

CLOSED, LEAD

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:92-cv-08199-GEL

Abdullah, et al v. Immigration and, et al
Assigned to: Judge Gerard E. Lynch
Demand: \$0
Member case: ([View Member Case](#))
Cause: 28:1331 Fed. Question: Other

Date Filed: 11/12/1992
Date Terminated: 12/22/2003
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: U.S. Government Defendant

Plaintiff

Syed Abdullah

represented by **Robert A. Murtha, Jr.**
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Plaintiff

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*LEAD ATTORNEY***Plaintiff****Ghulam Asghar**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****Mohammad Khalid Awan**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****Shahinshah Babar**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****Mohi Badal**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****H.M. Oliullah Badsha**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****Muhammad Munir Butt**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****Shaheen Akatar Chaudary**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****Zia Ullah Chaudhry**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****Mohammad Amir Hamza**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****Mohammad Shahidul Haque**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****Rezia Hasnath**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****K.H.I. Hossain**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****Vishnu Indar**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****Hamed Mahmood**represented by **Robert A. Murtha, Jr.**
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*LEAD ATTORNEY***Plaintiff****Mohammad Motiur Rahman**represented by **Robert A. Murtha, Jr.**
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Consolidated Plaintiff

Sarbjit Ahluwala

Consolidated Plaintiff

Mahmud Ahmed

Consolidated Plaintiff

Zahis Abbas

Consolidated Plaintiff

MD. Asha Alam

V.

Defendant

Immigration and Naturalization Service.

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All Plaintiffs

Plaintiffs

Date Filed	#	Docket Text
11/12/1992	1	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); FILING FEE \$ 120.00 RECEIPT # 180071 (la) (Entered: 11/13/1992)
11/12/1992	2	Case information Statement Addendum filed. Purs. to statement, it is suggested that the case be classified as Expedited. (la) (Entered: 11/13/1992)
11/12/1992	3	RETURN OF SERVICE executed as to Immigration and Otto G. Obermaier by certified mail and by hand on 11/12/92 Answer due on 12/2/92 for Immigration and Otto G. Obermaier. (ar) (Entered: 11/13/1992)
12/02/1992	4	ORDER, set pretrial conference for 10:30 1/25/93 (signed by Judge Kenneth Conboy); Copies mailed (ar) (Entered: 12/03/1992)
01/26/1993	5	SCHEDULING ORDER setting Discovery cutoff 4/26/93 ; Pretrial order to be submitted on or before 5/26/93 ; Trial ready deadline 9:30 6/29/93; So Ordered. (signed by Judge Kenneth Conboy) ; Copies mailed (sc) (Entered: 01/27/1993)
01/29/1993	6	STIPULATION and ORDER, reset answer due for 2/25/93 for Immigration and (signed by Judge Kenneth Conboy). (mk) (Entered: 02/01/1993)
03/02/1993	7	STIPULATION and ORDER, reset answer due for 3/18/93 for Immigration and (signed by Judge Kenneth Conboy). (mk) (Entered: 03/02/1993)
03/25/1993	8	STIPULATION and ORDER, reset answer due for 3/25/93 for Immigration and (signed by Judge Kenneth Conboy). (mk) (Entered: 03/25/1993)
03/26/1993	9	ANSWER to Complaint by Immigration and (Attorney James A. O'Brien III) , ; Firm of: RSH by attorney James A. O'Brien III for defendant Immigration and (Rcvd. NDB on 3-26-93 at 9:03 p.m.) (mk) (Entered: 03/30/1993)
04/23/1993	10	Filed Memo_Endorsement on letter dated 4/16/93, reset discovery due for 6/30/93 , reset pretrial order due for 7/31/93 , reset trial ready deadline 10/31/93 (signed by Judge Kenneth Conboy) (sc) (Entered: 04/26/1993)
08/24/1993		Consolidated Lead Case (mk) (Entered: 08/31/1993)

08/24/1993	11	STIPULATION and ORDER FOR CONSOLIDATION, consolidating cases 92 civ 8199 KC & 93 civ 3985 KC purs. to FRCP 42(a) & the parties will adhere to a common timetable to be established at the 9-20-93 pretrial conference (signed by Judge Kenneth Conboy). (Also fld. in 93 civ 3985 KC) (mk) (Entered: 08/31/1993)
09/29/1993	12	Filed Memo_Endorsement on letter dated 09/27/93... to Judge Conboy from James A. O'Brien III SAUSA requesting leave to file up to a 40 page memorandum of law in support of its motion. SO ORDERED. (signed by Judge Kenneth Conboy) Copies mailed. (kk) (Entered: 10/05/1993)
10/19/1993	13	Filed Memo_Endorsement on letter dated 10/15/93, reset the Government's motion filing deadline for 11/17/93 , reset opposition to motion filing deadline set for 12/17/93 , Reply to Response to Motion set for 1/21/93 ...So Ordered. (signed by Judge Kenneth Conboy) (sc) (Entered: 10/19/1993)
10/21/1993	14	STIPULATION and ORDER, reset answer due for 11/17/93 for Immigration and (signed by Judge Kenneth Conboy). (Also fld. in 93 civ 3985 KC) (mk) (Entered: 10/22/1993)
11/05/1993	16	Affidavit of service of the Amended Cmplt as to Immigration and by Lega; Technician, Legal Division, on 11/5/93 Answer due on 11/25/93 for Immigration and; as to MARY Jo White U.S. Attorney by Kegal Clerk on 11-5-93; as to Janet Reno, US Attorney General by certified mail on 11-05-93 (mk) (Entered: 11/08/1993)
11/05/1993	15	AMENDED COMPLAINT by Syed Abdullah, Mohammad Abdur, Mohammad Tahseen Afzal, Muhammad Zahid Afzal, Choudhury Mohammad Affzal, Mohammad M. Alam, Akbar Ali, Hessian Bessauony Ali, Rafaqat Ali, Mohammad Shamsul Almaji, Olam Ambia, Mohammad Arif, Ghulam Asghar, Mohammad Khalid Awan, Shahinshah Babar, Mohi Badal, K.H.I. Hossain, Khadim Hussain, Syed Safdar Hussain, Vishnu Indar, Mohammed N. Islam, Mohammed Sirajul Islam, Mohammed Rahman, Muhammad Nawaz Ramzan, Nayier Rashid, Husnain Raza, Abdul Rehman, Ali Azhar Rizvi, Abdul Rumi, Riaz Saddique, Gidon Saido, Mohammad Saleem, Hamed Mahmood, Masoud Akhter Malik, Syed Sharafat Mashadi, MD. Shahjal Miah, Abdul Ghafoor, Mohammed Ghani, Mohammad Amir Hamza, H.M. Oliullah Badsha, Muhammad Munir Butt, Shaheen Akatar Chaudary, Zia Ullah Chaudhry, Mohammad Khalid, Abdul Khan, Mohammad Khan, Gous Khandaker, Mahinder Kumar, Ahmed Yousuf Darbar, Dev Dutt, Syed Qalb-E-Abbas Gardezi, Mohammad Kamal Ahmed, Nazir Ahmed, Rahim Ahmed, Walid Ahmed, Zhunu Ahmed, Mahmood Choudhury, Motiul Chowhury, Aziz Ahmad Dar, Mohammad Javed, Naseer Ahmad Javed, Anwar Haque, Mohammad Shahidul Haque, Rezia Hasnath, MD. Nevel Hayat, Chaudry Jawaid, Gurdip Singh Josan, Mohammad Rashid Malik, Nisar Malik, Devidas Mansukhani, Surinder Kumar, Saleem Latif, Mohammad Abul Kalam, Mohammad Kamal, Pradip Karmakar, Akram Muhammad, Kawser Mustafa, Mohammad Kasem Abul Nabi, Abdelrahim Hussin Nasser, Pushpinder Nath, Rizwan Pasha, Mohammad Munir, Hasan Salim, Baten Seraj, Harminder Singh, Nantu Qamruz Zaman, Mohammad Komor Uddin, Siraj Uddin, Chandubhai Patel, Dineshbhai Patel, Naimesh Kumer Patel, Tej Ram, Mohammad Motiur Rahman, Mohammad H. Rahman, Mazhar Naser, Saba Qamar, Abdul Qayyum, Kulwant Singh, Jaswant Singh, Joginder Singh, Ranjit Singh, Syed Mohammed Sirajuddin, Zaka Ullah

		Warich, Parveen Khan Zafar, Abdul Halim Chowdhury, Satpal S. Taak, MD. Niaz Uddin, Mohammad Jamal Uddin, Moffazzal Hossain Chowdhury , (Answer due 11/18/93 for Immigration and) amending [1-1] complaint ; Summons issued. (mk) (Entered: 11/08/1993)
11/12/1993	17	Filed Memo_Endorsement on letter dated 11/9/93, set Government's motion filing deadline for 1/26/93 , set opposition to motion filing deadline for 3/14/94 , Reply to Response to Motion set for 4/4/94 ...So Ordered. (signed by Judge Kenneth Conboy) (sc) (Entered: 11/16/1993)
11/19/1993	18	STIPULATION and ORDER, reset answer due for 1/21/93 for U.S. Immigration and Natural. Service (signed by Judge Kenneth Conboy). (sc) (Entered: 11/23/1993)
01/25/1994	19	Notice of reasgmt _ to Judge Allen G. Schwartz Copy of notice and judge's rules mailed to Attorney(s) of record: Robert A. Murtha Jr., James A. O'Brien III. (rjm) (Entered: 01/25/1994)
01/26/1994	20	STIPULATION and ORDER, reset answer due for 4/1/94 for Immigration and (signed by Judge Allen G. Schwartz). (Also fld. in 93 civ 3985 AGS) (mk) (Entered: 01/28/1994)
02/02/1994	21	Filed Memo_Endorsement on the Government's letter dated 1/26/94, reset def't's motion filing deadline for 4/1/94 , reset pl'tffs' opposition to motion filing deadline for 5/16/94 , Reply to Response to Motion set for 6/8/94 ...So Ordered. (signed by Judge Allen G. Schwartz) (sc) (Entered: 02/03/1994)
04/12/1994	24	Filed Memo_Endorsement on letter by James A.O'Brien III Special Assistant U.S. Attorney dated 4/8/94, additional extension of time for Government's motion to 4/12/94 , extending time for plaintiffs' Opposition to 5/31/94 , extending time for Government's Reply to 7/1/94 (signed by Judge Allen G. Schwartz) (pl) (Entered: 04/18/1994)
04/12/1994	23	MEMORANDUM by Immigration and in support of [22-1] motion to dismiss the cmplt for lack of subject matter jurisdiction or for failure to state a claim upon which relief can be granted, [22-2] motion for summary judgment purs. to FRCP56 W/attchd. EXHIBITS A, B & C to Declaration (Rcvd. NDB on 4/12/94 at 10:10 p.m.) (mk) (Entered: 04/14/1994)
04/12/1994	22	NOTICE OF MOTION by Immigration and to dismiss the cmplt for lack of subject matter jurisdiction or for failure to state a claim upon which relief can be granted , or, in the alternative, for summary judgment purs. to FRCP56 W/attchd. EXHIBITS A, B & C to Declaration ,W/attchd. RULE 3(g) STATEMENT i& Declaration of James A. O'Broen Return date 7/22/94 (Rcvd. NDB on 4/12/94 at 10:12 p.m.) (mk) Modified on 04/13/1994 (Entered: 04/13/1994)
04/21/1994	25	STIPULATION and ORDER, by and between attorney,s for the parties extending the Government's time to answer the complaint and amended complaint in 93Civ.3985 (AGS) (S.D.N.Y.), is extended to ten (10) days after the Court's disposition of the Government's 4/12/94 motion to dismiss the complaint, pursuant to Fed. R. Civ. P. 12(b)(1) and (b) (6) or, in the alternative, for summary judgment, pursuant to Fed. R. Civ. P. 56. (signed by Judge Allen G. Schwartz). (pl) (Entered: 04/29/1994)

05/24/1994	26	Filed Memo_Endorsement on letter from Robert A. Murtha, Jr. dated 5/23/94, reset plttf's opposition to motion filing deadline for set for 8/1/94 , and Defts' Reply to Response to Motion reset to 9/5/94 for [22-1] motion to dismiss the cmplt for lack of subject matter jurisdiction or for failure to state a claim upon which relief can be granted, reset to 9/5/94 for [22-2] motion summary judgment purs. to FRCP56 W/attchd. EXHIBITS A, B & to Declaration , and Motion hearing set for 9/30/94 for [22-1] motion to dismiss the cmplt for lack of subject matter jurisdiction or for failure to state a claim upon which relief can be granted, set for 9/30/94 for [22-2] motion for summary judgment purs. to FRCP56 W/attchd. EXHIBITS A, B & C to Declaration... SO ORDERED, SCHWARTZ, J. (signed by Judge Allen Schwartz) (Also fld. in 93 civ 3985 AGS) (mk) (Entered: 05/31/1994)
07/29/1994	27	Filed Memo_Endorsement on letter by Robert A. Murtha, Jr. dated 7/27/94, reset Plaintiffs' opposition to motion filing deadline for set for 8/15/94 , reset Goverments' reply to opposition brief due for 9/19/94 , Return date reset to 10/14/94 for [22-1] motion to dismiss the cmplt for lack of subject matter jurisdiction or for failure to state a claim upon which relief can be granted, 10/14/94 for [22-2] motion for summary judgment purs. to FRCP56 W/attchd. EXHIBITS A, B & C to Declaration (signed by Judge Allen G. Schwartz) (pl) (Entered: 08/10/1994)
08/12/1994	29	Filed Memo_Endorsement on letter from Robert A. Murths, Jr. dated 8/10/94, requests that this Court permit ptffs to adopt & refer to def't record for purposes of plttfs' responsive papers rather tha re-copy the record... SO ORDERED, SCHWARTZ, J. (signed by Judge Allen G. Schwartz) (mk) (Entered: 08/16/1994)
08/12/1994	28	STIPULATION and ORDER, to amend Caption to include the names of two additional plaintiffs, Rafique Uddin and Safar Uddin (signed by Judge Allen G. Schwartz). (pl) (Entered: 08/16/1994)
08/15/1994	31	MEMORANDUM by Syed Abdullah, Mohammad Abdur, Mohammad Tahseen Afzal, Muhammad Zahid Afzal, Choudhury Mohammad Affzal, Mohammad M. Alam, Akbar Ali, Hessian Bessauony Ali, Rafaqat Ali, Mohammad Shamsul Almaji, Olam Ambia, Mohammad Arif, Ghulam Asghar, Mohammad Khalid Awan, Shahinshah Babar, Mohi Badal, K.H.I. Hossain, Khadim Hussain, Syed Safdar Hussain, Vishnu Indar, Mohammed N. Islam, Mohammed Sirajul Islam, Mohammed Rahman, Muhammad Nawaz Ramzan, Nayier Rashid, Husnain Raza, Abdul Rehman, Ali Azhar Rizvi, Abdul Rumi, Riaz Saddique, Gidon Saido, Mohammad Saleem, Hamed Mahmood, Masoud Akhter Malik, Syed Sharafat Mashadi, MD. Shahjal Miah, Abdul Ghafoor, Mohammed Ghani, Mohammad Amir Hamza, H.M. Oliullah Badsha, Muhammad Munir Butt, Shaheen Akatar Chaudary, Zia Ullah Chaudhry, Mohammad Khalid, Abdul Khan, Mohammad Khan, Gous Khandaker, Mahinder Kumar, Ahmed Yousuf Darbar, Dev Dutt, Syed Qalb-E-Abbas Gardezi, Mohammad Kamal Ahmed, Nazir Ahmed, Rahim Ahmed, Walid Ahmed, Zhunu Ahmed, Mahmood Choudhury, Motiul Chowhury, Aziz Ahmad Dar, Mohammad Javed, Naseer Ahmad Javed, Anwar Haque, Mohammad Shahidul Haque, Rezia Hasnath, MD. Nevel Hayat, Chaudry Jawaid, Gurdip Singh Josan, Mohammad Rashid Malik, Nisar Malik, Devidas Mansukhani, Surinder Kumar, Saleem Latif, Mohammad Abul Kalam, Mohammad

		<p>Kamal, Pradip Karmakar, Akram Muhammad, Kawser Mustafa, Mohammad Kasem Abul Nabi, Abdelrahim Hussin Nasser, Pushpinder Nath, Rizwan Pasha, Mohammad Munir, Hasan Salim, Baten Seraj, Harminder Singh, Nantu Qamruz Zaman, Mohammad Komor Uddin, Siraj Uddin, Chandubhai Patel, Dineshbhai Patel, Naimesh Kumer Patel, Tej Ram, Mohammad Motiur Rahman, Mohammad H. Rahman, Mazhar Naser, Saba Qamar, Abdul Qayyum, Kulwant Singh, Jaswant Singh, Joginder Singh, Ranjit Singh, Syed Mohammed Sirajuddin, Zaka Ullah Warich, Parveen Khan Zafar, Abdul Halim Chowdhury, Satpal S. Taak, MD. Niaz Uddin, Mohammad Jamal Uddin, Moffazzal Hossain Chowdhury, Rafique Uddin, Safar Uddin, Rafique Uddin, Safar Uddin in opposition to [22-1] motion to dismiss the cmplt for lack of subject matter jurisdiction or for failure to state a claim upon which relief can be granted, [22-2] motion for summary judgment purs. to FRCP56 W/attchd. EXHIBITS A, B & C to Declaration, & in support of [30-1] cross motion for an order declaring deft's practices& procedures unconstitutional & violative 8 USC 1160, [30-2] cross motion for summary judgment, cross motion directing deft to vacate denials of plttfs' applications for adjustment of status & order deft to readjudicate their applications utilizing constitutionally correct procedures & directing deft to re-issue work authorizations to plttfs pending a final determination of their applications, [30-4] cross motion mandating deft to re-issue work authorizations to plttfs pending the outcome of this action purs. to FRCP 65(a) (mk) (Entered: 08/16/1994)</p>
08/15/1994	30	<p>NOTICE OF CROSS MOTION by Syed Abdullah, Mohammad Abdur, Mohammad Tahseen Afzal, Muhammad Zahid Afzal, Choudhury Mohammad Affzal, Mohammad M. Alam, Akbar Ali, Hessian Bessauony Ali, Rifaqat Ali, Mohammad Shamsul Almaji, Olam Ambia, Mohammad Arif, Ghulam Asghar, Mohammad Khalid Awan, Shahinshah Babar, Mohi Badal, K.H.I. Hossain, Khadim Hussain, Syed Safdar Hussain, Vishnu Indar, Mohammed N. Islam, Mohammed Sirajul Islam, Mohammed Rahman, Muhammad Nawaz Ramzan, Nayier Rashid, Husnain Raza, Abdul Rehman, Ali Azhar Rizvi, Abdul Rumi, Riaz Saddique, Gidon Saido, Mohammad Saleem, Hamed Mahmood, Masoud Akhter Malik, Syed Sharafat Mashadi, MD. Shahjal Miah, Abdul Ghafoor, Mohammed Ghani, Mohammad Amir Hamza, H.M. Oliullah Badsha, Mohammad Munir Butt, Shaheen Akatar Chaudary, Zia Ullah Chaudhry, Mohammad Khalid, Abdul Khan, Mohammad Khan, Gous Khandaker, Mahinder Kumar, Ahmed Yousuf Darbar, Dev Dutt, Syed Qalb-E-Abbas Gardezi, Mohammad Kamal Ahmed, Nazir Ahmed, Rahim Ahmed, Walid Ahmed, Zhunu Ahmed, Mahmood Choudhury, Motiul Chowhury, Aziz Ahmad Dar, Mohammad Javed, Naseer Ahmad Javed, Anwar Haque, Mohammad Shahidul Haque, Rezia Hasnath, MD. Nevel Hayat, Chaudry Jawaid, Gurdip Singh Josan, Mohammad Rashid Malik, Nisar Malik, Devidas Mansukhani, Surinder Kumar, Saleem Latif, Mohammad Abul Kalam, Mohammad Kamal, Pradip Karmakar, Akram Muhammad, Kawser Mustafa, Mohammad Kasem Abul Nabi, Abdelrahim Hussin Nasser, Pushpinder Nath, Rizwan Pasha, Mohammad Munir, Hasan Salim, Baten Seraj, Harminder Singh, Nantu Qamruz Zaman, Mohammad Komor Uddin, Siraj Uddin, Chandubhai Patel, Dineshbhai Patel, Naimesh Kumer Patel, Tej Ram, Mohammad Motiur Rahman, Mohammad H. Rahman, Mazhar Naser, Saba Qamar, Abdul Qayyum, Kulwant Singh, Jaswant Singh, Joginder Singh, Ranjit Singh, Syed Mohammed Sirajuddin, Zaka Ullah Warich, Parveen Khan Zafar, Abdul Halim Chowdhury, Satpal S. Taak, MD. Niaz Uddin, Mohammad Jamal Uddin, Moffazzal Hossain Chowdhury, Rafique Uddin,</p>

		Safar Uddin, Rafique Uddin, Safar Uddin for an order declaring deft's practices & procedures unconstitutional & violative of 8 USC 1160 , for summary judgment , directing deft to vacate denials of pltffs' applications for adjustment of status & order deft to readjudicate their applications utilizing constitutionally correct procedures & directing deft to re-issue work authorizations to pltffs pending a final determination of their applications , or, in the alternative, mandating deft to re-issue work authorizations to pltffs pending the outcome of this action purs. to FRCP 65(a) W/attchd. AFFIRMATION of Robert S. Murtha, Jr. , Return date 10/14/94 (mk) Modified on 08/16/1994 (Entered: 08/16/1994)
09/07/1994	34	PLTFF'S EXHIBIT 2, Volume 4 of 4 (Dkted. & fld. per instr.of Chambers) (mk) (Entered: 09/07/1994)
09/07/1994	33	PLTFF'S EXHIBIT @, Volume 3 o 4 (Dkted. & fld. per instr.of Chambers) (mk) (Entered: 09/07/1994)
09/07/1994		PLTFF'S EXHIBIT 2, Volume 2 of 4 (Dkted. & fld. per instr.of Chambers) (mk) Modified on 09/07/1994 (Entered: 09/07/1994)
09/20/1994	35	Filed Memo_Endorsement on letter dated 09/15/94, to Judge Schwartz from James A. O'Brien III SAUSA... Response to motion reset to 10/31/94 for [30-1] cross motion for an order declaring deft's practices & procedures unconstitutional & violative of 8 USC 1160, reset to 10/31/94 for [30-2] cross motion for summary judgment, reset to 10/31/94 for [30-3] cross motion directing deft to vacate denials of pltffs' applications for adjustment of status & order deft to readjudicate their applications utilizing constitutionally correct procedures & directing deft to re-issue work authorizations to pltffs pending a final determination of their applications, reset to 10/31/94 for [30-4] cross motion mandating deft to re-issue work authorizations to pltffs pending the outcome of this action purs. to FRCP 65(a) , Return date reset to 10:00 11/30/94 for [30-1] cross motion for an order declaring deft's practices & procedures unconstitutional & violative of 8 USC 1160, <date not set> for [30-2] cross motion for summary judgment, <date not set> for [30-3] cross motion directing deft to vacate denials of pltffs' applications for adjustment of status & order deft to readjudicate their applications utilizing constitutionally correct procedures & directing deft to re-issue work authorizations to pltffs pending a final determination of their applications, <date not set> for [30-4] cross motion mandating deft to re-issue work authorizations to pltffs pending the outcome of this action purs. to FRCP 65(a) (signed by Judge Allen G. Schwartz) (kk) (Entered: 09/27/1994)
10/25/1994	38	SECOND AMENDED COMPLAINT by Syed Abdullah, Mohammad Abdur, Mohammad Tahseen Afzal, Muhammad Zahid Afzal, Choudhury Mohammad Affzal, Mohammad M. Alam, Akbar Ali, Hessian Bessauony Ali, Razaqat Ali, Mohammad Shamsul Almaji, Olam Ambia, Mohammad Arif, Ghulam Asghar, Mohammad Khalid Awan, Shahinshah Babar, Mohi Badal, K.H.I. Hossain, Khadim Hussain, Syed Safdar Hussain, Vishnu Indar, Mohammed N. Islam, Mohammed Sirajul Islam, Mohammed Rahman, Muhammad Nawaz Ramzan, Nayier Rashid, Husnain Raza, Abdul Rehman, Ali Azhar Rizvi, Abdul Rumi, Riaz Saddique, Gidon Saido, Mohammad Saleem, Hamed Mahmood, Masoud Akhter Malik, Syed Sharafat Mashadi, MD. Shahjal Miah, Abdul Ghafoor, Mohammed Ghani, Mohammad Amir Hamza, H.M. Oliullah Badsha, Muhammad Munir Butt, Shaheen Akatar Chaudary, Zia Ullah Chaudhry, Mohammad Khalid, Abdul Khan,

		<p>Mohammad Khan, Gous Khandaker, Mahinder Kumar, Ahmed Yousuf Darbar, Dev Dutt, Syed Qalb-E-Abbas Gardezi, Mohammad Kamal Ahmed, Nazir Ahmed, Rahim Ahmed, Walid Ahmed, Zhunu Ahmed, Mahmood Choudhury, Motiul Chowhury, Aziz Ahmad Dar, Mohammad Javed, Naseer Ahmad Javed, Anwar Haque, Mohammad Shahidul Haque, Rezia Hasnath, MD. Nevel Hayat, Chaudry Jawaid, Gurdip Singh Josan, Mohammad Rashid Malik, Nisar Malik, Devidas Mansukhani, Surinder Kumar, Saleem Latif, Mohammad Abul Kalam, Mohammad Kamal, Pradip Karmakar, Akram Muhammad, Kawser Mustafa, Mohammad Kasem Abul Nabi, Abdelrahim Hussin Nasser, Pushpinder Nath, Rizwan Pasha, Mohammad Munir, Hasan Salim, Baten Seraj, Harminder Singh, Nantu Qamruz Zaman, Mohammad Komor Uddin, Siraj Uddin, Chandubhai Patel, Dineshbhai Patel, Naimesh Kumer Patel, Tej Ram, Mohammad Motiur Rahman, Mohammad H. Rahman, Mazhar Naser, Saba Qamar, Abdul Qayyum, Kulwant Singh, Jaswant Singh, Joginder Singh, Ranjit Singh, Syed Mohammed Sirajuddin, Zaka Ullah Warich, Parveen Khan Zafar, Abdul Halim Chowdhury, Satpal S. Taak, MD. Niaz Uddin, Mohammad Jamal Uddin, Moffazzal Hossain Chowdhury, Rafique Uddin, Safar Uddin, Rafique Uddin, Safar Uddin , (Answer due 11/7/94 for Immigration and) amending [1-1] complaint ; Summons issued. (pl) (Entered: 12/05/1994)</p>
10/28/1994	37	<p>STIPULATION and ORDER, for leave to file a 2nd Amended Complaint (signed by Judge Allen G. Schwartz). (jr) (Entered: 11/01/1994)</p>
10/31/1994	36	<p>Filed Memo-Endorsement on letter from James A. O'Brien, III to Judge Schwartz dated Octobe 28, 1994, Response to motion reset to 1/27/95 for [30-1] cross motion for an order declaring deft's practices& procedures unconstitutional & violative of 8 USC 1160, reset to 1/27/95 for [30-2] cross motion for summary judgment, reset to 1/27/95 for [30-3] cross motion directing deft to vacate denials of plttfs' applications for adjustment of status & order deft to readjudicate their applications utilizing constitutionally correct procedures & directing deft to re-issue work authorizations to plttfs pending a final determination of their applications, reset to 1/27/95 for [30-4] cross motion mandating deft to re-issue work authorizations to plttfs pending the outcome of this action purs. to FRCP 65(a) , and Reply to Response to Motion reset to 3/15/95 for [30-1] cross motion for an order declaring deft's practices& procedures unconstitutional & violative of 8 USC 1160, reset to 3/15/95 for [30-2] cross motion for summary judgment, reset to 3/15/95 for [30-3] cross motion directing deft to vacate denials of plttfs' applications for adjustment of status & order deft to readjudicate their applications utilizing constitutionally correct procedures & directing deft to re-issue work authorizations to plttfs pending a final determination of their applications, reset to 3/15/95 for [30-4] cross motion mandating deft to re-issue work authorizations to plttfs pending the outcome of this action purs. to FRCP 65(a) (signed by Judge Allen G. Schwartz) (jr) (Entered: 11/01/1994)</p>
02/01/1995	39	<p>Filed Memo_Endorsement on letter to Judge Schwartz from james A. O'Brien II dated 01/26/95, ... requests a second extension of time -- until Friday, March 3, 1995 -- of the due date ... for the Government's papaers in reply to oplaintiffs' memorandum in opposition to defendnat's motion to dismiss and in support of plaintiffs' cross-motin for summary judgment... the parties have agreed to the following schedule, subject to th e court's approval: Government's response: March 3, 1995; Plaiintiffs' response: April 3, 1995. SO ORDERED. (signed by Judge Allen G. Schwartz) (djc) (Entered: 02/01/1995)</p>

02/28/1995	40	Filed Memo_Endorsement on letter dated 2/24/95, Response to motion reset to 3/20/95 for [30-2] cross motion for summary judgment , Reply to Response to Motion reset to 4/24/95 for [30-2] cross motion for summary judgment (signed by Judge Allen G. Schwartz) (cd) (Entered: 02/28/1995)
03/20/1995	42	REPLY MEMORANDUM OF LAW by Immigration and Naturalization Service in further support of re: [22-1] motion to dismiss the cmplt for lack of subject matter jurisdiction for failure to state a claim upon which relief can be granted, [22-2] motion for summary judgment purs. to FRCP56, and in opposition to [30-2] cross motion for summary judgment (Night Deposit on 3/20/95 at 9:05 p.m.) (ae) (Entered: 03/23/1995)
03/20/1995	41	RESPONSE by Immigration and Naturalization to Re: Plaintiffs' Rule 3(g) Statement in support of their cross-motion for summary judgment. (Night Deposit on 3/20/95 at 9:06 p.m.) (ae) (Entered: 03/23/1995)
04/26/1995	43	Filed Memo_Endorsement on letter dated 4/24/95, Response to motion reset to 6/30/95 for [22-1] motion to dismiss the cmplt for lack of subject matter jurisdiction or for failure to state a claim upon which relief can be granted (signed by Judge Allen G. Schwartz) (cd) (Entered: 04/27/1995)
06/26/1995	44	SUPPLEMENTAL DECLARATION of James A. O'Brian by Immigration and Naturalization Svc., Re: personal knowledge (ls) (Entered: 06/29/1995)
06/30/1995	45	REPLY MEMORANDUM by plttfs TO Deft's opposition to the Cross-Motion and IN SUPPORT OF [30-1] cross motion for an order declaring deft's practices & procedures unconstitutional & violative of 8 USC 1160, [30-2] cross motion for summary judgment, [30-3] cross motion directing deft to vacate denials of plttfs' applications for adjustment of status & order deft to readjudicate their applications utilizing constitutionally correct procedures & directing deft to re-issue work authorizations to plttfs pending a final determination of their applications, [30-4] cross motion mandating deft to re-issue work authorizations to plttfs pending the outcome of this action purs. to FRCP 65(a) (ls) (Entered: 07/07/1995)
04/01/1996	46	OPINION AND ORDER # 76353 denying [22-1] motion to dismiss the cmplt for lack of subject matter jurisdiction or for failure to state a claim upon which relief can be granted, denying [22-2] motion for summary judgment purs. to FRCP56 W/attchd. EXHIBITS A, B & C to Declaration, Defendant is ordered to vacate the denials of plaintiffs' applications for SAW statue and readjudicate plaintiffs' applications in accordance with the principles set forth in this Opinion and Order. Specifically, defendant is ordered to 1) provide plaintiffs with competent interpreters,....etc..... ..So Ordered.....(Signed by Judge Allen G. Schwartz); Copies mailed. (pl) (Entered: 04/02/1996)
06/05/1996		Case closed (pl) (Entered: 06/06/1996)
06/05/1996	47	JUDGMENT: ORDERED, ADJUDGED AND DECREED..That for the reasons set forth in the Courts' Opinion (76353) and Order of 3/29/96, defendants' motion to dismiss or for summary judgement is denied and plaintiffs' motion for summary judgment is granted to the extent set forth herein. Defendant is ordered to vacate the denials of plaintiffs' applications for SAW status and readjudicate plaintiffs' applications in accordance with the principles set forthe in the Opinion (76353)

		and Order of 3/29/96 and.....ORDERED, that the above-entitled consolidated action is closed and removed from the Courts active docket (signed by John S. Hagen, Depty Clerk on 6/4/96)...EOD 6/6/96 ; Mailed copies and notice of right to appeal. (pl) (Entered: 06/06/1996)
08/05/1996	48	NOTICE OF APPEAL by Immigration and ; from [47-1] judgment order . Copies of notice of appeal mailed to Attorney(s) of Record: Robert A. Murtha Jr.. (as) Modified on 12/23/1996 (Entered: 08/07/1996)
10/17/1996	49	Withdrawal of [49-1] appeal by INS...such withdrawal to be without prejudice to a reinstatement of the appeal by appellant's counsel so notifying the Clerk in writing 11/15/96. GEORGE LANGE III, CLERK. (kk) Modified on 12/23/1996 (Entered: 10/17/1996)
12/18/1996	50	Notice that the original record on appeal has been certified and transmitted to the U.S. Court of Appeals: [50-1] appeal (kg) Modified on 12/23/1996 (Entered: 12/23/1996)
12/19/1996	52	MEMORANDUM by Immigration and Naturalization Service in SUPPORT of [51-1] motion on submission, for an order, purs to Rule 62 of the FRCP, staying its 6/5/96 opinion & order, pending the defts' appeal of that decision to the US Court of Appeals for the Second Circuit. (lam) (Entered: 12/23/1996)
12/19/1996	51	NOTICE OF MOTION by Immigration and Naturalization Service on submission, for an order, purs to Rule 62 of the FRCP, staying its 6/5/96 opinion & order, pending the defts' appeal of that decision to the US Court of Appeals for the Second Circuit. Return date 1/31/97 (on submission). (lam) (Entered: 12/23/1996)
12/23/1996	53	Filed Memo_Endorsement on letter dated 12/20/96 to Judge Schwartz from James O'Brien. Response to motion reset to 1/21/97 for [51-1] motion on submission, for an order, purs to Rule 62 of the FRCP, staying its 6/5/96 opinion & order, pending the defts' appeal of that decision to the US Court of Appeals for the Second Circuit. , Reply to Response to Motion reset to 1/31/97 for [51-1] motion on submission, for an order, purs to Rule 62 of the FRCP, staying its 6/5/96 opinion & order, pending the defts' appeal of that decision to the US Court of Appeals for the Second Circuit. (signed by Judge Allen G. Schwartz) (kw) (Entered: 12/24/1996)
01/08/1997	54	Withdrawal of [49-1] appeal. (96-6206) George Lange, III, Clerk, USCA. (as) (Entered: 01/10/1997)
01/21/1997	56	MEMORANDUM OF LAW by Plaintiffs in support of [55-1] cross motion for an order directing a date certain for deft's compliance with the 6/5/96 order. (kg) (Entered: 01/23/1997)
01/21/1997	56	MEMORANDUM OF LAW by Plaintiffs in opposition to [51-1] motion on submission, for an order, purs to Rule 62 of the FRCP, staying its 6/5/96 opinion & order, pending the defts' appeal of that decision to the US Court of Appeals for the Second Circuit. (kg) (Entered: 01/23/1997)
01/21/1997	55	NOTICE OF CROSS MOTION by Plaintiffs for an order directing a date certain for deft's compliance with the 6/5/96 order. Return date 1/31/97 (kg) (Entered: 01/23/1997)

02/04/1997	58	Withdrawal of [48-1] appeal by Immigration. (96-6206). George Lange III, Clerk, U.S.C.A. (dt) (Entered: 02/05/1997)
02/04/1997	57	Filed Memo-Endorsement on letter from James A. O'Brien, III, Special AUSA dated 1/31/97, requesting a 1 wk extension, Reply to Response to Motion reset to 2/7/97 for [51-1] motion on submission, for an order, purs to Rule 62 of the FRCP, staying its 6/5/96 opinion & order, pending the defts' appeal of that decision to the US Court of Appeals for the Second Circuit.....EXTENSION GRANTED. SO ORDERED 2/4/97. SCHWARTZ, J. (signed by Judge Allen G. Schwartz) (lam) (Entered: 02/05/1997)
02/07/1997	59	REPLY MEMORANDUM by Immigration and in support of : [51-1] motion on submission, for an order, purs to Rule 62 of the FRCP, staying its 6/5/96 opinion & order, pending the defts' appeal of that decision to the US Court of Appeals for the Second Circuit., and in opposition to [55-1] cross motion for an order directing a date certain for deft's compliance with the 6/5/96 order. (ls) (Entered: 02/10/1997)
03/07/1997	60	Appeal reinstated. by Immigration and [49-1] appeal USCA NUMBER: 96-6206. George Lange, III, Clerk,USCA. (as) (Entered: 03/10/1997)
04/10/1997	61	ORDER denying [51-1] motion on submission, for an order, purs to Rule 62 of the FRCP, staying its 6/5/96 opinion & order, pending the defts' appeal of that decision to the US Court of Appeals for the Second Circuit., denying [55-1] cross motion for an order directing a date certain for deft's compliance with the 6/5/96 order. ...FOR THE FOREGOING REASONS, DEFT'S MOTION FOR A STAY PENDING APPEAL IS DENIED. PLTFFS' CROSS-MOTION FOR A "DATE CERTAIN" FOR DEFT'S COMPLIANCE W/ THE JDGMT. IS DENIED W/O PREJUDICE TO RENEWAL...SO ORDERED... (signed by Judge Allen G. Schwartz); Copies mailed (ls) (Entered: 04/10/1997)
04/17/1997	77	STIPULATION and ORDER, ..that purs to Rule 10(e) of the Federal Rules of Appellate Procedure, copies of the following documents which, accordigl to this Court' Clerk's Office were filed but are missing from the Court record in tihs case, be file by the Clerk of the Court and made part of the Court's record in this case: 1. the Defendant's April 12, 1994 Notice of MOtion, purs to Rule 12(b)(10 and 12(b)(6) for the FRCP to dismiss the consolidated complaints... or in the alterntie purs to Rule 56 of FRCP for summary judgment ... and the Declaration of James A. O'Brien III. 2. the plaintiff's august 15, 1994 Notice of Cross-Motion purs to Rule 56 of the FRCP for Summary Judgment(to which is attached (1) plaintiffs' 08/15/94 Affirmation in Oposition to Defenanant's Motion and in Support of Cross-Motion; (2) plaintiffs' August 15, 1994 Rule 3(g) Statement in opposition to defendant's motion for summary judgment and in support of plaintiffs' cross-motiofor summary judgment. 3. the plaitiffs' sexond amended complaint ...; 4. the defndant's March 20, 1995 response to plaintiffs' Rule3(g) Stsatement in support of their Cross-Motion for summary Judgment (to which is attached the March 20, 1995 Declaration of James A. O'Brien III).; 5. the defendant's March 20. 1995 Reply Memorandum of Law.; 6. THE June 26, 1995 Supplemental Declaration of James A. O'Brien III; 7. The Court's June 5, (signed by Judge Allen G. Schwartz). (dj) (Entered: 04/21/1997)

04/18/1997	76	Exhibit B to Declaration of James A. O'Brien III Volume Two of Four. (kk) (Entered: 04/21/1997)
04/18/1997	75	Exhibit G to Declaration of James A. O'Brien Volume Nine of Nine. (kk) (Entered: 04/21/1997)
04/18/1997	74	RESPONSE by INS Re: plttfs' Rule 3(g) Statement in Support of Their Cross-Motion for Summary Judgment. (kk) (Entered: 04/21/1997)
04/18/1997	73	Supplemental DECLARATION of James A. O'Brien III (kk) (Entered: 04/21/1997)
04/18/1997	72	Pltff's Exhibit 2 Volume 2 of 4. (kk) (Entered: 04/21/1997)
04/18/1997	71	Pltff's Exhibit 2 Volume 3 of 4.. (kk) (Entered: 04/21/1997)
04/18/1997	70	Plaintiff's Exhibit 2 Volume 4 of 4. (kk) (Entered: 04/21/1997)
04/18/1997	69	Exhibit B to Declaration of James A.O'Brien III Volume Three of Four. (kk) (Entered: 04/21/1997)
04/18/1997	68	Exhibit D to Declaration of James A. O'Brien III Volume Seven of Seven. (kk) (Entered: 04/21/1997)
04/18/1997	67	Exhibit D to Declaration of James A. O'Brien III Volume Six of Seven. (kk) (Entered: 04/21/1997)
04/18/1997	66	NOTICE OF MOTION by INS to dismiss the complaint for lack of subject matter jurisdiction Def't's Rule 3(g) Statement in Support of its motion for summary judgment attached. (kk) (Entered: 04/21/1997)
04/18/1997	65	Exhibits B and C to Declaration of James A. O'Brien III Volume Four of Four. (kk) (Entered: 04/21/1997)
04/18/1997	64	STIPULATION permitting plttfs to file a second amended complaint.. (kk) (Entered: 04/21/1997)
04/18/1997	63	REPLY MEMORANDUM by INS in further support of re: [22-1] motion to dismiss the cmplt for lack of subject matter jurisdiction or for failure to state a claim upon which relief can be granted or in the alternative, for summary judgment and in opposition to plttfs' cross-motion for summary judgment. (kk) (Entered: 04/21/1997)
04/18/1997	62	NOTICE OF CROSS-MOTION by plttfs for an order declaring def't's practices and procedures unconstitutional and violative of 8 USC 1160 and granting summary judgment pur. to FRCivP 56 Return date 10/14/94.. Affirmation of Robert A. Murtha in opposition to def't's motion and in support of Cross-Motion and plttf's Rule 3(g)statement in opposition to def't's motion for summary judgment attached. (kk) (Entered: 04/21/1997)
10/31/1997		Filesent over to USCA, requested by Donna, USCA # 96-6207. (as) (Entered: 11/03/1997)
11/02/1999		Record on appeal returned files (96-6206) from U.S. Court of Appeals on November 1, 1999: [60-1] appeal by Immigration and. (dt) (Entered: 11/02/1999)
12/13/1999		Case reopened. (emil) Modified on 01/10/2000 (Entered: 12/20/1999)

12/13/1999	78	ORDER; that this action is transferred to the Court's suspense docket. (signed by Judge Allen G. Schwartz) (jp) (Entered: 12/16/1999)
12/20/1999	79	MANDATE OF USCA (certified copy) Re: It is ordered, adjudged and decreed that the judgment of the district court is vacated, reversed in part and remanded for further proceedings in accordance with the opinion of this Court. ([60-1] appeal by INS). (emil) (Entered: 12/20/1999)
06/26/2000		ORDER; actions 96 cv 9751, 96 8002, 97 cv 5706, 97cv 5904 and 98 cv 6186 are consolidated under Abdullah v. INS 92 cv 8199 for all pretrial and trial purposes ; The Clerk of Court is directed to forward a copy of this order to counsel for all parties (signed by Judge Allen G. Schwartz); Copies mailed; (original docmt dktd in case no. 96 cv 8002, docmt #11) (dj) Modified on 06/29/2000 (Entered: 06/27/2000)
01/10/2001	80	Order of discontinuance of action without costs to either party and without prejudice to restore the action to the calendar of the undersigned if the settlement is not effectuated within 90 days. The Clerk of Court is directed to forward a copy of this order to counsel for all parties. (signed by Judge Allen G. Schwartz); (copy of order forwarded to counsels of record) (dj) (Entered: 01/10/2001)
01/10/2001		Case closed. (dj) (Entered: 01/10/2001)
03/20/2001	81	STIPULATION and ORDER, ths action is dismissed w/prejudice with respect to each plttf whose name and signature appears on an "Application for Reconsideration of Denial of Application for Temporary Lawful Status As A Special Agricultural Worker" attached as Exhibit 2 to this Order and w/o costs or attorneys' fees to any party, subject to the terms and conditions set forth in this document ; ; (signed by Judge Allen G. Schwartz) (dj) Modified on 03/22/2001 (Entered: 03/21/2001)
10/17/2003	82	ORDER; that cases 92cv8199, 93cv3985, 96cv8002, 96cv9751, 97cv5706, 5904, 98cv6186 previously assigned to Judge Schwartz and closed, will be reopened and assigned to another District Judge . (signed by Chief Judge Michael B. Mukasey); forwarded a copy of this document to the Attorney Admissions Clerk. (pl) (Entered: 10/17/2003)
10/17/2003		Case reopened. (pl) (Entered: 10/17/2003)
10/17/2003	83	Notice of Case reassignment to Judge Gerard E. Lynch . Copy of notice and judge's rules mailed to Attorney(s) of record: Diogenes P. Kekatos, James A. O'Brien III, Robert A. Murtha Jr., Robert A Murtha Jr.. (gf) (Entered: 10/22/2003)
11/06/2003	84	NOTICE OF MOTION by Mohammed Hafeez, for an order vacating the consent judgment pursuant to Rule 60(b)(6) for extraordinary circumstances . No Return Date. Aff. of Mohammed Hafeez is attached. (kw) (Entered: 11/09/2003)
11/06/2003	85	MEMORANDUM OF LAW by Mohammed Hafeez in support of [84-1] motion for an order vacating the consent judgment pursuant to Rule 60(b)(6) for extraordinary circumstances. (kw) (Entered: 11/09/2003)
12/22/2003	86	STIPULATION AND ORDER OF SETTLEMENT AND DISMISSAL; that actions 92cv8199, 93cv3985, 96cv8002, 96cv9751, 97cv5706, 97cv5904, and

98cv6186 is dismissed with prejudice with respect to each plaintiff without costs or attorneys fees to either party. (Signed by Judge Gerard E. Lynch on 12/9/2003) (kkc,) (Entered: 12/29/2003)

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