

**United States District Court
Northern District of Illinois – CM/ECF LIVE, Ver 5.0.3 (Chicago)
CIVIL DOCKET FOR CASE #: 1:11-cv-01991**

Revelis et al v. Napolitano et al
Assigned to: Honorable Harry D. Leinenweber
Cause: 28:2201 Declaratory Judgement

Date Filed: 03/23/2011
Date Terminated: 09/20/2012
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

Demos Revelis

represented by **Erin Christine Cobb**
Kriezelman Burton & Associates
20 N. Clark St.
Suite 725
Chicago, IL 60602
312 332 2550
Email: ecobb@krilaw.com
ATTORNEY TO BE NOTICED

Heather M. Benno
Partnership for Civil Justice Fund
617 Florida Ave. NW
Washington, DC 20002
202-232-1180
Fax: 202-747-7747
Email: hbenno@krilaw.com
ATTORNEY TO BE NOTICED

Justin Russell Burton
Kriezelman Burton & Associates
20 North Clark
725
Chicago, IL 60602
(312) 332-2550
Email: jburton@krilaw.com
ATTORNEY TO BE NOTICED

Plaintiff

Marcel Maas

represented by **Erin Christine Cobb**
(See above for address)
ATTORNEY TO BE NOTICED

Heather M. Benno
(See above for address)
ATTORNEY TO BE NOTICED

Justin Russell Burton
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Janet Napolitano
*Secretary, Department of Homeland
Security*

represented by **Jesi J. Carlson**
United States Department of Justice
P.O. Box 868
Ben Franklin Station
Washington, DC 20044
202 305 7037

Email: jesi.j.carlson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

AUSA
United States Attorney's Office (NDIL)
219 South Dearborn Street
Suite 500
Chicago, IL 60604
Email: USAILN.ECFAUSA@usdoj.gov
ATTORNEY TO BE NOTICED

Craig Arthur Oswald
United States Attorney's Office (NDIL)
219 South Dearborn Street
Suite 500
Chicago, IL 60604
(312) 353-5300
Fax: (312) 886-3501
Email: craig.oswald@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

Eric H. Holder, Jr.
Attorney General of the United States

represented by **Jesi J. Carlson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

AUSA
(See above for address)
ATTORNEY TO BE NOTICED

Craig Arthur Oswald
(See above for address)
ATTORNEY TO BE NOTICED

Intervenor

**Bipartisan Legal Advisory Group of
the U.S. House of Representatives**

represented by **Conor B. Dugan**
Bancroft PLLC
1919 M Street, N.W.
Suite 470
Washington, DC 20036
202 234 0090
Email: cdugan@bancroftpllc.com
ATTORNEY TO BE NOTICED

H Christopher Bartolomucci
Bancroft PLLC
1919 M Street, N.W.
Suite 470
Washington, DC 20036
202 234 0090
Email: cbartolomucci@bancroftpllc.com
ATTORNEY TO BE NOTICED

John D Filamor
Office of General Counsel
219 Cannon House Office Building
Washington, DC 20515
TERMINATED: 02/23/2012

Kerry W Kircher
Office of General Counsel
U.S. House of Representatives

219 Cannon House Office Building
 Washington, DC 20515
 (202)225-9700
 Email: kerry.kircher@mail.house.gov
 ATTORNEY TO BE NOTICED

Todd Barry Tatelman
 Office of General Counsel
 U.S. House of Representatives
 219 Cannon House Office Building
 Washington, DC 20515
 202 225 9700
 Email: todd.tatelman@mail.house.gov
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/23/2011	<u>1</u>	COMPLAINT filed by Demos Revelis, Marcel Maas; Filing fee \$ 350, receipt number 0752-5824584.(Burton, Justin) (Entered: 03/23/2011)
03/23/2011	<u>2</u>	CIVIL Cover Sheet (Burton, Justin) (Entered: 03/23/2011)
03/23/2011	<u>3</u>	ATTORNEY Appearance for Plaintiffs Marcel Maas, Demos Revelis by Justin Russell Burton (Burton, Justin) (Entered: 03/23/2011)
03/23/2011		CASE ASSIGNED to the Honorable Harry D. Leinenweber. Designated as Magistrate Judge the Honorable Young B. Kim. (daj,) (Entered: 03/23/2011)
03/23/2011	<u>4</u>	SUMMONS Issued as to Eric H. Holder, Jr, Janet Napolitano, and U.S. Attorney General. (mb,) (Entered: 03/24/2011)
03/23/2011	<u>5</u>	DOCUMENT ENTERED IN ERROR (mb,) (Entered: 03/24/2011)
04/05/2011	<u>6</u>	DESIGNATION of Craig Arthur Oswald as U.S. Attorney for Defendants Eric H. Holder, Jr, Janet Napolitano (Oswald, Craig) (Entered: 04/05/2011)
04/06/2011	<u>7</u>	ATTORNEY Appearance for Defendants Eric H. Holder, Jr, Janet Napolitano by Jesi J. Carlson (Carlson, Jesi) (Entered: 04/06/2011)
05/31/2011	<u>8</u>	MOTION by Defendants Eric H. Holder, Jr, Janet Napolitano to dismiss <i>Plaintiffs' Complaint</i> (Carlson, Jesi) (Entered: 05/31/2011)
05/31/2011	<u>9</u>	NOTICE of Motion by Jesi J. Carlson for presentment of motion to dismiss <u>8</u> before Honorable Harry D. Leinenweber on 6/7/2011 at 09:30 AM. (Carlson, Jesi) (Entered: 05/31/2011)
05/31/2011	<u>10</u>	ATTORNEY Appearance for Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives by Kerry W Kircher <i>on behalf of Paul D. Clement</i> (Kircher, Kerry) (Entered: 05/31/2011)
05/31/2011	<u>11</u>	ATTORNEY Appearance for Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives by Kerry W Kircher <i>on behalf of H. Christopher Bartolomucci</i> (Kircher, Kerry) (Entered: 05/31/2011)
05/31/2011	<u>12</u>	ATTORNEY Appearance for Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives by Kerry W Kircher <i>on behalf of Conor B. Dugan</i> (Kircher, Kerry) (Entered: 05/31/2011)
05/31/2011	<u>13</u>	ATTORNEY Appearance for Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives by Kerry W Kircher (Kircher, Kerry) (Entered: 05/31/2011)
05/31/2011	<u>14</u>	MOTION by Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives to intervene <i>for a limited purpose</i> (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Kircher, Kerry) (Entered: 05/31/2011)
05/31/2011	<u>15</u>	MOTION by Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives to intervene <i>Memorandum in Support of Motion</i> (Attachments: # <u>1</u>

		Exhibit, # <u>2</u> Exhibit)(Kircher, Kerry) (Entered: 05/31/2011)
05/31/2011	<u>16</u>	NOTICE of Motion by Kerry W Kircher for presentment of motion to intervene <u>15</u> , motion to intervene <u>14</u> before Honorable Harry D. Leinenweber on 6/14/2011 at 09:30 AM. (Kircher, Kerry) (Entered: 05/31/2011)
05/31/2011	<u>17</u>	MINUTE entry before Honorable Harry D. Leinenweber: Defendants Motion to Dismiss and BiPartisan motion to intervene are reset for 6/10/2011 at 09:30 AM.Mailed notice (wp,) (Entered: 05/31/2011)
06/06/2011	<u>18</u>	ATTORNEY Appearance for Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives by Kerry W Kircher <i>on behalf of John D. Filamor</i> (Kircher, Kerry) (Entered: 06/06/2011)
06/09/2011	<u>19</u>	ATTORNEY Appearance for Plaintiffs Marcel Maas, Demos Revelis by Erin Christine Cobb (Cobb, Erin) (Entered: 06/09/2011)
06/10/2011	<u>20</u>	ATTORNEY Appearance for Plaintiffs Marcel Maas, Demos Revelis by Heather M. Benno (Benno, Heather) (Entered: 06/10/2011)
06/10/2011	<u>21</u>	ATTORNEY Appearance for Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives by John D Filamor (mb,) (Entered: 06/14/2011)
06/10/2011	<u>22</u>	MINUTE entry before Honorable Harry D. Leinenweber: Briefing schedule set on defendants' motion to dismiss and BiPartisan's motion to intervene. Responses to be filed by 7/11/2011. Reply briefs due by 7/25/2011. The Court will rule orally on 8/25/2011 at 9:00 a.m.Mailed notice (wp,) (Entered: 06/16/2011)
07/11/2011	<u>23</u>	RESPONSE by Defendants Eric H. Holder, Jr, Janet Napolitano to motion to intervene <u>15</u> (Carlson, Jesi) (Entered: 07/11/2011)
07/11/2011	<u>24</u>	RESPONSE by Marcel Maas, Demos Revelisin Opposition to MOTION by Defendants Eric H. Holder, Jr, Janet Napolitano to dismiss <i>Plaintiffs' Complaint</i> <u>8</u> (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Burton, Justin) (Entered: 07/11/2011)
07/11/2011	<u>25</u>	RESPONSE by Marcel Maas, Demos Revelisin Opposition to MOTION by Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives to intervene <i>for a limited purpose</i> <u>14</u> , MOTION by Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives to intervene <i>Memorandum in Support of Motion</i> <u>15</u> (Burton, Justin) (Entered: 07/11/2011)
07/25/2011	<u>26</u>	ATTORNEY Appearance for Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives by H Christopher Bartolomucci (Bartolomucci, H) (Entered: 07/25/2011)
07/25/2011	<u>27</u>	ATTORNEY Appearance for Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives by Conor B. Dugan (Dugan, Conor) (Entered: 07/25/2011)
07/25/2011	<u>28</u>	REPLY by Defendants Eric H. Holder, Jr, Janet Napolitano to response in opposition to motion, <u>25</u> (Carlson, Jesi) (Entered: 07/25/2011)
07/25/2011	<u>29</u>	REPLY by Bipartisan Legal Advisory Group of the U.S. House of Representatives to MOTION by Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives to intervene <i>for a limited purpose</i> <u>14</u> (Attachments: # <u>1</u> Exhibit)(Bartolomucci, H) (Entered: 07/25/2011)
08/11/2011	<u>30</u>	MINUTE entry before Honorable Harry D. Leinenweber: It is hereby ordered that the oral ruling date of 8/25/2011 is stricken. The Court will rule by mail.Mailed notice (wp,) (Entered: 08/11/2011)
08/17/2011	<u>31</u>	Notice of Recent Decision by Bipartisan Legal Advisory Group of the U.S. House of Representatives (Attachments: # <u>1</u> Exhibit)(Bartolomucci, H) (Entered: 08/17/2011)
12/05/2011	<u>32</u>	Notice of Recent Decision by Bipartisan Legal Advisory Group of the U.S. House of Representatives (Attachments: # <u>1</u> Exhibit A)(Kircher, Kerry) (Entered: 12/05/2011)

01/05/2012	<u>33</u>	MINUTE entry before Honorable Harry D. Leinenweber:ENTER MEMORANDUM OPINION AND ORDER: Defendants' Motion to Dismiss is denied. BLAG's Motion to Intervene for a Limited Purpose is granted. BLAG is to answer or otherwise plead within thirty (30) days of the date of this Order. Status hearing set for 2/16/2012 at 09:00 AM.Mailed notice (wp,) (Entered: 01/05/2012)
01/05/2012	<u>34</u>	MEMORANDUM Opinion and Order Signed by the Honorable Harry D. Leinenweber on 1/5/2012:Mailed notice(wp,) (Entered: 01/05/2012)
01/19/2012	<u>35</u>	<i>Defendants'</i> ANSWER to Complaint by Eric H. Holder, Jr, Janet Napolitano (Attachments: # <u>1</u> Exhibit A)(Carlson, Jesi) (Entered: 01/19/2012)
02/03/2012	<u>36</u>	MINUTE entry before Honorable Harry D. Leinenweber:Pursuant to the stipulation, the intervenor, the Bipartisan Legal Advisory Group of the U.S. House of Representatives, MAY FILE a memorandum of points and authorities in support of its motion to dismiss of no more than thirty-five (35) pages in length.Mailed notice (wp,) (Entered: 02/03/2012)
02/03/2012	<u>37</u>	MOTION by Defendants Eric H. Holder, Jr, Janet Napolitano to dismiss (<i>Second</i>) (Carlson, Jesi) (Entered: 02/03/2012)
02/03/2012	<u>38</u>	NOTICE of Motion by Jesi J. Carlson for presentment of motion to dismiss <u>37</u> before Honorable Harry D. Leinenweber on 2/16/2012 at 09:30 AM. (Carlson, Jesi) (Entered: 02/03/2012)
02/06/2012	<u>39</u>	MOTION by Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives to dismiss (Attachments: # <u>1</u> Text of Proposed Order)(Bartolomucci, H) (Entered: 02/06/2012)
02/06/2012	<u>40</u>	MEMORANDUM by Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives of points and authorities in support of Motion to dismiss by Intervenor defendant the Bipartisan Legal Advisory Group of the U.S. House of Representatives. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Bartolomucci, H) (Docket Text Modified by Clerks Office.) Modified on 2/7/2012 (ea,). (Entered: 02/06/2012)
02/06/2012	<u>41</u>	NOTICE of Motion by H Christopher Bartolomucci for presentment of motion to dismiss <u>39</u> before Honorable Harry D. Leinenweber on 2/16/2012 at 09:30 AM. (Bartolomucci, H) (Docket Text Modified by Clerks Office.) Modified on 2/7/2012 (ea,). (Entered: 02/06/2012)
02/08/2012	<u>42</u>	ATTORNEY Appearance for Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives by Todd Barry Tatelman (Tatelman, Todd) (Entered: 02/08/2012)
02/08/2012	<u>43</u>	MOTION by Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives to substitute attorney (Attachments: # <u>1</u> Text of Proposed Order)(Tatelman, Todd) (Entered: 02/08/2012)
02/08/2012	<u>44</u>	NOTICE of Motion by Todd Barry Tatelman for presentment of motion to substitute attorney <u>43</u> before Honorable Harry D. Leinenweber on 2/16/2012 at 09:30 AM. (Tatelman, Todd) (Entered: 02/08/2012)
02/13/2012	<u>45</u>	MINUTE entry before Honorable Harry D. Leinenweber: Status hearing reset for 2/23/2012 at 09:00 AM. Defendants' Motions to Dismiss and the Motion to Withdraw and Substitute are reset to 2/23/2012 at 9:00 a.m.Mailed notice (wp,) (Entered: 02/13/2012)
02/23/2012	<u>47</u>	MINUTE entry before Honorable Harry D. Leinenweber: Status hearing held. The Motion of The Bipartisan Legal Advisory Group of the U.S. House of Representative for leave to withdraw the appearance of John D. Filamor and substitute as co-counsel Todd B. Tatelman, Assistance Counsel in the Office of General Counsel is granted. Plaintiffs response to defendants motions to dismiss to be filed by 4/9/2012. Reply briefs due by 4/23/2012. The Court will rule orally on 5/30/2012 at 9:00 a.m. Mailed notice (mb,) (Entered: 03/28/2012)
03/27/2012	<u>46</u>	STIPULATION <i>Joint, for Leave to File Response in Excess of 15 Pages</i> (Cobb, Erin) (Entered: 03/27/2012)

04/05/2012	<u>48</u>	MINUTE entry before Honorable Harry D. Leinenweber:Pursuant to the Stipulation, plaintiffs and Defendants granted leave to file Memoranda of Points and Authorities in support of their individual responses to the Intervenor's Motion to Dismiss that are no more than 35 pages in length.Mailed notice (wp,) (Entered: 04/05/2012)
04/09/2012	<u>49</u>	RESPONSE by Marcel Maas, Demos Revelisin Opposition to MOTION by Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives to dismiss <u>39</u> (Attachments: # <u>1</u> Exhibit A)(Cobb, Erin) (Entered: 04/09/2012)
04/09/2012	<u>50</u>	MEMORANDUM by Eric H. Holder, Jr, Janet Napolitano in Opposition to motion to dismiss <u>39</u> filed by the Bipartisan Legal Advisory Group of the House of Representatives (Carlson, Jesi) (Entered: 04/09/2012)
04/20/2012	<u>51</u>	STIPULATION for Intervenor Defendant To File Consolidated Reply, in Excess of Fifteen (15) Pages, to Plaintiffs' and Federal Defendant's Responses to Intervenor Defendant's Motion to Dismiss (Bartolomucci, H) (Entered: 04/20/2012)
04/23/2012	<u>52</u>	MOTION by Defendants Eric H. Holder, Jr, Janet Napolitano to stay <i>Proceedings Due to Agency Action</i> (Carlson, Jesi) (Entered: 04/23/2012)
04/23/2012	<u>53</u>	NOTICE of Motion by Jesi J. Carlson for presentment of motion to stay <u>52</u> before Honorable Harry D. Leinenweber on 5/10/2012 at 09:30 AM. (Carlson, Jesi) (Entered: 04/23/2012)
04/23/2012	<u>54</u>	REPLY by Intervenor Bipartisan Legal Advisory Group of the U.S. House of Representatives to motion to dismiss <u>39</u> (Attachments: # <u>1</u> Exhibit 1)(Bartolomucci, H) (Entered: 04/23/2012)
05/02/2012	<u>55</u>	RESPONSE by Bipartisan Legal Advisory Group of the U.S. House of Representatives in Opposition to MOTION by Defendants Eric H. Holder, Jr, Janet Napolitano to stay <i>Proceedings Due to Agency Action</i> <u>52</u> (Bartolomucci, H) (Entered: 05/02/2012)
05/03/2012	<u>56</u>	MINUTE entry before Honorable Harry D. Leinenweber: Enter Order granting the stipulation for intervenor defendant to file consolidated reply, in excess of fifteen pages, to plaintiffs and federal defendants' responses to intervenor defendant's motion to dismiss. [For further detail see separate order.] Mailed notice (mb,) (Entered: 05/07/2012)
05/03/2012	<u>57</u>	STIPULATION for Intervenor defendant to file consolidated reply, in excess of fifteen (15) pages, to plaintiffs' and federal defendants' responses to intervenor defendant's motion to dismiss. Signed by the Honorable Harry D. Leinenweber on 5/3/2012:(mb,) (Entered: 05/07/2012)
05/07/2012	<u>58</u>	REPLY by Defendants Eric H. Holder, Jr, Janet Napolitano to response in opposition to motion <u>55</u> to stay (response in opposition filed by Bipartisan Legal Advisory Group for the House of Representatives) (Carlson, Jesi) (Entered: 05/07/2012)
05/10/2012	<u>59</u>	MINUTE entry before Honorable Harry D. Leinenweber:The Court will rule by mail on Defendants Motion to Stay Proceedings.Motion hearing held on 5/10/2012 regarding motion to stay <u>52</u> Mailed notice (wp,) (Entered: 05/10/2012)
07/12/2012	<u>60</u>	WRITTEN Opinion entered by the Honorable Harry D. Leinenweber on 7/12/2012:The Government Defendants' motion to stay proceedings for 90 days is granted. A status hearing set for 10/16/2012 at 9:00 a.m. Should USCIS' decision on the Plaintiff's visa petition be finalized before that time, the parties are hereby ordered to file a motion for an earlier status date. Mailed notice(wp,) (Entered: 07/12/2012)
08/13/2012	<u>61</u>	MINUTE entry before Honorable Harry D. Leinenweber:Defendants' granted leave to file the agency's decision on plaintiffs' I-130 petition for alien relatives, under seal.Mailed notice (wp,) (Entered: 08/13/2012)
08/13/2012	<u>62</u>	MOTION by Defendants Eric H. Holder, Jr, Janet Napolitano for hearing re order on motion to stay,, written opinion,, set hearings, <u>60</u> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Carlson, Jesi) (Entered: 08/13/2012)

08/13/2012	<u>63</u>	NOTICE of Motion by Jesi J. Carlson for presentment of motion for hearing, motion for relief,, <u>62</u> before Honorable Harry D. Leinenweber on 9/5/2012 at 09:30 AM. (Carlson, Jesi) (Entered: 08/13/2012)
08/13/2012	<u>64</u>	SEALED DOCUMENT by Defendants Eric H. Holder, Jr, Janet Napolitano <i>Exhibit A to Motion to Notice of Agency Action and Motion for an Earlier Status Hearing</i> (Carlson, Jesi) (Entered: 08/13/2012)
08/27/2012	<u>65</u>	DOCUMENT ENTERED IN ERROR (Entered: 08/27/2012)
08/27/2012	<u>66</u>	NOTICE of Correction regarding document <u>65</u> (tg,) (Entered: 08/27/2012)
08/27/2012	<u>67</u>	MINUTE entry before Honorable Harry D. Leinenweber:The Motion to set earlier status hearing <u>62</u> is granted. Status hearing reset for 9/20/2012 at 09:00 AM.Mailed notice (wp,) (Entered: 08/27/2012)
09/20/2012	<u>68</u>	MINUTE entry before Honorable Harry D. Leinenweber:Status hearing held on 9/20/2012. Defendant's oral motion to dismiss without prejudice is granted. Civil case terminated. Mailed notice (wp,) (Entered: 09/20/2012)