

CLOSED, ECF

**U.S. District Court
Northern District of Texas (Amarillo)
CIVIL DOCKET FOR CASE #: 2:06-cv-00314**

Swift & Company v. Immigration and Customs Enforcement
Division of the Department of Homeland Security et al
Assigned to: Judge Mary Lou Robinson
Cause: 28:1391 Personal Injury

Date Filed: 11/28/2006
Date Terminated: 12/14/2006
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: U.S. Government
Defendant

Plaintiff**Swift & Company**

represented by **William E Lawler, III**
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V.

Defendant**Immigration and Customs
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represented by **David J Kline**
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Department of Homeland Security

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Defendant**Julie L Myers**

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D Gordon Bryant, Jr
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V.

Movant

UFCW Local 540
and others similarly situated

represented by **Philip R Russ**
Law Office of Philip R Russ

TERMINATED: 12/14/2006
on behalf of
 Hector Ortiz
TERMINATED: 12/14/2006
on behalf of
 Andrea Jimenez
TERMINATED: 12/14/2006
on behalf of
 David Garza
TERMINATED: 12/14/2006
on behalf of
 Juan Cuardada
TERMINATED: 12/14/2006
on behalf of
 Francisco Matta
TERMINATED: 12/14/2006
on behalf of
 Rita Villareal
TERMINATED: 12/14/2006
on behalf of
 Angela Davidson
TERMINATED: 12/14/2006
on behalf of
 Jose Acosta
TERMINATED: 12/14/2006
on behalf of
 Johnathan Rivera
TERMINATED: 12/14/2006
on behalf of
 Herman Garcia
TERMINATED: 12/14/2006
on behalf of
 Ted Quintanilla
TERMINATED: 12/14/2006
on behalf of
 Zavier Hernandez
TERMINATED: 12/14/2006
on behalf of
 Linda Falero
TERMINATED: 12/14/2006

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Date Filed	#	Docket Text
11/28/2006	<u>1</u>	MOTION for Leave to File Under Seal by Swift & Company (djs) (Entered: 11/28/2006)
11/28/2006	<u>2</u>	COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF against Immigration and Customs Enforcement Division of the Department of Homeland Security, Julie L Myers filed by Swift & Company. (Filing fee \$350; Receipt number AM000459) (Attachments:

		# 1 Civil Cover Sheet) (djs) (Entered: 11/28/2006)
11/28/2006	3	CERTIFICATE OF INTERESTED PERSONS by Swift & Company. (djs) (Entered: 11/28/2006)
11/28/2006	4	Order Designating Case for ECF - see order for specifics. (Signed by Judge Mary Lou Robinson) (djs) (Entered: 11/28/2006)
11/28/2006	5	Summons Issued as to Immigration and Customs Enforcement Division of the Department of Homeland Security. (djs) (Entered: 11/28/2006)
11/28/2006	6	Summons Issued as to Julie L Myers. (djs) (Entered: 11/28/2006)
11/28/2006	7	MOTION for Preliminary Injunction and MOTION for Expedited Hearing by Swift & Company (djs) (Entered: 11/28/2006)
11/28/2006	8	MEMORANDUM of Points and Authority in Support filed by Swift & Company re 7 MOTION for Preliminary Injunction and MOTION for Expedited Hearing (djs) (Entered: 11/28/2006)
11/28/2006	9	Appendix in Support filed by Swift & Company re 7 MOTION for Preliminary Injunction and MOTION for Expedited Hearing (Attachments: #(1) #(2) #(3) #(4) #(5) #(6) #(7) #(8) #(9) #(10) #(11) #(12) #(13) #(14) #(15) #(16)) (djs) (Entered: 11/28/2006)
11/28/2006	10	SEALING ORDER: granting 1 Motion to Seal Case. Sealed until further order of this Court. (Signed by Judge Mary Lou Robinson on 11/28/06) (djs) (Entered: 11/28/2006)
11/29/2006	11	SUMMONS Returned Executed as to Immigration and Customs Enforcement Division of the Department of Homeland Security served on 11/29/2006 by serving US Attorney's Office, Amarillo, Texas, answer due 1/29/2007. (plh,) (Entered: 11/29/2006)
12/04/2006	12	ORDER SETTING EVIDENTIARY HEARING - The Court will conduct a closed hearing on Pltf's 11/28/06 motion for a preliminary injunction. Motion Hearing set for 12/6/2006 10:00 AM before Judge Mary Lou Robinson. (Signed by Judge Mary Lou Robinson on 12/4/06) (plh,) (Entered: 12/04/2006)
12/04/2006	13	RESPONSE in Opposition filed by Immigration and Customs Enforcement Division of the Department of Homeland Security, Julie L Myers re 7 MOTION for Preliminary Injunction MOTION for Hearing (plh,) (Entered: 12/04/2006)
12/04/2006	14	Memorandum in Support filed by Immigration and Customs Enforcement Division of the Department of Homeland Security, Julie L Myers re 13 Response in Opposition to Motion for Preliminary Injunction (plh,) (Entered: 12/04/2006)
12/04/2006	15	Appendix in Support filed by Immigration and Customs Enforcement Division of the Department of Homeland Security, Julie L Myers re 13 Response in Opposition to Motion for Preliminary Injunction (plh,) (Entered: 12/04/2006)

12/05/2006	16	AGREED SCHEDULING ORDER WITH REGARD TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION AND REQUEST FOR EXPEDITED HEARING - A hearing has been set for 12/6/06 at 10:00 a.m. In light of this date and by this Agreed Order, the parties have agreed that Pltf's Request for Expedited Discovery, encompassed in their Motion, is withdrawn and the U.S. Immigration and Customs Enforcement will take no action against Pltf before 12/6/06. Therefore, the parties request that the Court enter this Agreed Scheduling Order: 1. Dfts' Response to Pltf's Memorandum of Points and Authority in Support of Pltf's Motion for Preliminary Injunction and Expedited Hearing will be due Monday, 12/4/06; 2. Any reply by Pltf to Dfts' Response will be due Tuesday, 12/5/06; 3. A hearing on Pltf's Motion for Preliminary Injunction will be held Wednesday, 12/6/06 at 10:00 a.m. Motion Hearing set for 12/6/2006 10:00 AM before Judge Mary Lou Robinson. (Signed by Judge Mary Lou Robinson on 12/5/06) (plh,) (Entered: 12/05/2006)
12/05/2006	17	REPLY filed by Swift & Company to Dft's Opposition re 7 MOTION for Injunction MOTION for Hearing (plh,) (Entered: 12/05/2006)
12/05/2006	18	Appendix of Cases filed by Swift & Company re 17 Reply to Response to Motion for Preliminary Injunction (plh,) (Entered: 12/06/2006)
12/06/2006	19	Application and Order for Admission Pro Hac Vice by William E. Lawler, III (Signed by Judge Mary Lou Robinson on 12/6/06) (plh,) (Entered: 12/06/2006)
12/06/2006		Minute Entry for proceedings held before Judge Mary Lou Robinson : Hearing for Preliminary injunction held on 12/6/2006. Attorney Appearances: Plaintiff - William E. Lawler; Defense - David Kline. (Court Reporter Stacy Morrison.) Time in Court: 4 hrs/13 min. NO PDF ATTACHED. (sas) (Entered: 12/06/2006)
12/06/2006	20	NOTICE TO COURT OF PRESS INQUIRIES ABOUT THIS MATTER by Immigration and Customs Enforcement Division of the Department of Homeland Security, Julie L Myers (plh,) (Entered: 12/07/2006)
12/07/2006	21	NOTICE TO COURT REGARDING PRESS INQUIRY POSSIBLY RELATED TO THIS MATTER by Swift & Company (plh,) (Entered: 12/07/2006)
12/07/2006	22	ORDER: Plaintiff's Motion for a Preliminary Injunction is DENIED. (Signed by Judge Mary Lou Robinson on 12/7/06) (djs) (Entered: 12/07/2006)
12/08/2006	23	MOTION to Unseal by Swift & Company (djs) (Entered: 12/08/2006)
12/11/2006	24	RESPONSE "Opposition" filed by Immigration and Customs Enforcement Division of the Department of Homeland Security, Julie L Myers re 23 MOTION to Unseal Case (djs) (Entered: 12/11/2006)
12/11/2006	25	ORDER: ON 12/8/06, the government orally moved for leave to provide copies of the Court's 12/7/06, order to Magistrate Judges from whom Dft

		ICE may move to obtain warrants. The Court orally granted that motion on 12/8/06. This order memorializes that ruling for the record. (Signed by Judge Mary Lou Robinson on 12/11/06) (djs) (Entered: 12/11/2006)
12/12/2006	26	NOTICE TO COURT REGARDING ICE ENFORCEMENT ACTIONS by Swift & Company re 23 MOTION to Unseal Case (djs) (Entered: 12/12/2006)
12/12/2006	27	AMENDED NOTICE TO COURT REGARDING ICE ENFORCEMENT ACTIONS by Swift & Company re 23 MOTION to Unseal Case (djs) (Entered: 12/12/2006)
12/12/2006		Minute Entry for proceedings held before Judge Mary Lou Robinson : Telephone Conference. Attorney Appearances: Plaintiff - William E. Lawler; Defense - David Kline. (Court Reporter Stacy Morrison.) Time in Court: 10 minutes. NO PDF ATTACHED. (sas) (Entered: 12/12/2006)
12/12/2006	28	ORDER. This case is unsealed, effective immediately upon entry of this order (Signed by Judge Mary Lou Robinson on 12/12/06) (djs) (Entered: 12/12/2006)
12/14/2006	29	MOTION to Intervene by UFCW Local 540 with Memorandum in Support. (plh,) (Entered: 12/14/2006)
12/14/2006	30	STIPULATION by Swift & Company, Immigration and Customs Enforcement Division of the Department of Homeland Security, Julie L Myers <i>to Dismiss</i> . (Isern, Kevin) (Entered: 12/14/2006)
12/14/2006	31	ORDER denying 29 Motion to Intervene (Signed by Judge Mary Lou Robinson on 12/14/06) (plh,) (Entered: 12/14/2006)
12/14/2006	32	AGREED ORDER OF DISMISSAL - Before the Court is the parties' Stipulation of Dismissal. This action is dismissed without prejudice. Costs are taxed against the parties incurring same. (Signed by Judge Mary Lou Robinson on 12/14/06) (plh,) (Entered: 12/14/2006)
01/10/2007	33	TRANSCRIPT of Proceedings held on December 6, 2006 before Judge Mary Lou Robinson. Court Reporter: Stacy Morrison. (1 Vol.) (Attachments: # (1) # (2) # (3) # (4) # (5) # (6)) (plh) (Entered: 01/10/2007)

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