

**U.S. District Court  
Eastern District of New York (Brooklyn)  
CIVIL DOCKET FOR CASE #: 1:06-cv-03203-ERK-RLM**

Yakubova et al v. Chertoff et al  
Assigned to: Judge Edward R. Korman  
Referred to: Magistrate Judge Roanne L. Mann  
Cause: 05:702 Administrative Procedure Act

Date Filed: 06/28/2006  
Date Terminated: 07/03/2008  
Jury Demand: None  
Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Raisa Yakubova**

represented by **Caroline Jane Hickey**  
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**Plaintiff**

**Emma Unguryan**

represented by **Caroline Jane Hickey**  
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**Jason Parkin**  
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**Deborah Berkman**  
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**Michael D. Sant 'Ambrogio**  
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**Plaintiff**

**Bella Vesnovskaya**

represented by **Caroline Jane Hickey**  
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**Jason Parkin**  
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**Plaintiff**

**David Vesnovskiy**

represented by **Caroline Jane Hickey**  
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**Jason Parkin**  
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**Deborah Berkman**  
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**Michael D. Sant 'Ambrogio**  
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**Plaintiff**

**Vyacheslav Volosikov**

represented by **Caroline Jane Hickey**  
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**Jason Parkin**  
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**Jane Greengold Stevens**  
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**Michael D. Sant 'Ambrogio**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Shehata Awad Ibrahim**  
*on behalf of themselves and all other*  
*similarly situated individuals*

represented by **Caroline Jane Hickey**  
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**Jason Parkin**  
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**Jane Greengold Stevens**  
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*ATTORNEY TO BE NOTICED*

**Michael D. Sant 'Ambrogio**  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Michael Chertoff**  
*in his official capacity as Secretary of the*  
*Department of Homeland Security*

represented by **Scott Dunn**  
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**Defendant****Emilio Gonzalez**

*in his official capacity as the Director of  
 the United States Citizenship and  
 Immigration Services*

**Defendant****Mary Ann Gantner**

*in her official capacity as the Director of  
 the United States Citizenship and  
 Immigration Services*

**Defendant****Alberto Gonzales**

*in his official capacity as Attorney  
 General of the United States*

**Defendant****Robert S. Mueller**

*in his official capacity as the Director of  
 the Federal Bureau of Investigations*

Date Filed	#	Docket Text
06/28/2006	<u>1</u>	COMPLAINT against Emilio Gonzalez, Mary Ann Gantner, Alberto Gonzales, Robert S. Mueller, Michael Chertoff Summons not issued., filed by Raisa Yakubova, Emma Unguryan, Bella Vesnovskaya, David Vesnovskiy, Vyacheslav Volosikov, Shehata Awad Ibrahim. (Attachments: # <u>1</u> Civil Cover Sheet)(Bowens, Priscilla) (Entered: 06/29/2006)
06/28/2006	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by Raisa Yakubova, Emma Unguryan, Bella Vesnovskaya, David Vesnovskiy, Vyacheslav Volosikov, Shehata Awad Ibrahim. (Bowens, Priscilla) (Entered: 06/29/2006)
06/29/2006	<u>3</u>	MOTION for Preliminary Injunction <i>and Class Certification</i> by all plaintiffs. (Stevens, Jane) (Entered: 06/29/2006)
06/29/2006	<u>4</u>	AFFIDAVIT of Raisa Yakubova in Support of Order to Show Cause by Raisa Yakubova. (Stevens, Jane) (Entered: 06/29/2006)
06/29/2006	<u>5</u>	AFFIDAVIT of Emma Unguryan in Support of Order to Show Cause by Emma Unguryan. (Stevens, Jane) (Entered: 06/29/2006)
06/29/2006	<u>6</u>	AFFIDAVIT of Bella Vesnovskaya in Support of Order to Show Cause by Bella Vesnovskaya. (Stevens, Jane) (Entered: 06/29/2006)
06/29/2006	<u>7</u>	AFFIDAVIT of David Vesnovskiy in Support of Order to Show Cause by David Vesnovskiy. (Stevens, Jane) (Entered: 06/29/2006)
06/29/2006	<u>8</u>	AFFIDAVIT of Vyacheslav Volosikov by Vyacheslav Volosikov. (Stevens, Jane) (Entered: 06/29/2006)
06/29/2006	<u>9</u>	AFFIDAVIT of Shehata Awad Ibrahim in Support of Order to Show Cause by Shehata Awad Ibrahim. (Stevens, Jane) (Entered: 06/29/2006)
06/29/2006	<u>10</u>	AFFIDAVIT of Deborah Berkman in Support of Order to Show Cause by Raisa Yakubova. (Stevens, Jane) (Entered: 06/29/2006)

06/29/2006	<u>11</u>	NOTICE of Appearance by Caroline Jane Hickey on behalf of all plaintiffs (Hickey, Caroline) (Entered: 06/29/2006)
06/30/2006	<u>12</u>	NOTICE of Appearance by Deborah Berkman on behalf of all plaintiffs (Berkman, Deborah) (Entered: 06/30/2006)
06/30/2006		Email Notification Test – DO NOT REPLY (Fernandez, Erica) (Entered: 06/30/2006)
06/30/2006		Judge Edward R. Korman added. Judge Frederic Block no longer assigned to case. (Brown, Marc) (Entered: 06/30/2006)
07/06/2006	<u>13</u>	AFFIDAVIT <i>OF SERVICE OF SUMMONS AND COMPLAINT</i> by Raisa Yakubova. (Berkman, Deborah) (Entered: 07/06/2006)
07/06/2006	<u>14</u>	AFFIDAVIT <i>AFFIRMATION OF SERVICE OF SUMMONS AND COMPLAINT</i> by Raisa Yakubova. (Berkman, Deborah) (Entered: 07/06/2006)
07/19/2006	<u>15</u>	Letter dated 7/5/06 from Scott Dunn to Judge Korman, requesting that the Order to Show Cause be set for 7/27/06 at 2:00, or another date and time near that date convenient to the court. (Piper, Francine) (Entered: 07/19/2006)
07/31/2006	<u>16</u>	MEMORANDUM in Opposition <i>TO PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION AND FOR CLASS CERTIFICATION</i> by Michael Chertoff. (Dunn, Scott) (Entered: 07/31/2006)
07/31/2006	<u>17</u>	AFFIDAVIT in Opposition <i>DECLARATION OF GLEN ANDREW SCOTT</i> by Michael Chertoff. (Dunn, Scott) (Entered: 07/31/2006)
07/31/2006	<u>18</u>	AFFIDAVIT in Opposition <i>DECLARATION OF MICHAEL A. CANNON</i> by Michael Chertoff. (Dunn, Scott) (Entered: 07/31/2006)
07/31/2006	<u>19</u>	AFFIDAVIT in Opposition <i>DECLARATION OF MARY ANN GANTNER</i> by Michael Chertoff. (Dunn, Scott) (Entered: 07/31/2006)
08/02/2006	<u>20</u>	Letter <i>withdrawing request for preliminary injunction and requesting adjournment of that part of plaintiffs' Order to Show Cause regarding class certification</i> by Raisa Yakubova. (Berkman, Deborah) (Entered: 08/02/2006)
08/08/2006	<u>21</u>	Letter <i>regarding scheduling</i> by Raisa Yakubova. (Berkman, Deborah) (Entered: 08/08/2006)
08/10/2006	<u>22</u>	Letter dated 8/2/06 from Jane Greengold Stevens to Judge Korman, writing to inform the court that as a result of successful negotiations, pltfs. withdraw without prejudice to renew their request for a preliminary injunction. (Greene, Donna) (Entered: 08/10/2006)
09/01/2006	<u>23</u>	MEMORANDUM in Support <i>MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS AND IN OPPOSITION TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION</i> by Michael Chertoff. (Dunn, Scott) (Entered: 09/01/2006)
09/01/2006	<u>24</u>	AFFIDAVIT in Support <i>DECLARATION OF GWYNNE K. MacPHERSON</i> by Michael Chertoff. (Dunn, Scott) (Entered: 09/01/2006)
09/01/2006	<u>25</u>	AFFIDAVIT in Support <i>SUPPLEMENTAL DECLARATION OF MICHAEL A. CANNON</i> by Michael Chertoff. (Dunn, Scott) (Entered: 09/01/2006)
09/22/2006	<u>26</u>	MEMORANDUM in Opposition <i>to Defendants Motion to Dismiss and in Further Support of Plaintiffs' Motion for Class Certification</i> by all plaintiffs. (Hickey, Caroline) (Entered: 09/22/2006)
10/06/2006	<u>27</u>	NOTICE by Michael Chertoff <i>NOTICE OF MOTION</i> (Dunn, Scott) (Entered: 10/06/2006)
10/06/2006	<u>28</u>	REPLY in Support <i>REPLY MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS</i> by Michael Chertoff. (Attachments: # <u>1</u> Attachment)(Dunn, Scott) (Entered: 10/06/2006)

10/18/2006		NOTICE:The hearing currently scheduled for 10/20/2006 @ 10:00am is ADJOURNED to Thurs., Oct. 26, 2006 @ 3:00pm. The parties are to confirm with each other. (Korman, Edward) (Entered: 10/18/2006)
10/18/2006	<u>29</u>	Letter by Michael Chertoff. (Attachments: # <u>1</u> )(Dunn, Scott) (Entered: 10/18/2006)
10/26/2006	<u>30</u>	Minute Entry for proceedings held before Edward R. Korman : Motion Conference held on 10/26/2006. Argument heard. Decision entered on the record. Written order to issue. (Court Reporter Loan Hong.) (Piper, Francine) (Entered: 11/01/2006)
11/02/2006	<u>31</u>	ORDER denying <u>3</u> Motion for Preliminary InjunctionThe defendants? motion to dismiss is denied except as to plaintiff Shehata Awadibrahim, as to whom the motion is granted without prejudice due to his imminent naturalization by CIS. The plaintiffs? motion for class certification and defendants? motion to sever the action are denied as premature without prejudice to renewal after the completion of discovery. . Ordered by JudgeEdward R. Korman on Nov. 1, 2006. (Korman, Edward) (Entered: 11/02/2006)
11/02/2006	<u>32</u>	SCHEDULING ORDER: Initial Conference set for 12/7/2006 12:00 PM in 13C South before Magistrate–Judge Roanne L. Mann. Ordered by Judge Roanne L. Mann on 11/02/06. (Maynard, Pat) (Entered: 11/02/2006)
11/09/2006	<u>33</u>	ORDER endorsed on letter dated 6/28/06 from Scott Dunn to Mag. Mann. The applicationis is granted. OSC on 7/27/06 at 3pm before J. Korman. Movant to notify all parties. Ordered by Judge Edward R. Korman on 7/7/06. (Greene, Donna) (Entered: 11/09/2006)
11/21/2006	<u>34</u>	ANSWER to Complaint by Michael Chertoff.(Dunn, Scott) (Entered: 11/21/2006)
12/06/2006	<u>35</u>	NOTICE of Appearance by Jason Parkin on behalf of all plaintiffs (Parkin, Jason) (Entered: 12/06/2006)
12/07/2006	<u>36</u>	Minute Entry for proceedings held before Roanne L. Mann : Initial Conference Hearing held on 12/7/2006. Fact discovery to be completed by 6/29/07. Next settlement conference scheduled for 7/31/07 at 2:00 p.m. (Maynard, Pat) (Entered: 12/07/2006)
12/15/2006	37	TRANSCRIPT of Civil Cause for Conference held on 10/26/06 before Judge Edward R. Korman. Court Reporter: Rosalie Lombardi. (Drayton, Lorraine) (Entered: 12/15/2006)
02/27/2007	<u>38</u>	STIPULATION AND CONFIDENTIALITY ORDER by Michael Chertoff (Dunn, Scott) (Entered: 02/27/2007)
03/01/2007	<u>39</u>	ORDER re <u>38</u> Stipulation filed by Michael Chertoff. This Court approves the Stipulation and Confidentiality Order. Ordered by Judge Roanne L. Mann on 02/28/07. (Maynard, Pat) (Entered: 03/01/2007)
03/02/2007	<u>40</u>	Stipulation and Confidentiality order. Ordered by Judge Edward R. Korman on 3/1/07. C/M by Chambers. (DiLorenzo, Krista) (Entered: 03/02/2007)
03/02/2007	41	Mail Returned as Undeliverable. Order sent to William Costigan, Esq. (DiLorenzo, Krista) (Entered: 03/02/2007)
05/03/2007	<u>42</u>	STIPULATION – <i>Supplemental Stipulation and Confidentiality Order</i> by Michael Chertoff (Dunn, Scott) (Entered: 05/03/2007)
05/04/2007	<u>43</u>	ORDER re <u>42</u> Stipulation filed by Michael Chertoff. SO–ORDERED. Ordered by Judge Roanne L. Mann on 05/04/07. (Maynard, Pat) (Entered: 05/04/2007)
06/11/2007	<u>44</u>	Letter <i>Requesting Extension of Discovery Deadlines</i> by Raisa Yakubova (Berkman, Deborah) (Entered: 06/11/2007)
06/12/2007	<u>45</u>	ORDER re <u>44</u> Letter filed by Raisa Yakubova. Application granted. Fact discovery is extended to 10/22/07. The 7/31/07 settlement conference is adjourned to 12/7/07 at 9:30 a.m. Ordered by Judge Roanne L. Mann on 06/12/07. (Maynard, Pat) (Entered: 06/12/2007)
10/02/2007	<u>46</u>	Letter <i>Requesting Extension of Discovery Deadlines</i> by Raisa Yakubova (Berkman, Deborah) (Entered: 10/02/2007)

10/02/2007	<u>47</u>	ENDORSED ORDER re <u>46</u> Letter filed by Raisa Yakubova. The parties' joint application to extend discovery is granted. The 12/7/07 settlement conference is adjourned to 5/30/07 at 10:00 a.m. Ordered by Judge Roanne L. Mann on 10/02/07. (Maynard, Pat) (Entered: 10/02/2007)
10/03/2007	<u>48</u>	CORRECTED ENDORSED ORDER re <u>47</u> Order. Letter filed by Raisa Yakubova. The parties' joint application to extend discovery is granted. The 12/7/07 settlement conference is adjourned to 5/30/08 at 10:00 a.m. Disregard docket #47.. Ordered by Judge Roanne L. Mann on 10/02/07. (Maynard, Pat) (Entered: 10/03/2007)
11/13/2007	<u>49</u>	STIPULATION to File an Amended Complaint by Raisa Yakubova, Emma Unguryan, Bella Vesnovskaya, David Vesnovskiy, Vyacheslav Volosikov, Shehata Awad Ibrahim (Parkin, Jason) (Entered: 11/13/2007)
11/13/2007	<u>50</u>	AMENDED COMPLAINT against all defendants, filed by Raisa Yakubova, Emma Unguryan, Bella Vesnovskaya, David Vesnovskiy, Vyacheslav Volosikov, Shehata Awad Ibrahim. (Parkin, Jason) (Entered: 11/13/2007)
11/14/2007	<u>51</u>	SO-ORDERED re <u>49</u> Stipulation To File An Amended Complaint filed by Vyacheslav Volosikov, Raisa Yakubova, Emma Unguryan, Bella Vesnovskaya, David Vesnovskiy, Shehata Awad Ibrahim. Ordered by Magistrate-Judge Roanne L. Mann on 11/14/07. (Maynard, Pat) (Entered: 11/14/2007)
12/06/2007	<u>52</u>	DEFENDANT'S ANSWER to <u>50</u> Amended Complaint by Michael Chertoff. (Dunn, Scott) (Entered: 12/06/2007)
12/07/2007	<u>53</u>	NOTICE by Michael Chertoff <i>Defendant's Electronic Filing As Of December 6, 2007</i> (Dunn, Scott) (Entered: 12/07/2007)
12/20/2007	<u>54</u>	NOTICE of Appearance by Michael D. Sant 'Ambrogio on behalf of Raisa Yakubova, Emma Unguryan, Bella Vesnovskaya, David Vesnovskiy, Vyacheslav Volosikov, Shehata Awad Ibrahim (aty to be noticed) (Sant 'Ambrogio, Michael) (Entered: 12/20/2007)
05/27/2008	<u>55</u>	Letter to Honorable Roanne L. Mann in anticipation of the conference now scheduled in this matter for May 30, 2008 by Emilio Gonzalez, Mary Ann Gantner, Alberto Gonzales, Robert S. Mueller, Michael Chertoff (Attachments: # <u>1</u> FBI BP) (Dunn, Scott) (Entered: 05/27/2008)
05/29/2008	<u>56</u>	Letter to Magistrate Judge Mann in advance of the conference scheduled for May 30, 2008 by Raisa Yakubova (Berkman, Deborah) (Entered: 05/29/2008)
05/29/2008	<u>57</u>	Letter to Honorable Roanne L. Mann in response to plaintiffs' letter dated May 29, 2008 by Emilio Gonzalez, Mary Ann Gantner, Alberto Gonzales, Robert S. Mueller, Michael Chertoff (Attachments: # <u>1</u> E-mails) (Dunn, Scott) (Entered: 05/29/2008)
05/30/2008	<u>58</u>	Minute Entry for proceedings held before Magistrate Judge Roanne L. Mann: Settlement Conference held on 5/30/2008. Next status conference scheduled for 6/5/08 9:00 a.m. (by phone). (Maynard, Pat) (Entered: 05/30/2008)
06/04/2008	<u>59</u>	Letter to Honorable Roanne L. Mann requesting adjournment by Michael Chertoff (Dunn, Scott) (Entered: 06/04/2008)
06/04/2008	<u>60</u>	ORDER re <u>59</u> : Application granted, on consent. Tomorrow's conference is adjourned to 6/16/08 at 9:30 a.m. Ordered by Magistrate Judge Roanne L. Mann on 6/4/08. (Maynard, Pat) (Entered: 06/04/2008)
06/16/2008	<u>61</u>	Minute Entry for proceedings held before Magistrate Judge Roanne L. Mann: Status Conference and Telephone Conference held on 6/16/2008. The parties are close to settlement and are granted an additional week to resolve their remaining issues. Next telephonic status conference scheduled for 6/23/08 at 12:30 p.m. (Maynard, Pat) (Entered: 06/16/2008)
06/23/2008	<u>62</u>	Minute Entry for proceedings held before Magistrate Judge Roanne L. Mann: Telephone Conference held on 6/23/2008. At the parties' request, the Court schedules a follow-up settlement conference. The parties shall submit a status report by 6/25/08. Next settlement conference scheduled for 6/27/08 at 11:30 a.m. (Maynard, Pat) (Entered: 06/23/2008)

06/25/2008	<u>63</u>	Letter to inform Magistrate Judge Mann of status of settlement negotiations and to request adjournment of settlement conference by Raisa Yakubova (Berkman, Deborah) (Entered: 06/25/2008)
06/26/2008	<u>64</u>	ENDORSED ORDER re <u>63</u> Letter filed by Raisa Yakubova. Application granted. Tomorrow's settlement conference is adjourned sine die. A telephonic status conference will be held on Wednesday, 7/2/08 at 12:15 p.m. Ordered by Magistrate Judge Roanne L. Mann on 06/26/08. (Maynard, Pat) (Entered: 06/26/2008)
07/02/2008	<u>65</u>	Letter to Magistrate Judge Mann regarding telephone status conference by Raisa Yakubova (Berkman, Deborah) (Entered: 07/02/2008)
07/02/2008	<u>66</u>	ENDORSED ORDER re <u>65</u> Letter filed by Raisa Yakubova. The parties have informed the Court that the case has settled and requests that the telephone conference scheduled for today be cancelled. The parties application is granted. Ordered by Magistrate Judge Roanne L. Mann on 07/02/08. (Maynard, Pat) (Entered: 07/02/2008)
07/03/2008		Civil Case Terminated. It having been reported to the Court that the above action has been settled, it is ORDERED that the action is hereby discontinued, without prejudice to the right to reopen the action if the settlement is not consummated. Ordered by Senior Judge Edward R. Korman on July 3, 2008. (Susi, PaulaMarie) (Entered: 07/03/2008)
07/07/2008	<u>67</u>	STIPULATION AND AGREEMENT OF RELEASE by Michael Chertoff (Dunn, Scott) (Entered: 07/07/2008)
07/07/2008	<u>68</u>	STIPULATION AND AGREEMENT OF SETTLEMENT AND RELEASE. Ordered by Senior Judge Edward R. Korman on 7/8/08. (Greene, Donna) (Entered: 07/07/2008)