

**US District Court Electronic Case Filing System  
District of Utah (Central)  
CIVIL DOCKET FOR CASE #: 2:17-cv-00622-DB**

Adbi v. McCabe et al  
Assigned to: Judge Dee Benson  
Case in other court: USCA 10th Circuit, 18-04078  
Cause: 28:1331 Fed. Question

Date Filed: 06/16/2017  
Date Terminated: 04/30/2018  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government  
Defendant

**Plaintiff**

**Yussuf Awadir Adbi**

represented by **Carolyn M. Homer**  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Andrew McCabe**

*Acting Director of the Federal Bureau  
of Investigation, in his official capacity*

represented by **Brigham J. Bowen**

US DEPARTMENT OF JUSTICE  
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**Defendant**

**Christopher M. Piehota**

*Director of the Terrorism Screening  
Center, in his official capacity*

represented by **Brigham J. Bowen**

(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Jeffrey E. Nelson**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Huban A. Gowadia**  
*Acting Administrator, Transportation  
Security Administration (TSA), United  
States Department of Homeland  
Security (DHS), in his official capacity*

represented by **Brigham J. Bowen**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Jeffrey E. Nelson**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Kevin K. McAleenan**  
*Acting Commissioner United States  
Customs and Border Protection; in his  
official capacity*

represented by **Brigham J. Bowen**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Jeffrey E. Nelson**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Nicholas J. Rasmussen**  
*Director of the National  
Counterterrorism Center, in his official  
capacity*

represented by **Brigham J. Bowen**  
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*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Jeffrey E. Nelson**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
06/16/2017	<a href="#"><u>1</u></a>	Case has been indexed and assigned to Judge Dee Benson. Plaintiff Yussuf Awadir Adbi is directed to E-File the <a href="#"><u>Complaint and cover sheet</u></a> (found under Complaints and Other Initiating Documents) and pay the filing fee of \$ 400.00 by the end of the business day. <b>NOTE: The court will not have jurisdiction until the opening document is</b>

		electronically filed and the filing fee paid in the CM/ECF system. Civil Summons may be issued electronically. Prepare the summons using the courts <a href="#">PDF version</a> and email it to utdecf_clerk@utd.uscourts.gov for issuance (alt) (Entered: 06/16/2017)
06/16/2017	<a href="#">2</a> <b>R</b>	COMPLAINT against All Defendants (Filing fee \$ 400, receipt number 1088-2777979) filed by Yussuf Awadir Adbi. Assigned to Judge Dee Benson (McConkie, James) (Entered: 06/16/2017)
06/16/2017	<a href="#">3</a>	Plaintiff's MOTION for Preliminary Injunction and Memorandum in Support , MOTION for Temporary Restraining Order and Memorandum in Support filed by Plaintiff Yussuf Awadir Adbi. (Attachments: # <a href="#">1</a> Text of Proposed Order)(McConkie, James) (Entered: 06/16/2017)
06/16/2017	<a href="#">4</a>	Plaintiff's MOTION for Admission Pro Hac Vice of Gadeir I. Abbas , Registration fee \$ 250, receipt number 1088-2778203, filed by Plaintiff Yussuf Awadir Adbi. (Attachments: # <a href="#">1</a> Text of Proposed Order and Completed Application)(McConkie, James) (Entered: 06/16/2017)
06/16/2017	<a href="#">5</a>	Plaintiff's MOTION for Admission Pro Hac Vice of Lena F. Masri , Registration fee \$ 250, receipt number 1088-2778207, filed by Plaintiff Yussuf Awadir Adbi. (Attachments: # <a href="#">1</a> Text of Proposed Order and Completed Application)(McConkie, James) (Entered: 06/16/2017)
06/23/2017	<a href="#">6</a>	RESPONSE to Motion re <a href="#">3</a> Plaintiff's MOTION for Preliminary Injunction and Memorandum in Support MOTION for Temporary Restraining Order and Memorandum in Support filed by Defendants Huban A. Gowadia, Kevin K. McAleenan, Andrew McCabe, Christopher M. Piehota, Nicholas J. Rasmussen. Attorney Jeffrey E. Nelson added to party Huban A. Gowadia(pty:dft), Attorney Jeffrey E. Nelson added to party Kevin K. McAleenan(pty:dft), Attorney Jeffrey E. Nelson added to party Andrew McCabe(pty:dft), Attorney Jeffrey E. Nelson added to party Christopher M. Piehota(pty:dft), Attorney Jeffrey E. Nelson added to party Nicholas J. Rasmussen(pty:dft)(Nelson, Jeffrey) (Entered: 06/23/2017)
06/27/2017	<a href="#">7</a>	<b>ORDER granting <a href="#">4</a> Motion for Admission Pro Hac Vice of Gadeir I. Abbas for Yussuf Awadir Adbi.</b> <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>. Signed by Judge Dee Benson on 6/26/2017. (blh) (Entered: 06/27/2017)</i>
06/27/2017	<a href="#">8</a>	<b>ORDER granting <a href="#">5</a> Motion for Admission Pro Hac Vice of Lena F. Masri for Yussuf Awadir Adbi.</b> <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>. Signed by Judge Dee Benson on 6/26/2017. (blh) (Entered: 06/27/2017)</i>
06/27/2017	<a href="#">9</a>	NOTICE of Appearance by Brigham J. Bowen on behalf of Huban A. Gowadia, Kevin K. McAleenan, Andrew McCabe, Christopher M. Piehota, Nicholas J. Rasmussen (Bowen, Brigham) (Entered: 06/27/2017)

08/14/2017	<a href="#">10</a>	Consent MOTION for Extension of Time to File Answer re <a href="#">2</a> <b>R</b> Complaint and Memorandum in Support filed by Defendants Huban A. Gowadia, Kevin K. McAleenan, Andrew McCabe, Christopher M. Piehota, Nicholas J. Rasmussen. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Bowen, Brigham) (Entered: 08/14/2017)
08/15/2017	<a href="#">11</a>	<b>ORDER granting <a href="#">10</a> Motion for Extension of Time to Answer <a href="#">2</a> <input type="text"/> Complaint. Answer deadline updated for Huban A. Gowadia, Kevin K. McAleenan, Andrew McCabe, Christopher M. Piehota, Nicholas J. Rasmussen. Answers due 10/16/2017. Signed by Judge Dee Benson on 8/15/2017. (blh)</b> (Entered: 08/15/2017)
10/24/2017	<a href="#">12</a>	NOTICE of Joint Notice of Proposed Briefing Schedule by Yussuf Awadir Adbi (McConkie, James) (Entered: 10/24/2017)
11/01/2017	<a href="#">13</a>	Joint MOTION for Extension of Time Joint Notice of Proposed Briefing Schedule filed by Plaintiff Yussuf Awadir Adbi. (Attachments: # <a href="#">1</a> Text of Proposed Order)(McConkie, James) (Entered: 11/01/2017)
11/03/2017	<a href="#">14</a>	AMENDED COMPLAINT against All Defendants. filed by Yussuf Awadir Adbi. (Attachments: # <a href="#">1</a> Exhibit 1 - Mohamed v. Holder, et al. (United States District Court, Eastern District of Virginia, Case No. 11-cv-00050 (2011))., # <a href="#">2</a> Exhibit 3 - Directorate of Terrorist Identities (DTI): Strategic Accomplishments 2013, # <a href="#">3</a> Exhibit 4 - Department of Justice's March 2014 Audit of the Federal Bureau of Investigation's Management of Terrorist Watchlist, # <a href="#">4</a> Exhibit 5 - Elhady, et al. v. Piehota, et al. (United States District Court, Eastern District of Virginia, Case No. 1:16-cv-000375 (2017)).) (McConkie, James) (Entered: 11/03/2017)
11/03/2017	<a href="#">15</a>	EXHIBITS filed by Yussuf Awadir Adbi re <a href="#">14</a> Amended Complaint (Attachments: # <a href="#">1</a> Exhibit 2 - March 2013 Watchlisting Guidance) (McConkie, James) (Entered: 11/03/2017)
11/10/2017	<a href="#">16</a>	AMENDED COMPLAINT <i>Second Amended Complaint</i> against All Defendants with Jury Demand. filed by Yussuf Awadir Adbi. (Attachments: # <a href="#">1</a> Exhibit 1 - Mohamed v. Holder, et al. (United States District Court, Eastern District of Virginia, Case No. 11-cv-00050 (2011))., # <a href="#">2</a> Exhibit 2 - March 2013 Watchlisting Guidance, # <a href="#">3</a> Exhibit 3 - Directorate of Terrorist Identities (DTI): Strategic Accomplishments 2013, # <a href="#">4</a> Exhibit 4 - Department of Justice's March 2014 Audit of the Federal Bureau of Investigation's Management of Terrorist Watchlist, # <a href="#">5</a> Exhibit 5 - Elhady, et al. v. Piehota, et al. (United States District Court, Eastern District of Virginia, Case No. 1:16-cv-000375 (2017)).) (McConkie, James) (Entered: 11/10/2017)
11/13/2017	<a href="#">17</a>	<b>ORDER granting <a href="#">13</a> Motion for Extension of Time re Briefing Schedule. Signed by Judge Dee Benson on 11/13/2017. (blh)</b> (Entered: 11/13/2017)
12/01/2017	<a href="#">18</a>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM and Memorandum in Support , MOTION to Dismiss for Lack of Jurisdiction

		and Memorandum in Support filed by Defendants Huban A. Gowadia, Kevin K. McAleenan, Andrew McCabe, Christopher M. Piehota, Nicholas J. Rasmussen. (Attachments: # <a href="#">1</a> Exhibit A - Mohamed v. Holder, No. 11-1924 (4th Cir. May 28, 2013))(Bowen, Brigham) (Entered: 12/01/2017)
12/26/2017	<a href="#">19</a>	Joint MOTION for Extension of Time Plaintiffs deadline to file a response to Defendants Motion to Dismiss and Memorandum in Support filed by Plaintiff Yussuf Awadir Adbi. (Attachments: # <a href="#">1</a> Text of Proposed Order for Extension of Time)(McConkie, James) Modified on 12/27/2017 - modified event type to Motion for Extension of Time to File Response/Reply(jwt). (Entered: 12/26/2017)
01/02/2018	<a href="#">20</a>	<b>ORDER granting <a href="#">19</a> Motion for Extension of Time to File Response/Reply re <a href="#">18</a> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, MOTION to Dismiss for Lack of Jurisdiction. Responses due by 1/5/2018. Replies due by 1/24/2018. Signed by Judge Dee Benson on 1/2/2018. (blh)</b> (Entered: 01/02/2018)
01/05/2018	<a href="#">21</a>	Stipulated MOTION for Leave to File Excess Pages and Memorandum in Support filed by Plaintiff Yussuf Awadir Adbi. (Attachments: # <a href="#">1</a> Text of Proposed Order Regarding Stipulation to Extend Length of Response and Reply Memoranda)(McConkie, James) (Entered: 01/05/2018)
01/05/2018	<a href="#">22</a>	<b>ORDER granting <a href="#">21</a> Motion for Leave to File Excess Pages. Signed by Judge Dee Benson on 1/5/2018. (blh)</b> (Entered: 01/05/2018)
01/05/2018	<a href="#">23</a> <b>R</b>	Plaintiff's MEMORANDUM in Opposition re <a href="#">18</a> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM and Memorandum in Support MOTION to Dismiss for Lack of Jurisdiction and Memorandum in Support filed by Plaintiff Yussuf Awadir Adbi. (McConkie, James) (Entered: 01/05/2018)
01/17/2018	<a href="#">24</a>	Consent MOTION for Extension of Time to File Response/Reply as to <a href="#">23</a> <b>R</b> Memorandum in Opposition to Motion, <a href="#">18</a> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM and Memorandum in Support MOTION to Dismiss for Lack of Jurisdiction and Memorandum in Support and Memorandum in Support filed by Defendants Huban A. Gowadia, Kevin K. McAleenan, Andrew McCabe, Christopher M. Piehota, Nicholas J. Rasmussen. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Bowen, Brigham) (Entered: 01/17/2018)
01/17/2018	<a href="#">25</a>	<b>ORDER granting <a href="#">24</a> Motion for Extension of Time to File Response/Reply re <a href="#">18</a> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, MOTION to Dismiss for Lack of Jurisdiction. Replies due by 1/31/2018. Signed by Judge Dee Benson on 1/17/2018. (blh)</b> (Entered: 01/17/2018)
01/26/2018	<a href="#">26</a>	Consent MOTION for Extension of Time to File Response/Reply as to <a href="#">18</a> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM and Memorandum in Support MOTION to Dismiss for Lack of Jurisdiction

		and Memorandum in Support and Memorandum in Support filed by Defendants Huban A. Gowadia, Kevin K. McAleenan, Andrew McCabe, Christopher M. Piehota, Nicholas J. Rasmussen. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Bowen, Brigham) (Entered: 01/26/2018)
01/30/2018	<a href="#">27</a>	<b>ORDER granting <a href="#">26</a> Motion for Extension of Time to File Response/Reply re <a href="#">18</a> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, MOTION to Dismiss for Lack of Jurisdiction. Replies due by 2/7/2018. Signed by Judge Dee Benson on 1/30/2018. (blh)</b> (Entered: 01/30/2018)
02/07/2018	<a href="#">28</a> <b>R</b>	REPLY to Response to Motion re <a href="#">18</a> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM and Memorandum in Support MOTION to Dismiss for Lack of Jurisdiction and Memorandum in Support filed by Defendants Huban A. Gowadia, Kevin K. McAleenan, Andrew McCabe, Christopher M. Piehota, Nicholas J. Rasmussen. (Bowen, Brigham) (Entered: 02/07/2018)
02/09/2018	29	<b>NOTICE OF HEARING ON MOTION</b> re: <a href="#">18</a> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM and Memorandum in Support MOTION to Dismiss for Lack of Jurisdiction and Memorandum in Support : (Notice generated by CHAMBERS) Motion Hearing set for 2/22/2018 at 02:30 PM in Rm 8.300 before Judge Dee Benson. (reb) (Entered: 02/09/2018)
02/21/2018	30	<b>NOTICE VACATING Motion to Dismiss HEARING</b> set for Thursday 2/22/2018 at 2:30 p.m. before Judge Benson (Notice generated by CHAMBERS. This hearing will be reset. (reb) (Entered: 02/21/2018)
02/21/2018	31	<b>***AMENDED***NOTICE OF HEARING ON MOTION</b> re: <a href="#">18</a> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM and Memorandum in Support MOTION to Dismiss for Lack of Jurisdiction and Memorandum in Support : (Notice generated by CHAMBERS) Motion Hearing RESET FOR THURSDAY April 5, 2018 at 02:30 PM in Rm 8.300 before Judge Dee Benson. (reb) (Entered: 02/21/2018)
02/28/2018	<a href="#">32</a> <b>R</b>	Plaintiff's MOTION for Admission Pro Hac Vice of Carolyn M. Homer , Registration fee \$ 250, receipt number 1088-2949271, filed by Plaintiff Yussuf Awadir Adbi. (Attachments: # <a href="#">1</a> Exhibit Application for Admission Pro Hac Vice, # <a href="#">2</a> Text of Proposed Order re Pro Hac Vice Admission) (McConkie, James) (Entered: 02/28/2018)
02/28/2018	<a href="#">33</a>	<b>ORDER granting <a href="#">32</a> <b>R</b> Motion for Admission Pro Hac Vice of Carolyn M. Homer for Yussuf Awadir Adbi. Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at <a href="http://www.utd.uscourts.gov">http://www.utd.uscourts.gov</a>. Signed by Judge Dee Benson on 2/28/2018. (blh)</b> (Entered: 02/28/2018)
04/05/2018	34	Minute Order. Proceedings held before Judge Dee Benson: Cnsl present. After arguments were heard and discussion held on <a href="#">18</a> Motion to Dismiss for Failure to State a Claim, Court takes the matter under advisement.

		Written Order to follow oral order: Yes. Attorney for Plaintiff: Gadeir I. Abbas, Lena F. Masri, James W. McConkie and Carolyn M. Homer, Attorney for Defendant Brigham J. Bowen and Jeffrey E. Nelson. Court Reporter: Ed Young. (reb) (Entered: 04/05/2018)
04/23/2018	<a href="#">35</a> <b>R</b>	<b>MEMORANDUM DECISION and ORDER granting <a href="#">18</a> Defendants' Motion to Dismiss. Signed by Judge Dee Benson on 4/20/2018. (blh) (Entered: 04/23/2018)</b>
04/30/2018	<a href="#">36</a>	<b>JUDGMENT - It is ORDERED AND ADJUDGED that Defendants' Motion to Dismiss is granted and the action is dismissed with prejudice. Case Closed. Signed by Judge Dee Benson on 4/30/2018. (blh) (Entered: 04/30/2018)</b>
05/29/2018	<a href="#">37</a>	NOTICE OF APPEAL as to <a href="#">36</a> Judgment filed by Yussuf Awadir Abdi. Appeals to the USCA for the 10th Circuit. Filing fee \$ 505, receipt number 1088-3012961. (Masri, Lena) (Entered: 05/29/2018)
05/29/2018	<a href="#">38</a>	Transmission of Preliminary Record to USCA re <a href="#">37</a> Notice of Appeal as to 10th Circuit (Attachments: # <a href="#">1</a> Appendix) (blh) (Entered: 05/29/2018)
05/30/2018	<a href="#">39</a>	USCA Case Number Case Appealed to USCA 10th Circuit. Case Number 18-4078 for <a href="#">37</a> Notice of Appeal filed by Yussuf Awadir Abdi. (jwt) (Entered: 05/30/2018)
06/13/2018	<a href="#">40</a>	Please be advised the Record is complete for purposes of appeal for USCA case number 18-4078 re <a href="#">37</a> Notice of Appeal (blh) (Entered: 06/13/2018)
01/06/2020	<a href="#">41</a>	<b>MANDATE of USCA as to <a href="#">37</a> Notice of Appeal filed by Yussuf Awadir Abdi According to the USCA the Judgment of the USDC for the Dist of UT is Affrirmed. Judgment included with mandate: Yes. (Attachments: # <a href="#">1</a> Opinion, # <a href="#">2</a> Mandate Letter)(jds) (Entered: 01/06/2020)</b>

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05/28/2021 12:29:16			
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<b>Description :</b>	Docket Report	<b>Search Criteria :</b>	2:17-cv-00622-DB
<b>Billable Pages:</b>	6	<b>Cost:</b>	0.60