dft), Attorney Anthony Erickson–Pogorzelski added to party Bureau of Justice(pty:dft), Attorney Anthony Erickson–Pogorzelski added to party United States Attorney General(pty:dft), Attorney Anthony Erickson–Pogorzelski added to party United States Department of Justice(pty:dft). Responses due by 3/9/2018 (Attachments: # <u>1</u> Text of Proposed Order)(Erickson–Pogorzelski, Anthony) (Entered: 02/23/2018)
02/26/2018	<u>8</u>	ENDORSED ORDER granting <u>7</u> Unopposed Motion to Appear by Telephone. Defendants' may appear by telephone at the scheduling conference before the Court on March 1, 2018 at 1:15 p.m. The Court will call Defendants' counsel John R. Tyler at the number provided in Defendants' Motion. Signed by Judge Donald M. Middlebrooks on 2/26/2018. (kal) (Entered: 02/26/2018)
02/27/2018	<u>9</u>	ACKNOWLEDGMENT OF SERVICE as to <u>3</u> Summons Issued as to USA, <u>1</u> Complaint,, filed by The City of West Palm Beach. (Brown, Alison) (Entered: 02/27/2018)
02/28/2018	<u>10</u>	NOTICE of Attorney Appearance by Antonia Konkoly on behalf of Assistant United States Attorney General, Bureau of Justice, United States Attorney General, United States Department of Justice. Attorney Antonia Konkoly added to party Assistant United States Attorney General(pty:dft), Attorney Antonia Konkoly added to party Bureau of Justice(pty:dft), Attorney Antonia Konkoly added to party United States Attorney General(pty:dft), Attorney Antonia Konkoly added to party United States Department of Justice(pty:dft). (Konkoly, Antonia) (Entered: 02/28/2018)
02/28/2018	<u>11</u>	Joint SCHEDULING REPORT – Rule 16.1 by Assistant United States Attorney General, Bureau of Justice, United States Attorney General, United States Department of Justice (Attachments: # <u>1</u> Text of Proposed Order)(Konkoly, Antonia) (Entered: 02/28/2018)
03/01/2018	<u>12</u>	PAPERLESS Minute Entry for proceedings held before Judge Donald M. Middlebrooks: Scheduling Conference held on 3/1/2018. Attorney Appearance(s): Leon Fresco, Alison K Brown, Kimberly Rothenburg and John Tyler. Order to follow. Total time in court: 33 minutes. Court Reporter: Diane Miller, 561–514–3728 / Diane_Miller@flsd.uscourts.gov. (gm1) (Entered: 03/01/2018)
03/02/2018	<u>13</u>	ORDER STAYING RESPONSE DEADLINE AND REQUIRING STATUS REPORT ON MEDIATION re <u>6</u> Plaintiff's MOTION for Preliminary Injunction filed by The City of West Palm Beach (Status Report due by 3/12/2018.) Signed by Judge Donald M.

		Middlebrooks on 3/1/2018. (ail) (Entered: 03/02/2018)
03/12/2018	<u>14</u>	STATUS REPORT <i>and Motion for Leave to Continue Informal Settlement Discussions Through and Including March 16, 2018</i> by Assistant United States Attorney General, Bureau of Justice, United States Attorney General, United States Department of Justice (Attachments: # <u>1</u> Text of Proposed Order)(Konkoly, Antonia) (Entered: 03/12/2018)
03/13/2018	<u>15</u>	ORDER EXTENDING DEADLINE FOR STATUS REPORT ON MEDIATION re <u>14</u> Status Report, filed by Bureau of Justice, Assistant United States Attorney General, United States Department of Justice, United States Attorney General, (Status Report due by 3/16/2018.) Signed by Judge Donald M. Middlebrooks on 3/12/2018. (ail) (Entered: 03/13/2018)
03/16/2018	<u>16</u>	STATUS REPORT <i>and Motion for Leave to Continue Informal Settlement Discussions Through and Including March 23, 2018</i> by Assistant United States Attorney General, Bureau of Justice, United States Attorney General, United States Department of Justice (Attachments: # <u>1</u> Text of Proposed Order)(Konkoly, Antonia) (Entered: 03/16/2018)
03/22/2018	<u>17</u>	ORDER EXTENDING DEADLINE FOR STATUS REPORT ON MEDIATION (Status Report due by 3/23/2018.) Signed by Judge Donald M. Middlebrooks on 3/20/2018. (ail) (Entered: 03/22/2018)
03/23/2018	<u>18</u>	STATUS REPORT <i>and Notice of Settlement</i> by Assistant United States Attorney General, Bureau of Justice, United States Attorney General, United States Department of Justice (Konkoly, Antonia) (Entered: 03/23/2018)
03/23/2018	19	ENDORSED ORDER. The Parties have notified the Court that they have reached an agreement in principle to settle this matter. Accordingly, the Parties must file appropriate closing documents by March 30, 2018 at 12:00 p.m. Signed by Judge Donald M. Middlebrooks on 3/23/2018. (kal) (Entered: 03/23/2018)
03/28/2018	<u>20</u>	STIPULATION of Dismissal , <i>JOINT</i> by The City of West Palm Beach (Attachments: # <u>1</u> Text of Proposed Order Final Order of Dismissal)(Brown, Alison) (Entered: 03/28/2018)
03/29/2018	<u>21</u>	ORDER Closing Case Signed by Judge Donald M. Middlebrooks on 3/28/2018. (ail) NOTICE: If there are sealed documents in this case, they may be unsealed after 1 year or as directed by Court Order, unless they have been designated to be permanently sealed. See Local Rule 5.4 and Administrative Order 2014-69. (Entered: 03/29/2018)