

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:21-cv-11094-RGS**

National Immigration Litigation Alliance et al v. U.S. Customs
and Border Protection
Assigned to: Judge Richard G. Stearns
Cause: 05:552 Freedom of Information Act

Date Filed: 07/01/2021
Date Terminated: 05/04/2022
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**National Immigration Litigation
Alliance**

represented by **David Hanna**
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V.

Defendant

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Date Filed	#	Docket Text
07/01/2021	<u>1</u>	COMPLAINT for Declaratory and Injunctive Relief against U.S. Customs and Border Protection Filing fee: \$ 402, receipt number 0101-8843992 (Fee Status: Filing Fee paid), filed by Al Otro Lado, Haitian Bridge Alliance, National Immigration Litigation Alliance. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Civil Cover Sheet, # <u>5</u> Category Form)(Roberts, John) Modified on 7/2/2021: Corrected docket text (Kelly, Danielle). (Entered: 07/01/2021)
07/02/2021	2	ELECTRONIC NOTICE of Case Assignment. Judge Richard G. Stearns 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 Donald L. Cabell. (Finn, Mary) (Entered: 07/02/2021)
07/02/2021	<u>3</u>	Summons Issued as to All Defendants. 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. (Kelly, Danielle) (Entered: 07/02/2021)
07/14/2021	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Michael T. Mervis, Julia D. Alonzo, David M. Hanna Filing fee: \$ 300, receipt number 0101-8857684 by Al Otro Lado, Haitian Bridge Alliance, National Immigration Litigation Alliance. (Attachments: # <u>1</u> Exhibit A - Affidavit of Michael T. Mervis, # <u>2</u> Exhibit B - Affidavit of Julia D. Alonzo, # <u>3</u> Exhibit C - Affidavit of David M. Hanna, # <u>4</u> Text of Proposed Order)(Roberts, John) (Entered: 07/14/2021)
07/14/2021	5	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>4</u> Motion for Leave to Appear Pro Hac Vice Added Michael T. Mervis, Julia D. Alonzo, and David M. Hanna. 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 www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (McDonagh, Christina) (Entered: 07/14/2021)
07/14/2021	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Trina Realmuto, Kristin Macleod-Ball, Nicole Elizabeth Ramos, Nicole Phillips Filing fee: \$ 400, receipt number 0101-8857691 by Al Otro Lado, Haitian Bridge Alliance, National Immigration Litigation Alliance. (Attachments: # <u>1</u> Exhibit A - Affidavit of Trina Realmuto, # <u>2</u> Exhibit B - Affidavit of Kristin Macleod-Ball, # <u>3</u> Exhibit C - Affidavit of Nicole Elizabeth Ramos, # <u>4</u> Exhibit D - Affidavit of Nicole Phillips, # <u>5</u> Text of Proposed Order)(Roberts, John) (Entered: 07/14/2021)
07/14/2021	7	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>6</u> Motion for Leave to Appear Pro Hac Vice Added Trina Realmuto, Kristin Macleod-Ball, Nicole Elizabeth Ramos, Nicole Phillips. 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 www.mad.uscourts.gov. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (McDonagh, Christina) (Entered: 07/14/2021)
07/16/2021	<u>8</u>	SUMMONS Returned Executed by Haitian Bridge Alliance, Al Otro Lado, National Immigration Litigation Alliance. (Roberts, John) (Entered: 07/16/2021)
07/26/2021	<u>9</u>	NOTICE of Appearance by Michael Fitzgerald on behalf of U.S. Customs and Border Protection (Fitzgerald, Michael) (Entered: 07/26/2021)
08/04/2021	<u>10</u>	Notice of Service of Process filed by Al Otro Lado, Haitian Bridge Alliance, National Immigration Litigation Alliance. Individual(s)/Entities served: U.S. Customs and Border Protection, Washington, DC. (Roberts, John) (Entered: 08/04/2021)
08/04/2021	<u>11</u>	Notice of Service of Process filed by Al Otro Lado, Haitian Bridge Alliance, National Immigration Litigation Alliance. Individual(s)/Entities served: U.S. Department of Justice for U.S. Customs and Border Protection. (Roberts, John) (Entered: 08/04/2021)

08/13/2021	<u>12</u>	ANSWER to <u>1</u> Complaint, by U.S. Customs and Border Protection.(Fitzgerald, Michael) (Entered: 08/13/2021)
08/14/2021	13	Judge Richard G. Stearns: ELECTRONIC ORDER entered setting pretrial schedule. U.S. Customs and Border Protection having filed an Answer, the court enters the following pretrial schedule: Initial disclosures required by Fed. R. Civ. P. 26(a)(1) must be completed by 9/10/21; Motions for leave to Amend Pleadings & Joinder of Parties must be filed by 10/15/21. Without leave of court, the parties are permitted to serve 30 interrogatories, 30 requests for admissions and 30 document requests, to be served within the 30 days of initial disclosures . The court expects responses to be made in thirty days, unless a request for additional time is granted. All fact discovery must be completed no later than 2/25/22. Dispositive Motions are due by 3/21/22, with Oppositions to dispositive motions due 4/11/22; Reply, if any, by leave of court. <u>If a party intends to utilize an expert, they must file a notice on the docket no later than 12/30/21, in order for the court to consider whether an expert is appropriate and, if so, to alter the existing schedule.</u> (Zierk, Marsha) (Entered: 08/14/2021)
09/09/2021	<u>14</u>	Joint MOTION to Amend 13 Order,,, <i>Scheduling Order</i> by U.S. Customs and Border Protection.(Fitzgerald, Michael) (Entered: 09/09/2021)
09/09/2021	15	Judge Richard G. Stearns: ELECTRONIC ORDER entered granting <u>14</u> Motion to Amend the pretrial order. The parties will submit a joint report by October 7, 2021, to inform the court of the status of defendant's search and review of documents responsive to the FOIA Request, whether the parties believe summary judgment briefing will be necessary and, if so, a proposed briefing schedule. (Zierk, Marsha) (Entered: 09/09/2021)
10/07/2021	<u>16</u>	STATUS REPORT <i>FILED JOINTLY</i> by U.S. Customs and Border Protection. (Fitzgerald, Michael) (Entered: 10/07/2021)
10/08/2021	17	Judge Richard G. Stearns: ELECTRONIC ORDER entered. The parties will file another joint status report by November 5, 2021, to inform the court of the status of defendant's search and review of documents responsive to the FOIA Request, whether the parties believe summary judgment briefing will be necessary and, if so, a proposed briefing schedule. (Zierk, Marsha) (Entered: 10/08/2021)
11/05/2021	<u>18</u>	STATUS REPORT <i>FILED JOINTLY</i> by U.S. Customs and Border Protection. (Fitzgerald, Michael) (Entered: 11/05/2021)
11/08/2021	19	Judge Richard G. Stearns: ELECTRONIC ORDER – In response to the parties' request, the court will provide them additional time to attempt to narrow or resolve the issues, and defer setting a summary judgment briefing schedule for an additional 30 days. The parties will file another joint status report by December 6, 2021, to inform the court of the status of defendant's search and review of documents responsive to the FOIA Request, whether the parties believe summary judgment briefing will be necessary and, if so, a proposed briefing schedule. (Zierk, Marsha) (Entered: 11/08/2021)
12/06/2021	<u>20</u>	STATUS REPORT <i>FILED JOINTLY</i> by U.S. Customs and Border Protection. (Fitzgerald, Michael) (Entered: 12/06/2021)
12/08/2021	21	Judge Richard G. Stearns: ELECTRONIC ORDER entered re <u>20</u> Status Report. The parties will file a joint status report by January 7, 2022, to inform the court, among other things, regarding the necessity of dispositive motion briefing. (Pacho, Arnold) (Entered: 12/08/2021)
01/07/2022	<u>22</u>	STATUS REPORT <i>Jointly Filed</i> by U.S. Customs and Border Protection. (Fitzgerald, Michael) (Entered: 01/07/2022)

01/10/2022	<u>23</u>	Judge Richard G. Stearns: ELECTRONIC ORDER entered. The plaintiffs agree that the government has produced the requisite documents. The parties ask for sixty days to work out an agreement regarding attorneys' fees. The court directs the parties, by March 8, 2022, to inform the court of the outcome of their discussions or to file a motion for fees. (Zierk, Marsha) (Entered: 01/10/2022)
03/08/2022	<u>24</u>	STATUS REPORT <i>Jointly Filed</i> by U.S. Customs and Border Protection. (Fitzgerald, Michael) (Entered: 03/08/2022)
05/03/2022	<u>25</u>	STIPULATION of Dismissal <i>Jointly Filed</i> by U.S. Customs and Border Protection. (Fitzgerald, Michael) (Entered: 05/03/2022)