

CLOSED, REMAND

U.S. District Court
United States District Court for the Western District of Washington (Seattle)
CIVIL DOCKET FOR CASE #: 2:06-cv-01411-MJP

Gonzalez et al v. US Department of Homeland Security et al
Assigned to: Judge Marsha J. Pechman
Case in other court: 07-35021
9th Circuit, 09-35174
Cause: 28:1331 Fed. Question

Date Filed: 09/28/2006
Date Terminated: 07/21/2014
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: U.S. Government Defendant

Plaintiff

Aurelio Duran Gonzalez

represented by **Beth Werlin**
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Defendant

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*Secretary of the Department of Homeland
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Date Filed	#	Docket Text
09/28/2006	<u>1</u>	COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF against defendants US Department of Homeland Security, Michael Chertoff , filed by Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos. (Summonses not issued) (Receipt # SEA 4310) (Attachments: # <u>1</u> Civil Cover Sheet)(LT,) Modified text on 9/28/2006 (LT,). (Entered: 09/28/2006)
09/28/2006	<u>2</u>	MOTION for Temporary Restraining Order and Preliminary Injunction by Plaintiffs. Noting Date 9/29/2006.Oral Argument Requested. (Attachments: # <u>1</u> Exhibits 1 – 3 # <u>2</u> Exhibits 4 – 5 # <u>3</u> Proposed Order)(LT,) (Entered: 09/28/2006)
09/28/2006	<u>3</u>	MOTION to Certify Class by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos. (LT,) (Entered: 09/28/2006)
09/28/2006	<u>4</u>	DECLARATION of Matt Adams filed by Plaintiffs re <u>3</u> MOTION to Certify Class (LT,) (Entered: 09/28/2006)
09/28/2006	<u>5</u>	DECLARATION of Trina Realmuto filed by Plaintiffs re <u>3</u> MOTION to Certify Class (LT,) (Entered: 09/28/2006)
09/28/2006	<u>6</u>	DECLARATION of Marc Van Der Hout filed by Plaintiffs re <u>3</u> MOTION to Certify Class (LT,) (Entered: 09/28/2006)
09/28/2006	<u>7</u>	DECLARATION of Stacy Tolchin filed by Plaintiffs re <u>3</u> MOTION to Certify Class (LT,) (Entered: 09/28/2006)
09/28/2006	<u>8</u>	DECLARATION of Beth Werlin filed by Plaintiffs re <u>3</u> MOTION to Certify Class (LT,) (Entered: 09/28/2006)
09/28/2006	<u>9</u>	DECLARATION of Nadine K. Wettstein filed by Plaintiffs re <u>3</u> MOTION to Certify Class (LT,) (Entered: 09/28/2006)
09/28/2006	<u>10</u>	APPLICATION by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos AND ORDER admitting Marc Van Der Hout for Plaintiffs pro hac vice. Receipt # SEA 4309. (LT,) (Entered: 09/28/2006)
09/28/2006	<u>11</u>	APPLICATION by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos AND ORDER admitting Nadine Wettstein for Plaintiffs pro hac vice. Receipt # SEA 4313. (LT,) (Entered: 09/28/2006)
09/28/2006	<u>12</u>	APPLICATION by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos AND ORDER admitting Trina Realmuto for Plaintiffs pro hac vice. Receipt # SEA 4314. (LT,) (Entered: 09/28/2006)
09/28/2006	<u>13</u>	APPLICATION by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos AND ORDER admitting Beth Werlin for

		Plaintiffs pro hac vice. Receipt # SEA 4312. (LT,) (Entered: 09/28/2006)
09/28/2006	<u>14</u>	APPLICATION by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos AND ORDER admitting Stacy Tolchin for Plaintiffs pro hac vice. Receipt # SEA 4311. (LT,) (Entered: 09/28/2006)
09/28/2006	<u>15</u>	MINUTE ORDER made by direction of the court, the Honorable Marsha J. Pechman: A hearing on Plaintiffs' <u>2</u> MOTION for Temporary Restraining Order and Preliminary Injunction will be set for October 4, 2006 at 2:00 p.m. Each side will be permitted 20 minutes to present their arguments. (LT,) (Entered: 09/28/2006)
10/02/2006	<u>16</u>	NOTICE of Appearance by attorney Christopher Lee Pickrell on behalf of Defendants US Department of Homeland Security, Michael Chertoff (Pickrell, Christopher) (Entered: 10/02/2006)
10/03/2006	<u>17</u>	RESPONSE, by Defendants US Department of Homeland Security, Michael Chertoff, to <u>3</u> MOTION to Certify Class, <u>2</u> MOTION for Temporary Restraining Order. (Attachments: # <u>1</u> Exhibit 1)(Pickrell, Christopher) (Entered: 10/03/2006)
10/04/2006	<u>18</u>	REPLY, filed by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos, TO RESPONSE to <u>2</u> MOTION for Temporary Restraining Order (Adams, Matt) (Entered: 10/04/2006)
10/05/2006	<u>19</u>	MINUTE ENTRY for proceedings held before Judge Marsha J. Pechman – Dep Clerk: <i>Eileen Scollard</i> ; Law Clerk: Andrea Ostrovsky; Pla Counsel: <i>Matt Adams/Angelica Chazaro</i> ; Def Counsel: <i>Elizabeth Stevens/Chris Pickrell</i> ; CR: <i>Laurie Briggs – Vernon & Assoc.</i> ; Time of Hearing: <i>1 hour</i> ; TRO Hearing held on 10/4/2006. Court hears argument and grant motion for a TRO on the issue of the memorandum. Written opinion to be issued on or before 10/10/06. Preliminary Injunction Hearing is scheduled for 11/6/2006 at 04:00 PM before Hon. Marsha J. Pechman. Deft's brief due 10/18/06; Plt's response due 10/27/06.(ES) (Entered: 10/05/2006)
10/06/2006	<u>20</u>	TRANSCRIPT of Proceedings held on 10/4/06 Motion Hearing before Judge Marsha J Pechman. Court Reporter: L. Briggs. (SA) (Entered: 10/06/2006)
10/10/2006	<u>21</u>	MINUTE ORDER setting noting date for <u>3</u> MOTION to Certify Class filed by Aurelio Duran Gonzalez,, Maria C Estrada,, Maria Luisa Martinez De Munguia,, Irma Palacios De Banuelos,, Lucia Muniz De Andrade,, Karina Noris,, Adriana Pouparina, Noting Date 10/27/2006. Defendants' Response due 10/18/2006. Plaintiffs' Reply due 10/27/06 by Judge Marsha J. Pechman. (AO,) (Entered: 10/10/2006)
10/11/2006	<u>22</u>	ORDER granting in part <u>2</u> Motion for TRO by Judge Marsha J. Pechman.(AO,) (Entered: 10/11/2006)
10/18/2006	<u>23</u>	RESPONSE, by Defendants US Department of Homeland Security, Michael Chertoff, to <u>3</u> MOTION to Certify Class. (Pickrell, Christopher) (Entered: 10/18/2006)
10/18/2006	<u>24</u>	RESPONSE, by Defendants US Department of Homeland Security, Michael Chertoff, to <u>2</u> MOTION for Temporary Restraining Order. (Pickrell, Christopher) (Entered: 10/18/2006)
10/27/2006	<u>25</u>	REPLY, filed by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos, TO RESPONSE to <u>3</u> MOTION to Certify Class (Attachments: # <u>1</u> Exhibit Exhibit 1, Declaration of Mr. Ortega# <u>2</u> Exhibit Exhibit 2, Attorney Declarations# <u>3</u> Exhibit Exhibit 3, Virtue Memo)(Adams, Matt) (Entered: 10/27/2006)
10/27/2006	<u>26</u>	REPLY, filed by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos, TO RESPONSE to <u>2</u> MOTION for Temporary Restraining Order (Attachments: # <u>1</u> Exhibit A, Timeline)(Adams,

		Matt) (Entered: 10/27/2006)
11/07/2006	<u>27</u>	ORDER REGARDING INITIAL DISCLOSURES, JOINT STATUS REPORT AND EARLY SETTLEMENT FRCP 26f Conference Deadline is 12/5/2006.Initial Disclosure Deadline is 12/12/2006. Joint Status Report due by 12/19/2006; by Judge Marsha J. Pechman. (AO,) Modified on 11/7/2006 – mailed copy of order to Marc Van Der Hout(MD,). (Entered: 11/07/2006)
11/08/2006	28	MINUTE ENTRY for proceedings held before Judge Marsha J. Pechman – Dep Clerk: <i>Eileen Scollard</i> ; Law Clerk: Andrea Ostrovsky; Pla Counsel: <i>Matt Adams, et al</i> ; Def Counsel: <i>Elizabeth Stevens, et al</i> ; CR: <i>Joseph Roth</i> ; Time of Hearing: 45 mins.; Motion Hearing held on 11/8/2006 re <u>2</u> MOTION for Preliminary Injunction filed by Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos, Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina. (ES) (Entered: 11/08/2006)
11/13/2006	<u>29</u>	ORDER granting <u>3</u> Motion to Certify Class and granting <u>2</u> Motion for Preliminary Injunction by Judge Marsha J. Pechman.(AO,) Modified on 11/14/2006 – mailed copy of order to Marc Van Der Hout(MD,). (Entered: 11/13/2006)
11/22/2006	<u>30</u>	MOTION and Proposed Order TO CLARIFY PRELIMINARY INJUNCTION by Defendants US Department of Homeland Security, Michael Chertoff. Noting Date 12/8/2006. (Pickrell, Christopher) Modified/Added 'Proposed Order' on 11/24/2006 (ECS,). (Entered: 11/22/2006)
11/22/2006	<u>32</u>	TRANSCRIPT of Proceedings held on 11/6/06 before Judge Marsha J Pechman. Court Reporter: J Roth. (SA) (Entered: 11/30/2006)
11/29/2006	<u>31</u>	ANSWER to Complaint by US Department of Homeland Security, Michael Chertoff.(Pickrell, Christopher) (Entered: 11/29/2006)
12/19/2006	<u>33</u>	JOINT STATUS REPORT filed by all parties. Est. Trial Days: 1 by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos, Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos, Defendants US Department of Homeland Security, Michael Chertoff.(Adams, Matt) (Entered: 12/19/2006)
12/19/2006	<u>34</u>	ORDER granting <u>30</u> Motion modify preliminary injunction by Judge Marsha J. Pechman.(AO,) (Entered: 12/19/2006)
01/08/2007	<u>35</u>	NOTICE OF APPEAL (07–35021) by Defendants US Department of Homeland Security, Michael Chertoff. Filing Fee:. (Pickrell, Christopher) Modified on 1/18/2007 to add 9th circuit case # (SA,). (Entered: 01/08/2007)
01/08/2007		Appeal Fees NOT received: FEE NOT REQUIRED, GOVERNMENT APPELLANT re <u>35</u> Notice of Appeal filed by Michael Chertoff, US Department of Homeland Security, (SA) (Entered: 01/09/2007)
01/09/2007	<u>36</u>	APPEAL NOTIFICATION packet sent to US Court of Appeals re <u>35</u> Notice of Appeal (Attachments: # <u>1</u> Docket)(SA) (Entered: 01/09/2007)
01/10/2007	<u>37</u>	MINUTE ORDER – Deadline for submission of discovery requests – January 5, 2007; Deadline for motions for orders for Phase I Discovery – January 22, 2007; Phase I – Deadline for production and completion of Phase I Discovery – February 16, 2007; Phase II–Deadline to inform of further discovery requests – March 9, 2007; Deadline for submission of motions for orders for Phase II discovery– March 19, 2007; Phase II – Deadline for production and completion of Phase II discovery – April 9, 2007; Dispositive motions due date – May 10, 2007; If cross summary judgment motions are to be filed, they are directed to contact the court for page limitations and number of briefs to be filed by Judge Marsha J. Pechman. (MD,) Modified on 1/10/2007 – mailed copy of order to Attorney Marc Van Der Hout(MD,). (Entered: 01/10/2007)
01/16/2007	<u>39</u>	TIME SCHEDULE ORDER as to <u>35</u> Notice of Appeal filed by Michael Chertoff., US Department of Homeland Security, : Appellant/petitoiner shall immediately file the civil appeals docketing statement. (SA,) (Entered: 01/18/2007)

01/16/2007		USCA Case Number 07-35021 for <u>35</u> Notice of Appeal filed by Michael Chertoff., US Department of Homeland Security,. (SA,) (Entered: 01/18/2007)
01/18/2007	<u>38</u>	STIPULATION AND PROPOSED ORDER <i>TO STAY DISCOVERY</i> by parties. (Pickrell, Christopher) (Entered: 01/18/2007)
01/24/2007	<u>40</u>	STIPULATION AND ORDER TO STAY DISCOVERY/ORDER Cancelling Deadline until after the Government's interlocutory appeal has been resolved or terminated by the Ninth Circuit Court of Appeals. Suspend all deadlines in the Court's 1-10-07 minute order and confirm that the existing Class Certification Order and Modified/Amended Preliminary Injunction shall remain in effect during the Government's appeal and Direct the parties to file a joint status report with this court within six months of this order or within 10 days after the appeal's disposition by the Ninth Circuit, whichever comes first by Judge Marsha J. Pechman. (MD,) (Entered: 01/25/2007)
09/19/2007	<u>41</u>	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL on behalf of Defendants US Department of Homeland Security, Michael Chertoff. Priscilla To-Yin Chan is substituted as counsel for Defendants. Attorney Christopher Lee Pickrell terminated. (Chan, Priscilla) (Entered: 09/19/2007)
12/28/2007	<u>42</u>	JOINT STATUS REPORT signed by all parties;. (Stevens, Elizabeth) (Entered: 12/28/2007)
05/05/2008	<u>43</u>	MINUTE ORDER requesting joint status report regarding status of Defendants' appeal to Ninth Circuit by Judge Marsha J. Pechman. (ADO) (Entered: 05/05/2008)
05/05/2008	<u>44</u>	JOINT STATUS REPORT signed by all parties;. (Stevens, Elizabeth) (Entered: 05/05/2008)
01/21/2009	<u>45</u>	MOTION FOR LEAVE TO FILE AMENDED COMPLAINT against defendant(s) all defendants, filed by Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos. (Attachments: # <u>1</u> Exhibit First Amended Complaint, # <u>2</u> Proposed Order Granting Motion for Leave to File Amended Complaint)(Tolchin, Stacy) Modified on 2/27/2009 (MD). (Entered: 01/21/2009)
01/21/2009	<u>46</u>	MOTION to Amend <u>29</u> Order on Motion to Certify Class,by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos. (Attachments: # <u>1</u> Proposed Order Amend and Redefine Class) Noting Date 2/20/2009, (Tolchin, Stacy) (Entered: 01/21/2009)
01/21/2009	<u>47</u>	Amended MOTION for Temporary Restraining Order by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos. Oral Argument Requested. (Attachments: # <u>1</u> Proposed Order Granting TRO and setting date for Hearing on PI) Noting Date 1/23/2009, (Tolchin, Stacy) (Entered: 01/21/2009)
01/22/2009	<u>48</u>	MINUTE ORDER setting oral argument on Plaintiffs' first amended motion for provisional class certification, temporary restraining order, and preliminary injunction. Oral argument will be held at 4:00 p.m. on January 23, 2009. by Judge Marsha J. Pechman. (RK) (Entered: 01/22/2009)
01/22/2009		Set Hearing: TRO Hearing set for 1/23/2009 at 04:00 PM in Courtroom 14206 before Judge Marsha J. Pechman. (RM) (Entered: 01/22/2009)
01/23/2009	<u>49</u>	RESPONSE, by Defendants US Department of Homeland Security, Janet Napolitano, to <u>47</u> Amended MOTION for Temporary Restraining Order. (Attachments: # <u>1</u> Proposed Order)(Pratt, Sherease) (Entered: 01/23/2009)
01/23/2009	<u>50</u>	NOTICE of Appearance by attorney Sherease Rosalyn Pratt on behalf of Defendants US Department of Homeland Security, Janet Napolitano. (Pratt, Sherease) (Entered: 01/23/2009)

01/23/2009	<u>51</u>	EXHIBIT A-1 re <u>49</u> Response to Motion by Defendants US Department of Homeland Security, Janet Napolitano. (Pratt, Sherease) (Entered: 01/23/2009)
01/23/2009	<u>52</u>	REPLY, filed by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos, TO RESPONSE to <u>47</u> Amended MOTION for Temporary Restraining Order (Tolchin, Stacy) (Entered: 01/23/2009)
01/23/2009	<u>53</u>	ORDER granting in part <u>47</u> Motion for TRO. Plaintiffs' motion for TRO is granted. The Court reserves judgment on Plaintiffs' motion to amend class certification and preliminary injunction. by Judge Marsha J. Pechman.(RK) (Entered: 01/23/2009)
01/23/2009	54	MINUTE ENTRY for proceedings held before Judge Marsha J. Pechman- Dep Clerk: <i>Rhonda Miller</i> ; Pla Counsel: <i>Matt Adams</i> ; Def Counsel: <i>Elizabeth Stevens</i> ; CR: <i>Barry Fanning</i> ; Motion Hearing held telephonically in chambers on 1/23/2009 <u>47</u> Amended MOTION for Temporary Restraining Order filed by Adriana Pouparina, Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Karina Noris, Lucia Muniz De Andrade, Irma Palacios De Banuelos. For the reasons stated orally on the record, the Court grants in part Plaintiff's Motion for a temporary restraining order and will set a preliminary injunction hearing. See Docket #53 Order memorializing ruling. (RM) (Entered: 01/26/2009)
01/23/2009	<u>55</u>	MANDATE of USCA (07-35021) as to <u>35</u> Notice of Appeal filed by US Department of Homeland Security, Janet Napolitano; VACATED AND REMANDED. (Attachments: # <u>1</u> Memorandum)(LMK) (Entered: 01/26/2009)
01/29/2009	56	MINUTE ORDER Setting Hearing: Preliminary Injunction Telephonic Hearing set for 2/4/2009 at 10:00 AM before Judge Marsha J. Pechman. Each side will have 20 minutes for argument, including rebuttal. Authorized by Judge Marsha J. Pechman. (RM) (Entered: 01/29/2009)
01/29/2009	57	MINUTE ORDER Rescheduling Hearing: Preliminary Injunction Telephonic Hearing is rescheduled for 2/3/2009 at 02:00 PM before Judge Marsha J. Pechman. Each side will have 20 minutes for argument, including rebuttal. Authorized by Judge Marsha J. Pechman(RM) (Entered: 01/29/2009)
02/03/2009	58	MINUTE ENTRY for proceedings held before Judge Marsha J. Pechman- Dep Clerk: <i>Rhonda Miller</i> ; Pla Counsel: <i>Matt Adams</i> ; Def Counsel: <i>Elizabeth Stevens</i> ; CR: <i>Kari McGrath</i> ; Time of Hearing: 2:00 p.m.; Motion Hearing held on 2/3/2009 re <u>47</u> Amended MOTION for Temporary Restraining Order filed by Adriana Pouparina, Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Karina Noris, Lucia Muniz De Andrade, Irma Palacios De Banuelos. The Court will issue an order on Plaintiffs' motion for a preliminary injunction when the current temporary restraining order expires (02/06/09). (RK) (Entered: 02/03/2009)
02/06/2009	<u>59</u>	Order DENYING IN PART Plaintiffs' motion (Dkt. No. 47) provisional class certification and preliminary injunction. The Court DENIES Plaintiff's request for a preliminary injunction, but reserves the issue of class modification.by Judge Marsha J. Pechman. (RK) (Entered: 02/06/2009)
02/17/2009	<u>60</u>	RESPONSE, by Defendants US Department of Homeland Security, Janet Napolitano, to <u>46</u> MOTION to Amend <u>29</u> Order on Motion to Certify Class, MOTION to Amend <u>29</u> Order on Motion to Certify Class,. (Attachments: # <u>1</u> Proposed Order)(Pratt, Sherease) (Entered: 02/17/2009)
02/17/2009	<u>61</u>	<i>Defendants' Opposition to Plaintiffs' Motion for Leave to File First Amended Complaint</i> BRIEF re <u>45</u> Amended Complaint, by Defendants US Department of Homeland Security, Janet Napolitano. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Proposed Order)(Pratt, Sherease) (Entered: 02/17/2009)
02/20/2009	<u>62</u>	REPLY, filed by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos, TO RESPONSE to <u>46</u> MOTION to Amend <u>29</u> Order on Motion to Certify Class, MOTION to Amend <u>29</u> Order on Motion to Certify Class, (Adams, Matt) (Entered: 02/20/2009)

02/20/2009	<u>63</u>	REPLY by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos to <u>61</u> Brief, <u>45</u> Amended Complaint., (Adams, Matt) (Entered: 02/20/2009)
02/27/2009	<u>64</u>	ORDER denying <u>45</u> Motion for leave to file an amended complaint and denying <u>46</u> Motion to amend class certification. There are no remaining legal or factual disputes and the Court will enter Judgment in favor of Defendants by Judge Marsha J. Pechman.(RK) (Entered: 02/27/2009)
02/27/2009	<u>65</u>	JUDGMENT BY COURT – IT IS ORDERED AND ADJUDGED: The Court has previously denied Plaintiff's motion for injunctive relief. The Court denies Plaintiff's motion for leave to file an amended complaint and denies Plaintiffs' motion for class modification. Because the parties agree that there are no factual or legal issues remaining before the Court, Judgment is entered in favor of Defendants. (MD) (Entered: 03/02/2009)
03/05/2009	<u>66</u>	Civil Appeals Docketing Statement by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos, to be transmitted by Clerk to Circuit Court of Appeals. (Attachments: # <u>1</u> Order on judgment)(Adams, Matt) (Entered: 03/05/2009)
03/05/2009	<u>67</u>	NOTICE OF APPEAL (09–35174) as to <u>65</u> Judgment by Court, <u>64</u> Order on Motion for Leave to File., Order on Motion to Amend, by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos. Filing Fee \$455, Receipt number 0981000000001689786. (Attachments: # <u>1</u> Order of Judgment)(Adams, Matt) Modified on 3/11/2009 (SA). (Entered: 03/05/2009)
03/05/2009	<u>68</u>	REPRESENTATION STATEMENT, by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos, (re: <u>67</u> Notice of Appeal,.) (Adams, Matt) (Entered: 03/05/2009)
03/05/2009	<u>69</u>	TRANSCRIPT REQUEST by Plaintiffs Lucia Muniz De Andrade, Karina Noris, Adriana Pouparina, Aurelio Duran Gonzalez, Maria C Estrada, Maria Luisa Martinez De Munguia, Irma Palacios De Banuelos Requesting Attorney: Matt Adams. (Adams, Matt) (Entered: 03/05/2009)
03/06/2009	<u>70</u>	APPEAL NOTIFICATION packet sent to US Court of Appeals re <u>67</u> Notice of Appeal, (Attachments: # <u>1</u> Docket)(LMK) (Entered: 03/06/2009)
03/09/2009	<u>71</u>	TIME SCHEDULE ORDER as to <u>67</u> Notice of Appeal, filed by Adriana Pouparina, Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Karina Noris, Lucia Muniz De Andrade, Irma Palacios De Banuelos : Appellant shall notify Appellee regarding transcripts by 3/16/09; Appellee to notify Appellant regarding any additional transcripts by 3/25/09; Transcript designation due by 4/6/09; Transcript by court reporter due by 5/4/09; Appellants opening brief due by 6/22/09; Appellees response brief due by 7/20/09; Appellants optional reply brief due within 14 days of service of the response brief. (SA) (Entered: 03/11/2009)
03/11/2009		USCA Case Number 09–35174 for <u>67</u> Notice of Appeal, filed by Adriana Pouparina, Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Karina Noris, Lucia Muniz De Andrade, Irma Palacios De Banuelos. (SA) (Entered: 03/11/2009)
03/20/2009	<u>72</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Motion Hearing held on 1/23/2009 before Judge Marsha J. Pechman. Parties have ten (10) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript

		<p>Restriction. After that date it may be obtained through PACER. Information regarding the policy can be found on the court's website at www.wawd.uscourts.gov.</p> <p>To purchase a copy of the transcript contact court reporter Barry Fanning by telephone at 206-370-8507.</p> <p>. Release of Transcript Restriction set for 6/18/2009, (LMK) (Entered: 03/20/2009)</p>
03/24/2009	<u>73</u>	<p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Via Telephone held on 2/3/2009 before Judge Marsha J. Pechman.</p> <p>Parties have ten (10) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.</p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Information regarding the policy can be found on the court's website at www.wawd.uscourts.gov.</p> <p>To purchase a copy of the transcript contact court reporter Kari McGrath by telephone at 206-370-8509.</p> <p>Release of Transcript Restriction set for 6/22/2009, (SA) (Entered: 03/24/2009)</p>
02/18/2010	<u>74</u>	<p>ORDER of USCA (09-35174) as to <u>67</u> Notice of Appeal, filed by Adriana Pouparina, Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Karina Noris, Lucia Muniz De Andrade, Irma Palacios De Banuelos The panel will retain jurisdiction of this appeal. (SA) (Entered: 02/18/2010)</p>
09/14/2010	<u>75</u>	<p>ORDER of USCA (09-35174) as to <u>67</u> Notice of Appeal, filed by Adriana Pouparina, Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Karina Noris, Lucia Muniz De Andrade, Irma Palacios De Banuelos Briefs are to be filed within 21 days of this order. SEE ORDER FOR FURTHER INSTRUCTION.(SA) (Entered: 09/14/2010)</p>
10/25/2011	<u>76</u>	<p>OPINION of USCA (NOT THE MANDATE 09-35174) as to <u>67</u> Notice of Appeal, filed by Adriana Pouparina, Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Karina Noris, Lucia Muniz De Andrade, Irma Palacios De Banuelos. AFFIRMED. (SA) (Entered: 10/25/2011)</p>
11/20/2012	<u>77</u>	<p>ORDER of USCA (09-35174) as to <u>67</u> Notice of Appeal, filed by Adriana Pouparina, Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Karina Noris, Lucia Muniz De Andrade, Irma Palacios De Banuelos The parties shall submit simultaneous letter briefs on or before December 10, 2012, advising of the effect on this case of the Ninth Circuits October 19, 2012 en banc opinion in Garfias-Rodriguez, No. 09-72603, 2012 WL 5077137. The briefs shall not exceed ten pages in length. Parties who are registered for Electronic Case Filing must file the briefs electronically. (SA) (Entered: 11/20/2012)</p>
03/29/2013	<u>78</u>	<p>OPINION of USCA (09-35174-NOT THE MANDATE) as to <u>67</u> Notice of Appeal, filed by Adriana Pouparina, Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Karina Noris, Lucia Muniz De Andrade, Irma Palacios De Banuelos; The opinion filed on October 25, 2011, 659 F.3d 930, is withdrawn. A superseding opinion and dissent will be filed concurrently with this order. The Petition for Rehearing En Banc filed on December 9, 2011 is denied as moot. VACATED; REMANDED Judge: BGS Authoring, Judge: CMC Dissenting. FILED AND ENTERED JUDGMENT. (LMK) (Entered: 03/29/2013)</p>
05/14/2013	<u>79</u>	<p>ORDER of USCA (09-35174) as to <u>67</u> Notice of Appeal, filed by Adriana Pouparina, Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Karina Noris, Lucia Muniz De Andrade, Irma Palacios De Banuelos Defendants-Appellees Unopposed Motion to Enlarge Time for Filing En Banc</p>

		Rehearing Petition is GRANTED. Petition for rehearing is due on or before June 12, 2013. (SA) (Entered: 05/14/2013)
06/12/2013	<u>80</u>	ORDER of USCA (09-35174) as to <u>67</u> Notice of Appeal, filed by Adriana Pouparina, Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Karina Noris, Lucia Muniz De Andrade, Irma Palacios De Banuelos; Defendant-Appellees Unopposed Second Motion to Enlarge Time for Filing En Banc Rehearing Petition is GRANTED. The petition is now due on or before Friday, July 12, 2013. (LMK) (Entered: 06/12/2013)
07/23/2013	<u>81</u>	MANDATE of USCA (09-35174) as to <u>67</u> Notice of Appeal, filed by Adriana Pouparina, Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Karina Noris, Lucia Muniz De Andrade, Irma Palacios De Banuelos; The judgment <u>78</u> of this Court, entered March 29, 2013, takes effect this date. This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure. VACATED; REMANDED (LMK) (Entered: 07/23/2013)
07/31/2013	<u>82</u>	ORDER REGARDING INITIAL DISCLOSURES AND JOINT STATUS REPORT Joint Status Report due by 9/11/2013, FRCP 26f Conference Deadline is 8/28/2013, Initial Disclosure Deadline is 9/4/2013, by Judge Marsha J. Pechman. (RM) Copy mailed to Marc Van Der Hout (Entered: 07/31/2013)
08/28/2013	<u>83</u>	Stipulated MOTION to <i>Hold Case In Abeyance</i> by Defendants Janet Napolitano, US Department of Homeland Security. (Attachments: # <u>1</u> Proposed Order) Noting Date 8/28/2013, (Stevens, Elizabeth) (Entered: 08/28/2013)
09/10/2013	<u>84</u>	ORDER granting <u>83</u> Stipulated Motion to extend the joint status report. All other FRCP 26-related dates are adjusted accordingly. Joint Status Report due by 10/11/2013, by Judge Marsha J. Pechman.(MD) (Entered: 09/10/2013)
10/01/2013	<u>85</u>	Unopposed MOTION to Stay re <u>84</u> Order on Stipulated Motion, Set Deadlines, <u>82</u> Joint Status Report Order Form for District Judges, <i>for Stay of the Entire Case in Light of Lapse of Appropriations</i> by Defendants Janet Napolitano, US Department of Homeland Security. Noting Date 10/3/2013, (Stevens, Elizabeth) (Entered: 10/01/2013)
10/01/2013	<u>86</u>	PROPOSED ORDER (Unsigned) re <u>85</u> Unopposed MOTION to Stay re <u>84</u> Order on Stipulated Motion, Set Deadlines, <u>82</u> Joint Status Report Order Form for District Judges, <i>for Stay of the Entire Case in Light of Lapse of Appropriations</i> . (Stevens, Elizabeth) (Entered: 10/01/2013)
10/08/2013	<u>87</u>	ORDER denying <u>85</u> Defendants' Motion to Stay. Joint Status Report due by 11/22/2013 and all other FRCP 26 related dates are adjusted accordingly, by Judge Marsha J. Pechman.(MD) (Entered: 10/08/2013)
10/21/2013	<u>88</u>	NOTICE OF WITHDRAWAL OF COUNSEL: Attorney Nadine Wettstein for Plaintiffs Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Lucia Muniz De Andrade, Karina Noris, Irma Palacios De Banuelos, Adriana Pouparina. (Werlin, Beth) (Entered: 10/21/2013)
11/22/2013	<u>89</u>	JOINT STATUS REPORT signed by all parties estimated Trial Days: 0. Filed by Defendants Janet Napolitano, US Department of Homeland Security.(Stevens, Elizabeth) (Entered: 11/22/2013)
12/03/2013	<u>90</u>	ORDER SETTING TRIAL DATE AND RELATED DATES; Bench Trial is set for 11/17/2014 at 09:00 AM in Courtroom 14206 before Judge Marsha J. Pechman. Joinder of Parties due by 12/31/2013, Amended Pleadings due by 1/10/2014, Expert Witness Disclosure/Reports under FRCP 26(a)(2) due by 4/21/2014, Motions due by 5/21/2014, Discovery completed by 6/20/2014, Dispositive motions due by 7/21/2014, Motions in Limine due by 10/14/2014, Pretrial Order is dispensed with except as to witness and exhibit list due by 11/5/2014, Trial briefs to be submitted by 11/5/2014, Proposed Findings of Fact and Conclusions of Law to be submitted by 11/5/2014, Pretrial Conference set for 11/7/2014 at 02:30 PM before Judge Marsha J. Pechman. Copy sent to Marc Van Der Hout. (RM) (Entered: 12/03/2013)

12/12/2013	<u>91</u>	ORDER SETTING TRIAL DATE AND RELATED DATES; Jury Trial is set for 11/17/2014 at 09:00 AM in Courtroom 14206 before Judge Marsha J. Pechman. Joinder of Parties due by 12/31/2013, Motion for leave to file amended complaint due by 1/3/2014, Motion to amend class certification 1/3/2014, Opposition and motion to decertify the class due by 1/17/2014, Opposition to the motion to decertify the class and any reply due 1/31/2014, Any reply by Defendant due by 2/7/2014, Expert Witness Disclosure/Reports under FRCP 26(a)(2) due by 4/21/2014, Motions due by 5/21/2014, Discovery completed by 6/20/2014, Dispositive motions due by 7/21/2014, Motions in Limine due by 10/14/2014, Pretrial Order due by 11/5/2014, Trial briefs to be submitted by 11/5/2014, Proposed voir dire/jury instructions due by 11/5/2014. Pretrial Conference set for 11/7/2014 at 02:30 PM before Judge Marsha J. Pechman. Copy mailed to Marc Van Der Hout (RM) (Entered: 12/12/2013)
12/20/2013	<u>92</u>	Stipulated MOTION and Proposed Orderfor <i>Mediation</i> by Plaintiffs Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Lucia Muniz De Andrade, Karina Noris, Irma Palacios De Banuelos, Adriana Pouparina. Noting Date 12/20/2013, (Adams, Matt) Modified on 12/23/2013 (MD). (Entered: 12/20/2013)
12/31/2013	<u>93</u>	ORDER ON MOTION by Judge Marsha J. Pechman; The Court DENIES the parties' <u>92</u> Stipulated Motion to refer case to mediation. (TF) (Entered: 12/31/2013)
01/02/2014	<u>94</u>	Second Stipulated MOTION by Plaintiffs Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Lucia Muniz De Andrade, Karina Noris, Irma Palacios De Banuelos, Adriana Pouparina. (Attachments: # <u>1</u> Proposed Order) Noting Date 1/2/2014, (Adams, Matt) (Entered: 01/02/2014)
01/03/2014	<u>95</u>	ORDER granting <u>94</u> Stipulated Motion to extend Initial Case Schedule Deadlines by Judge Marsha J. Pechman.(MD) (Entered: 01/03/2014)
01/16/2014	<u>96</u>	ORDER OF DISMISSAL: Counsel having notified the Court of settlement of this case, and it appearing that no issue remains for the Court's determination, IT IS ORDERED that this action and all claims asserted herein are DISMISSED with prejudice and without costs to any party. In the event that settlement is not perfected, any party may move to reopen the case within 60 days of the date of this order. Any trial date and pretrial dates previously set are hereby VACATED. Signed by Judge Marsha J. Pechman. (RM) (Entered: 01/16/2014)
03/14/2014	<u>97</u>	Joint MOTION to Reopen Case by Plaintiffs Maria C Estrada, Aurelio Duran Gonzalez, Maria Luisa Martinez De Munguia, Lucia Muniz De Andrade, Karina Noris, Irma Palacios De Banuelos, Adriana Pouparina. (Attachments: # <u>1</u> Proposed Order) Noting Date 3/14/2014, (Adams, Matt) (Entered: 03/14/2014)
03/14/2014	<u>98</u>	Joint MOTION Preliminary Approval of Settlement Agreement, Amendment of the Class Definition, and Approval of Notice to Class re <u>97</u> Joint MOTION to Reopen Case by Defendants Janet Napolitano, US Department of Homeland Security. (Attachments: # <u>1</u> Exhibit A settlement agreement, # <u>2</u> Exhibit B Notice of Proposed Settlement Agreement and Hearing in a Class Action, # <u>3</u> Exhibit A, attachment B, Proposed final Judgement, # <u>4</u> Exhibit A, attachment C, Notice of Final Settlement, # <u>5</u> Exhibit A, Attachment D, JMTR Cover Sheet, # <u>6</u> Exhibit A, attachment E, JMTR Template, # <u>7</u> Proposed Order) Noting Date 3/14/2014, (Stevens, Elizabeth) (Entered: 03/14/2014)
03/21/2014	<u>99</u>	ORDER granting <u>97</u> Stipulated Motion to Reopen Case. Case reopened, by Judge Marsha J. Pechman.(MD) (Entered: 03/21/2014)
03/21/2014	<u>100</u>	ORDER granting <u>98</u> Motion for Preliminary Approval of Settlement Agreement, Amendment of the Class definition and approval of notice to class. Fairness In-court Hearing set for 7/11/2014 at 09:00 AM before Judge Marsha J. Pechman, by Judge Marsha J. Pechman.(MD) (Entered: 03/21/2014)
06/18/2014	<u>101</u>	STATEMENT of Jorge Gabriel Patino re <u>100</u> Order on setting a Fairness Hearing(MD) (Entered: 06/19/2014)
07/08/2014	<u>102</u>	RESPONSE by Defendants Janet Napolitano, US Department of Homeland Security re <u>101</u> Statement, <u>100</u> Order on Motion for Miscellaneous Relief, Set/Reset Hearings,, (<i>Joint Response</i>). (Attachments: # <u>1</u> Exhibit A)(Stevens,

		Elizabeth) (Entered: 07/08/2014)
07/11/2014	103	MINUTE ENTRY for proceedings held before Judge Marsha J. Pechman– Dep Clerk: <i>Rhonda Miller</i> ; Pla Counsel: <i>Matt Adams</i> ; Def Counsel: <i>Elizabeth Stevens</i> ; CR: <i>Nancy Bauer</i> ; Fairness Hearing held on 7/11/2014. No one present to offer objections. Court approves settlement agreement. Court will enter order and final judgment. Parties to file proposed final judgment. (RM) (Entered: 07/13/2014)
07/21/2014	<u>104</u>	ORDER ON FINAL APPROVEMENT OF THE SETTLEMENT AGREEMENT and amendment of the class definition by Judge Marsha J. Pechman. (RM) Modified on 7/22/2014 (RM) Copy mailed to Marc Van Der Hout. (Entered: 07/22/2014)
07/30/2014	<u>105</u>	JUDGMENT BY COURT – THE COURT HAS ORDERED THAT the final class action settlement is approved, and has directed the parties to ensure compliance with the Courts final approval order. (MD) (Entered: 07/30/2014)