

**United States District Court  
District of Massachusetts (Worcester)  
CIVIL DOCKET FOR CASE #: 4:18-cv-40111-TSH**

Asencio et al v. Federal Emergency Management Agency et al  
Assigned to: District Judge Timothy S. Hillman  
Cause: 05:702 Administrative Procedure Act

Date Filed: 06/30/2018  
Date Terminated: 09/20/2018  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Alian Asencio**  
*TERMINATED: 07/16/2018*

represented by **Brett Natarelli**  
Manatt, Phelps & Phillips, LLP  
20 N. Clark Street  
Suite 3300  
Chicago, IL 60602  
312-626-1813  
Email: [BNatarelli@manatt.com](mailto:BNatarelli@manatt.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Craig J. de Recat**  
Manatt, Phelps & Phillips, LLP  
11355 West Olympic Blvd.  
Los Angeles, CA 90064  
310-312-4000  
Email: [cderecat@manatt.com](mailto:cderecat@manatt.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Eve L. Torres**  
Manatt, Phelps & Phillips, LLP  
11355 West Olympic Blvd.  
Los Angeles, CA 90064  
310-312-4000  
Email: [ELTorres@manatt.com](mailto:ELTorres@manatt.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Hector E. Pineiro**  
807 Main Street  
Worcester, MA 01610  
508-770-0600  
Fax: 508-770-1300  
Email: [hector@pineirolegal.com](mailto:hector@pineirolegal.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Justin Jones Rodriguez**  
Manatt, Phelps & Phillips, LLP  
11355 West Olympic Blvd.  
Los Angeles, CA 90064  
(310) 312-4000  
Email: [JJRodriguez@manatt.com](mailto:JJRodriguez@manatt.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Jose Luis Perez**

LatinoJustice PRLDEF  
99 Hudson Street, 14th Floor  
New York, NY 10013  
212-219-3360  
Email: [jperez@latinojustice.org](mailto:jperez@latinojustice.org)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Kira Romero-Craft**  
LatinoJustice PRLDEF  
523 West Colonial Drive  
Orlando, FL 32804  
321-418-6354  
Email: [kromero@latinojustice.org](mailto:kromero@latinojustice.org)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Natasha Lycia Bannan**  
LatinoJustice PRLDEF  
99 Hudson Street  
14th Floor  
New York, NY 10013  
212-739-7583  
Email: [nbannan@latinojustice.org](mailto:nbannan@latinojustice.org)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Robert A. Scott**  
Law Office of Hector E. Pineiro, PC  
807 Main Street  
Worcester, MA 01610  
508-770-0600  
Fax: 508-770-1300  
Email: [robin@pineirolegal.com](mailto:robin@pineirolegal.com)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Aracelis Velez Cruz**  
*TERMINATED: 07/16/2018*

represented by **Brett Natarelli**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Craig J. de Recat**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Eve L. Torres**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Hector E. Pineiro**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Justin Jones Rodriguez**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Jose Luis Perez**

(See above for address)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Kira Romero–Craft**

(See above for address)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Natasha Lycia Bannan**

(See above for address)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Robert A. Scott**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Denise Nieves**

*TERMINATED: 07/16/2018*

represented by **Brett Natarelli**

(See above for address)

*LEAD ATTORNEY*

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Craig J. de Recat**

(See above for address)

*LEAD ATTORNEY*

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Eve L. Torres**

(See above for address)

*LEAD ATTORNEY*

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Hector E. Pineiro**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Justin Jones Rodriguez**

(See above for address)

*LEAD ATTORNEY*

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Jose Luis Perez**

(See above for address)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Kira Romero–Craft**

(See above for address)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Natasha Lycia Bannan**

(See above for address)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Robert A. Scott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Yaritza De Jesus Lopez**  
*TERMINATED: 07/16/2018*

represented by **Brett Natarelli**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Craig J. de Recat**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Eve L. Torres**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Hector E. Pineiro**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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

**Jose Luis Perez**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Kira Romero-Craft**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Natasha Lycia Bannan**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Robert A. Scott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Rosa Rivera**  
*TERMINATED: 07/16/2018*

represented by **Brett Natarelli**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Craig J. de Recat**  
(See above for address)

*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Eve L. Torres**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Hector E. Pineiro**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

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

**Jose Luis Perez**  
(See above for address)  
*PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Kira Romero–Craft**  
(See above for address)  
*PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Natasha Lycia Bannan**  
(See above for address)  
*PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Robert A. Scott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Angel Lauriano Munoz**  
*TERMINATED: 07/16/2018*

represented by **Brett Natarelli**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Craig J. de Recat**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Eve L. Torres**  
(See above for address)  
*LEAD ATTORNEY  
PRO HAC VICE  
ATTORNEY TO BE NOTICED*

**Hector E. Pineiro**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

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

**Jose Luis Perez**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Kira Romero–Craft**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Natasha Lycia Bannan**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Robert A. Scott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Bethzaida Crespo Vicente**

represented by **Brett Natarelli**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Craig J. de Recat**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Eve L. Torres**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Hector E. Pineiro**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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

**Jose Luis Perez**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Kira Romero–Craft**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Natasha Lycia Bannan**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Robert A. Scott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Iris Otero**

represented by **Brett Natarelli**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Craig J. de Recat**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Eve L. Torres**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Hector E. Pineiro**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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

**Jose Luis Perez**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Kira Romero–Craft**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Natasha Lycia Bannan**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Robert A. Scott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Elizabeth Delgado Santos**

represented by **Eve L. Torres**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Justin Jones Rodriguez**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Rafael Ocasio Barreto**

represented by **Eve L. Torres**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Justin Jones Rodriguez**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Federal Emergency Management  
Agency**

represented by **Danielle Wolfson Young**  
U.S. Department of Justice  
1100 L Street NW  
Room 12312  
Washington, DC 20005  
(202) 616-2035  
Email: [Danielle.young2@usdoj.gov](mailto:Danielle.young2@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Rayford A. Farquhar**  
United States Attorney's Office  
John Joseph Moakley Federal Courthouse  
1 Courthouse Way  
Suite 9200  
Boston, MA 02210  
617-748-3100  
Fax: 617-748-3971  
Email: [rayford.farquhar@usdoj.gov](mailto:rayford.farquhar@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kari E. D'Ottavio**  
U.S. Department of Justice  
20 Massachusetts Avenue NW  
Washington, DC 20530  
(202) 305-0568  
Email: [kari.e.dottavio@usdoj.gov](mailto:kari.e.dottavio@usdoj.gov)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**William Brock Long**

represented by **Danielle Wolfson Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Rayford A. Farquhar**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kari E. D'Ottavio**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**



**Thomas Van Essen**represented by **Danielle Wolfson Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED***Rayford A. Farquhar**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED***Kari E. D'Ottavio**  
(See above for address)  
*ATTORNEY TO BE NOTICED***Defendant****Alejandro De La Campa**represented by **Danielle Wolfson Young**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED***Rayford A. Farquhar**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED***Kari E. D'Ottavio**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
6/30/2018	<u>1</u>	COMPLAINT <i>Class Action Seeking Injunctive and Declaratory Relief</i> against All Defendants Filing fee: \$ 400, receipt 0101-7211412 (Fee Status: Filing Fee paid), filed by Alian Asencio, Bethzaida Crespo Vicente, Yaritza De Jesus Lopez, Lauriano Munoz, Denise Nieves, Iris Otero, Rosa Rivera, Aracelis Velez Cruz. (Attachments: # <u>1</u> Civil Cover Sheet cover sheet, # <u>2</u> Category form)(Pineiro, Hector) (Attachment 1 replaced on 7/2/2018) (Burgos, Sandra). (Attachment 2 replaced on 7/2/2018) (Burgos, Sandra). (Entered: 06/30/2018)
6/30/2018	<u>2</u>	MOTION for Temporary Restraining Order and MOTION for Preliminary Injunction filed by Plaintiffs.(Healy, Bethaney) Modified on 6/30/2018 to change document restriction to public. (Healy, Bethaney) (Entered: 06/30/2018)
6/30/2018	<u>3</u>	MEMORANDUM in Support re <u>2</u> MOTION for Temporary Restraining Order filed by Plaintiffs. (Healy, Bethaney) Modified on 6/30/2018 to change document restriction to public. (Healy, Bethaney). (Entered: 06/30/2018)
6/30/2018	<u>4</u>	AFFIDAVIT of Natasha Lycia Ora Bannan in Support re <u>2</u> MOTION for Temporary Restraining Order filed by Plaintiffs. (Healy, Bethaney) Modified on 6/30/2018 to change document restriction to public.(Healy, Bethaney). (Main Document replaced on 7/5/2018) (Burgos, Sandra). (Entered: 06/30/2018)
6/30/2018	<u>5</u>	AFFIDAVIT of Kira Romero Craft in Support re <u>2</u> MOTION for Temporary Restraining Order filed by Alian Asencio. (Healy, Bethaney) Modified on 6/30/2018 to change document restriction to public. (Healy, Bethaney). (Main Document replaced on 7/5/2018) (Burgos, Sandra). (Entered: 06/30/2018)
6/30/2018	<u>6</u>	Proposed Document(s) submitted by Alian Asencio. Document received: Proposed Order. (Healy, Bethaney) Modified on 6/30/2018 to change document restriction to public.(Healy, Bethaney) (Entered: 06/30/2018)
6/30/2018	<u>7</u>	District Judge Leo T. Sorokin: ELECTRONIC ORDER ENTERED. After clerk conferred with counsel, the court orders the motion for Temporary Restraining Order and for Preliminary Injunction, as well as the supporting documents unsealed. Documents shall be provided to Defendants. (Healy, Bethaney) (Entered: 06/30/2018)
6/30/2018	<u>8</u>	ELECTRONIC NOTICE Setting Hearing on <u>2</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction. Motion Hearing set for 6/30/2018 at 8:30 PM by telephone before District Judge Leo T. Sorokin. Counsel has been provided with call-in information.(Healy, Bethaney) (Entered: 06/30/2018)
6/30/2018	<u>9</u>	Electronic Clerk's Notes for proceedings held before District Judge Leo T. Sorokin: Motion Hearing held on 6/30/2018. MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by Alian Asencio. Arguments heard on Motion for Temporary Restraining Order. Order to issue. (Court Reporter: Digital Recording.) To order a copy of this Recording, please go to <a href=

		<a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> > <a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> </a>. For a transcript of this proceeding, contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a> . (Attorneys present: Pineiro, Romero, Perez, Bannam, DeRoquette, Derusha) (Healy, Bethaney) (Entered: 06/30/2018)
5/30/2018	10	District Judge Leo T. Sorokin: ELECTRONIC ORDER entered With Regard to <u>2</u> Motion for TRO. Plaintiffs filed a complaint today along with an emergency motion for a TRO. The Court has provided counsel for the United States copies of the order and held a telephone hearing this evening with counsel for the government and the plaintiffs. The standard for issuance of a preliminary injunction is the familiar four part test. The irreparable harm to the plaintiffs is obvious and overwhelming tomorrow night they will be evicted and homeless since by definition each plaintiffs home was rendered uninhabitable by the hurricane in Puerto Rico, a determination previously made by the defendants. The public interest on balance favors the plaintiffs both in terms of their personal interests and considering the specter of many sick individuals without homes of their own being rendered homeless with the resulting drain on other public resources in addition to the possible human consequences. The more substantial question is whether Plaintiffs have established a likelihood of success on the merits of one or more of their legal claims. The Plaintiffs in their papers and at the hearing have articulated, at least, claims that they are entitled to (1) reasonable notice of the termination of the temporary housing assistance; (2) assistance as long as they remain eligible for temporary assistance in transition to other housing. In addition, they assert that FEMA in prior roughly equivalent disasters has extended the temporary housing assistance substantially longer than in the present disaster. On the record before the Court, which is admittedly limited in that the government has had only the most limited opportunity to respond, the Plaintiffs have demonstrated a sufficient likelihood of success to warrant an limited temporary restraining order under the totality of the circumstances and the governing law. Specifically, the affidavits from counsel show deficiencies in notice and transition to other assistance. Whether that evidentiary showing prevails on a fuller record is not now necessary to decide. Accordingly, the Court (1) ENJOINS the Defendants and their agents from terminating the Temporary Housing Assistance program which provides for payment for shelter for the plaintiffs (including the class) until at least midnight July 3, 2018 (i.e. enabling Plaintiffs and their class to stay until checkout time on July 4, 2018); (2) ORDERS Defendants and their agents to provide notice and take whatever action is necessary to extend the assistance until the aforementioned deadline; and (3) SCHEDULES a telephone hearing on this matter before Judge Hillman on Monday July 2, 2018 at 12:45 p.m. This ruling is WITHOUT PREJUDICE to any rulings by Judge Hillman. At the hearing before Judge Hillman counsel for plaintiffs ought be prepared to address the issues with more specificity, inter alia, the specific nature and basis for the right to notice, the nature and basis of the right to ongoing temporary housing assistance, the nature and basis for the right to transition assistance, and the legal significance, if any, of the different durations of housing assistance programs. Counsel for the government ought be prepared to address, inter alia, (on Monday) such further time as requested by the government) the lack of basis for the foregoing issues. Nothing in this outline limits or precludes the parties from raising issues fairly within the pleadings or appropriate defenses. The Clerk will provide call information for the call on Monday. The undersigned has addressed this motion as the emergency district judge. /s/ Leo T. Sorokin, United States District Judge. (Healy, Bethaney) (Entered: 06/30/2018)
5/30/2018	11	ELECTRONIC NOTICE of Case Assignment. District Judge Timothy S. Hillman assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Robert Hennessy. (Healy, Bethaney) (Entered: 07/01/2018)
5/30/2018	12	ELECTRONIC NOTICE of Hearing. Telephone Conference set for 7/2/2018 at 12:45 PM before District Judge Timothy S. Hillman. The clerk shall provide counsel with call-in information. (Healy, Bethaney) (Entered: 07/01/2018)
7/02/2018	<u>13</u>	NOTICE of Appearance by Robert A. Scott on behalf of Alian Asencio, Bethzaida Crespo Vicente, Yaritza De Jesus Lopez, Angel Lauriano Munoz, Denise Nieves, Iris Otero, Rosa Rivera, Aracelis Velez Cruz (Scott, Robert) (Entered: 07/02/2018)
7/02/2018	<u>14</u>	NOTICE of Appearance by Rayford A. Farquhar on behalf of Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen (Farquhar, Rayford) (Entered: 07/02/2018)
7/02/2018	<u>15</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Kira Romero-Craft and Natasha Lycia Ora Bannan Filing fee: \$ 200, receipt number 0101-7212199 by Alian Asencio, Bethzaida Crespo Vicente, Yaritza De Jesus Lopez, Angel Lauriano Munoz, Denise Nieves, Iris Otero, Rosa Rivera, Aracelis Velez Cruz. (Attachments: # <u>1</u> Exhibit A - affidavit of Kira Romero-Craft, # <u>2</u> Exhibit B - affidavit of Natasha Lycia Ora Bannan)(Scott, Robert) (Entered: 07/02/2018)
7/02/2018	<u>16</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Jose Luis Perez Filing fee: \$ 100, receipt number 0101-7212199 by Alian Asencio, Bethzaida Crespo Vicente, Yaritza De Jesus Lopez, Angel Lauriano Munoz, Denise Nieves, Iris Otero, Rosa Rivera, Aracelis Velez Cruz. (Attachments: # <u>1</u> Exhibit A - affidavit of Jose Luis Perez)(Scott, Robert) (Entered: 07/02/2018)
7/02/2018	<u>17</u>	Summons Issued as to Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen. <b>Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service.</b> (Burgos, Sandra) (Entered: 07/02/2018)
7/02/2018	18	Electronic Clerk's Notes for proceedings held before District Judge Timothy S. Hillman: Telephone Conference held on 7/2/2018, Case called, Counsel appear for hearing on motion of TRO, Court hears arguments of counsel, Court rules to grant under advisement <u>2</u> Motion for TRO. (Court Reporter: Digital Recording) To order a copy of this Digital Recording, please contact the Clerk at <a href="http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm">http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm</a> . For a transcript of this proceeding, contact Deborah Scalfani by email at <a href="mailto:deborah_scalfani@mad.uscourts.gov">deborah_scalfani@mad.uscourts.gov</a> . (Attorneys present: Pineiro, Scott, Others/Farquhar, Pierson) (Castles, I)

		(Entered: 07/02/2018)
7/03/2018	<u>19</u>	District Judge Timothy S. Hillman: ORDER entered. CONTINUATION OF TEMPORARY RESTRAINING ORDER (Sandra) (Entered: 07/03/2018)
7/03/2018	20	District Judge Timothy S. Hillman: ELECTRONIC ORDER entered granting <u>15</u> Motion for Leave to Appear Pro Hac Added Kira Romero–Craft and Natasha Lycia Ora Bannan. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Burgos, Sandra) (Entered: 07/03/2018)
7/03/2018	21	District Judge Timothy S. Hillman: ELECTRONIC ORDER entered granting <u>16</u> Motion for Leave to Appear Pro Hac Added Jose Luis Perez. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Burgos, Sandra) (Entered: 07/03/2018)
7/05/2018	<u>22</u>	Transcript of Telephone Conference held on July 2, 2018, before Judge Timothy S. Hillman. The Transcript may be purchased through Judy Bond at <a href="mailto:judy@bondcourtreporting.com">judy@bondcourtreporting.com</a> , viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: No Reporter Used. Digital Recording transcribed by Judy Bond. Redaction Request due 7/26/2018. Redacted Transcript Deadline set for 8/6/2018. Release of Transcript Restriction set for 10/3/2018. (Scalfani, Deborah) (Entered: 07/05/2018)
7/05/2018	23	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at <a href="http://www.mad.uscourts.gov/attorneys/general-info.htm">http://www.mad.uscourts.gov/attorneys/general-info.htm</a> (Scalfani, Deborah) (Entered: 07/05/2018)
7/05/2018	<u>24</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Brett Natarelli, Craig J. De Recat, and Justin Jones Rodriguez. Filing fee: \$ 300, receipt number 0101–7217630 by Alian Asencio, Bethzaida Crespo Vicente, Yaritza De Jesus Lopez Lauriano Munoz, Denise Nieves, Iris Otero, Rosa Rivera, Aracelis Velez Cruz. (Attachments: # <u>1</u> Exhibit A – affidavit of Brett Natarelli, # <u>2</u> Exhibit B – affidavit of Craig J. de Recat, # <u>3</u> Exhibit C – affidavit of Justin Jones Rodriguez)(Scott, Robert) Modified on 7/6/2018 (Burgos, Sandra). (Entered: 07/05/2018)
7/06/2018	25	District Judge Timothy S. Hillman: ELECTRONIC ORDER entered granting <u>24</u> Motion for Leave to Appear Pro Hac Added Brett Natarelli, Craig J. De Recat and Justin Jones Rodriguez. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Jones, Sherry) (Entered: 07/06/2018)
7/06/2018	<u>26</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Eve L. Torres Filing fee: \$ 100, receipt number 0101–7217630 by Alian Asencio, Bethzaida Crespo Vicente, Yaritza De Jesus Lopez, Angel Lauriano Munoz, Denise Nieves, Iris Otero, Rosa Rivera, Aracelis Velez Cruz. (Attachments: # <u>1</u> Exhibit A – affidavit of Eve L. Torres)(Scott, Robert) (Entered: 07/06/2018)
7/09/2018	27	District Judge Timothy S. Hillman: ELECTRONIC ORDER entered granting <u>26</u> Motion for Leave to Appear Pro Hac Added Eve L. Torres. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Jones, Sherry) (Entered: 07/09/2018)
7/12/2018	<u>28</u>	AMENDED COMPLAINT -- <i>First Amended Class Action Complaint Seeking Injunctive and Declaratory Relief</i> against Thomas Van Essen, Federal Emergency Management Agency, Alejandro De La Campa, William Brock Long, filed by Bethzaida Crespo Vicente, Iris Otero, Elizabeth Delgado Santos, Rafael Ocasio Barreto.(Jones Rodriguez, Justin) (Entered: 07/12/2018)
7/13/2018	<u>29</u>	SUMMONS Returned Executed as to US Attorney by Angel Lauriano Munoz, Denise Nieves, Elizabeth Delgado Santos, Bethzaida Crespo Vicente, Aracelis Velez Cruz, Rafael Ocasio Barreto, Iris Otero, Alian Asencio, Yaritza De Jesus Lopez, Rosa Rivera. Alejandro De La Campa served on 7/10/2018, answer due 9/10/2018; Federal Emergency Management Agency served on 7/10/2018, answer due 9/10/2018; William Brock Long served on 7/10/2018, answer due 9/10/2018; Thomas Van Essen served on 7/10/2018, answer due 9/10/2018. (de Recat, Craig) (Entered: 07/13/2018)
7/13/2018	<u>30</u>	MOTION for Leave to File Excess Pages by Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen.(Farquhar, Rayford) (Entered: 07/13/2018)
7/13/2018	31	District Judge Timothy S. Hillman: ELECTRONIC ORDER entered granting <u>30</u> Motion for Leave to File Excess Pages. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order) in the caption of the document. (Jones, Sherry) (Entered: 07/13/2018)

7/13/2018	<u>32</u>	Opposition re <u>2</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen. (Attachments: # <u>1</u> Exhibit 1)(Farquhar, Rayford) (Entered: 07/13/2018)
7/18/2018	<u>33</u>	MOTION for Leave to File Excess Pages by Bethzaida Crespo Vicente, Elizabeth Delgado Santos, Rafael Ocasio Barreto.(Jones Rodriguez, Justin) (Entered: 07/18/2018)
7/18/2018	34	District Judge Timothy S. Hillman: ELECTRONIC ORDER entered granting <u>33</u> Motion for Leave to File Excess Pages. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order) in the caption of the document. (Jones, Sherry) (Entered: 07/18/2018)
7/18/2018	<u>35</u>	REPLY to Response to <u>2</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by Bethzaida Crespo Vicente, Elizabeth Delgado Santos, Rafael Ocasio Barreto, Iris Otero. (de Recat, Craig) (Entered: 07/18/2018)
7/18/2018	<u>36</u>	DECLARATION re <u>35</u> Reply to Response to Motion by Bethzaida Crespo Vicente, Elizabeth Delgado Santos, Rafael Ocasio Barreto, Iris Otero. (Torres, Eve) (Entered: 07/18/2018)
7/19/2018	<u>37</u>	MOTION to Correct a Misstatement in Their Opposition to Plaintiffs' Request for a Continued Temporary Restraining Order and/or Preliminary Injunction by Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen.(Farquhar, Rayford) Modified on 7/19/2018 (Jones, Sherry). (Entered: 07/19/2018)
7/19/2018	<u>38</u>	District Judge Timothy S. Hillman: ORDER entered. SECOND CONTINUATION OF TEMPORARY RESTRAINING ORDER.(Castles, Martin) (Entered: 07/19/2018)
7/19/2018	39	ELECTRONIC NOTICE Setting Hearing on Motion <u>2</u> MOTION for Preliminary Injunction : Motion Hearing set for 8/1/2018 at 10:00 AM in Courtroom 2 – Worcester before District Judge Timothy S. Hillman. (Castles, Martin) (Entered: 07/19/2018)
7/20/2018	<u>40</u>	NOTICE of Appearance by Danielle Wolfson Young on behalf of Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen (Young, Danielle) (Entered: 07/20/2018)
7/20/2018	<u>41</u>	MOTION to Correct <u>35</u> Reply to Response to Motion -- <i>Motion to Correct a Misstatement in Reply</i> by Bethzaida Crespo Vicente, Elizabeth Delgado Santos, Rafael Ocasio Barreto, Iris Otero.(Torres, Eve) (Entered: 07/20/2018)
7/23/2018	<u>42</u>	NOTICE by Bethzaida Crespo Vicente, Elizabeth Delgado Santos, Rafael Ocasio Barreto, Iris Otero re <u>38</u> Temporary Restraining Order (Torres, Eve) (Entered: 07/23/2018)
7/27/2018	<u>43</u>	DECLARATION re <u>38</u> Temporary Restraining Order, <u>42</u> Notice (Other) by Bethzaida Crespo Vicente, Elizabeth Delgado Santos, Rafael Ocasio Barreto, Iris Otero. (Attachments: # <u>1</u> Exhibit D to the Declaration of Eve L. Torres Regarding Additional Evidence for the Hearing on Emergency Motion for a Temporary Restraining Order or Preliminary Injunction and Declaratory Relief, # <u>2</u> Exhibit E to the Declaration of Eve L. Torres Regarding Additional Evidence for the Hearing on Emergency Motion for a Temporary Restraining Order or Preliminary Injunction and Declaratory Relief, # <u>3</u> Exhibit F to the Declaration of Eve L. Torres Regarding Additional Evidence for the Hearing on Emergency Motion for a Temporary Restraining Order or Preliminary Injunction and Declaratory Relief)(Torres, Eve) (Entered: 07/27/2018)
7/27/2018	<u>44</u>	DECLARATION re <u>42</u> Notice (Other) by Alian Asencio, Bethzaida Crespo Vicente, Yaritza De Jesus Lopez, Elizabeth Delgado Santos, Angel Lauriano Munoz, Denise Nieves, Rafael Ocasio Barreto, Iris Otero, Rosa Rivera, Aracelis Velez.(Attachments: # <u>1</u> Exhibit G, # <u>2</u> Exhibit H, # <u>3</u> Exhibit I, # <u>4</u> Exhibit J, # <u>5</u> Exhibit K)(Bannan, Natasha) (Entered: 07/27/2018)
8/01/2018	45	Electronic Clerk's Notes for proceedings held before District Judge Timothy S. Hillman: Motion Hearing held on 8/1/2018. MOTION Preliminary Injunction filed by Alian Asencio, Case called, Counsel appear for motion hearing, Court hears arguments of counsel, Court rules taking under advisement <u>2</u> Motion for Preliminary Injunction, Court extends TRO until 8/31/18, Order to issue, (Court Reporter: Valerie OHara at vaohara@gmail.com/Digital)(Attorneys present: Pineiro,Scott,Bannan,Rodriguez,de Recat/Young,Farquhar) (Castles, Martin) (Entered: 08/01/2018)
8/01/2018	46	District Judge Timothy S. Hillman: ELECTRONIC ORDER entered granting <u>37</u> Motion to correct aad granting <u>41</u> Motion to Correct. (Castles, Martin) (Entered: 08/01/2018)
8/02/2018	<u>47</u>	Opposition re <u>2</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction <i>CORRECTED OPPOSITION</i> filed by Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen. (Attachments: # <u>1</u> Exhibit 1)(Farquhar, Rayford) (Entered: 08/02/2018)
8/03/2018	<u>48</u>	Transcript of Motion Hearing held on August 1, 2018, before Judge Timothy S. Hillman. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter and Contact Information: Valerie OHara at vaohara@gmail.com Redaction Request due 8/24/2018. Redacted Transcript Deadline set for 9/4/2018. Release of Transcript Restriction set for 11/1/2018. (Scalfani, Deborah) (Entered: 08/03/2018)
8/03/2018	49	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at <a href="http://www.mad.uscourts.gov/attorneys/general-info.htm">http://www.mad.uscourts.gov/attorneys/general-info.htm</a> (Scalfani, Deborah) (Entered: 08/03/2018)

8/03/2018	<u>50</u>	NOTICE by Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen. ( <i>Supplemental Authority</i> (Young, Danielle) (Entered: 08/03/2018))
8/03/2018	<u>51</u>	REPLY to Response to <u>2</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction <i>CORRECTED REPLY</i> filed by Bethzaida Crespo Vicente, Elizabeth Delgado Santos, Rafael Ocasio Barreto, Iris Otero. (de Recat, Craig) (Entered: 08/03/2018)
8/09/2018	<u>52</u>	MOTION for Protective Order , MOTION to Seal ( Responses due by 8/23/2018) by Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen. (Attachments: # <u>1</u> Text of Proposed Order)(Young, Danielle) (Entered: 08/09/2018)
8/09/2018	<u>53</u>	DOCUMENT HAD TYPO'S COUNSEL REFILED THE DOCUMENT, SEE ENTRY #54 FOR CORRECTED DOCUMENT Opposition re <u>52</u> MOTION for Protective Order MOTION to Seal filed by Alian Asencio, Bethzaida Crespo Vicente, Yaritza De Jesus Lopez, Elizabeth Delgado Santos, Angel Lauriano Munoz, Denise Nieves, Rafael Ocasio Barreto, Iris Otero, Rosa Rivera, Aracelis Velez Cruz. (Scott, Robert) Modified on 8/10/2018 (Jones, Sherry). (Entered: 08/09/2018)
8/10/2018	<u>54</u>	Opposition re <u>52</u> MOTION for Protective Order MOTION to Seal , <i>corrected</i> , filed by Alian Asencio, Bethzaida Crespo Vicente, Yaritza De Jesus Lopez, Elizabeth Delgado Santos, Angel Lauriano Munoz, Denise Nieves, Rafael Ocasio Barreto, Rosa Rivera, Aracelis Velez Cruz. (Attachments: # <u>1</u> Exhibit 1 email of Aug. 8 2018, # <u>2</u> Exhibit 2 emails of Aug 8 2018, # <u>3</u> Exhibit emails of Aug 9 2018)(Scott, Robert) (Entered: 08/10/2018)
8/10/2018	<u>55</u>	NOTICE of Appearance by Kari E. D'Ottavio on behalf of Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen (D'Ottavio, Kari) (Entered: 08/10/2018)
8/10/2018	<u>56</u>	Supplemental MEMORANDUM in Opposition re <u>2</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen. (Attachments: # <u>1</u> Affidavit)(Young, Danielle) (Entered: 08/10/2018)
8/10/2018	<u>57</u>	Supplemental MEMORANDUM in Support re <u>2</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by Bethzaida Crespo Vicente, Elizabeth Delgado Santos, Rafael Ocasio Barreto, Iris Otero. (Attachments: # <u>1</u> Affidavit of Craig J. de Recat in Support, # <u>2</u> Exhibit s K – V, # <u>3</u> Exhibit s W – Z)(Jones Rodriguez, Justin) (Entered: 08/10/2018)
8/10/2018	<u>58</u>	Response by Bethzaida Crespo Vicente, Elizabeth Delgado Santos, Rafael Ocasio Barreto, Iris Otero to <u>50</u> Notice (Otero, Iris) (Jones Rodriguez, Justin) (Entered: 08/10/2018)
8/15/2018	<u>59</u>	District Judge Timothy S. Hillman: ELECTRONIC ORDER entered granting <u>52</u> Motion for Protective Order and granting <u>52</u> Motion to Seal. The Court will issue the protective order, as proposed, forthwith. The Defendants shall serve copies of the materials on Plaintiffs' counsel by the close of business on Friday, August 17th. After receiving the materials, Plaintiffs' counsel, if necessary, file a request for further briefing. Plaintiffs shall file any such request by close of business on Tuesday, August 21st. Defendants need not file the materials with the Court, however, if the materials are included in any future filings they shall be filed under seal. Additionally, if the parties have any interest in mediating this case with a magistrate judge assigned to the Court, they can jointly file a request for ADR with my Courtroom Clerk, Martin Castles, on or before August 24, 2018. (Castles, Martin) (Entered: 08/15/2018)
8/15/2018	<u>60</u>	District Judge Timothy S. Hillman: ORDER entered. PRIVACY ACT PROTECTIVE ORDER(Castles, Martin) (Entered: 08/15/2018)
8/21/2018	<u>61</u>	MOTION for Leave to File <i>a Supplemental Brief</i> by Bethzaida Crespo Vicente, Elizabeth Delgado Santos, Rafael Ocasio Barreto, Iris Otero.(Jones Rodriguez, Justin) (Entered: 08/21/2018)
8/21/2018	<u>62</u>	Opposition re <u>61</u> MOTION for Leave to File <i>a Supplemental Brief</i> filed by Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen. (Young, Danielle) (Entered: 08/21/2018)
8/22/2018	<u>63</u>	District Judge Timothy S. Hillman: ORDER entered MEMORIALIZING THE PREVIOUSLY GRANTED THIRD CONTINUATION OF TEMPORARY RESTRAINING ORDER(Castles, Martin) (Entered: 08/22/2018)
8/23/2018	<u>64</u>	District Judge Timothy S. Hillman: ELECTRONIC ORDER entered denying <u>61</u> Motion for Leave to File. (Castles, Martin) (Entered: 08/23/2018)
8/29/2018	<u>65</u>	MOTION to Dismiss by Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen.(Young, Danielle) (Entered: 08/29/2018)
8/29/2018	<u>66</u>	MEMORANDUM in Support re <u>65</u> MOTION to Dismiss filed by Alejandro De La Campa, Federal Emergency Management Agency, William Brock Long, Thomas Van Essen. (Young, Danielle) (Entered: 08/29/2018)
8/30/2018	<u>67</u>	District Judge Timothy S. Hillman: ORDER entered denying <u>2</u> Motion for Preliminary Injunction. (Castles, Martin) (Entered: 08/30/2018)

09/20/2018	68	District Judge Timothy S. Hillman: ELECTRONIC ORDER entered granting <u>65</u> Motion to Dismiss. No opposition has been filed, the motion to dismiss is granted for the reasons stated in the Defendants' memorandum. (Castles, Martin) (Entered: 09/20/2018)
09/20/2018	<u>69</u>	District Judge Timothy S. Hillman: ORDER entered. ORDER DISMISSING CASE.(Castles, Martin) (Entered: 09/20/2018)