

U.S. District Court
Eastern District of California – Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:19-cv-02429-TLN-JDP

(PS) Graham v. U.S. Dept. of Homeland Security et al
Assigned to: District Judge Troy L. Nunley
Referred to: Magistrate Judge Jeremy D. Peterson
Cause: 28:1983 Civil Rights

Date Filed: 12/05/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: Federal Question

Plaintiff**Mark E. Graham**

represented by **Mark E. Graham**
P.O. Box 1823
Elk Grove, CA 95759
530-902-4428
PRO SE

V.

Defendant**United States Department of Homeland Security**

represented by **William Dean Carter**
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Defendant**United States Immigration and Customs Enforcement**

represented by **William Dean Carter**
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Date Filed	#	Docket Text
12/04/2019	<u>1</u>	COMPLAINT against United States Department of Homeland Security, United States Immigration and Customs Enforcement by Mark E. Graham. (Attachments: # <u>1</u> Civil Cover Sheet)(Huang, H) (Entered: 12/05/2019)
12/04/2019	<u>2</u>	MOTION to PROCEED IN FORMA PAUPERIS by Mark E. Graham. (Huang, H) (Entered: 12/05/2019)
12/05/2019		APPLICATION TO PROCEED IFP filed – Action Required. (Huang, H) (Entered: 12/05/2019)
12/05/2019		RECEIPT number #CAE200102754 \$400.00 fbo Mark E. Graham by Mark E. Graham on 12/5/2019. (Huang, H) (Entered: 12/05/2019)
12/05/2019	<u>3</u>	SUMMONS ISSUED as to *United States Department of Homeland Security, United States Immigration and Customs Enforcement* with answer to complaint due within *30* days. Attorney *Mark E. Graham* *PO Box 1823* *Elk Grove, CA 95759*. (Huang, H) (Entered: 12/05/2019)
12/05/2019	<u>4</u>	CIVIL NEW CASE DOCUMENTS ISSUED; Initial Scheduling Conference set for 5/20/2020 at 10:00 AM in Courtroom 8 (EFB) before Magistrate Judge Edmund F. Brennan. (Attachments: # <u>1</u> Consent Form) (Huang, H) (Entered: 12/05/2019)

12/05/2019		SERVICE OVER COUNTER: <u>3</u> Summons, <u>4</u> Civil New Case Documents for TLN, served on Mark E. Graham. (Huang, H) (Entered: 12/05/2019)
12/09/2019	<u>5</u>	MINUTE ORDER: Pltf's <u>2</u> Motion to Proceed In Forma Pauperis is DENIED as MOOT pursuant to his payment of the filing fees (see CAED Receipt #CAE200102754). Ordered by Magistrate Judge Edmund F. Brennan on 12/9/2019. (Text only entry)(Cannarozzi, N) (Entered: 12/09/2019)
12/09/2019		SERVICE BY MAIL: 5 Minute Order served on Mark E. Graham. (Cannarozzi, N) (Entered: 12/09/2019)
02/20/2020	<u>6</u>	SUMMONS RETURNED EXECUTED by Mark E. Graham. United States Department of Homeland Security served on 2/20/2020, answer due 4/20/2020; United States Immigration and Customs Enforcement served on 2/20/2020, answer due 4/20/2020. (Kastilahn, A) (Entered: 02/21/2020)
02/25/2020	<u>7</u>	SUMMONS RETURNED EXECUTED by Mark E. Graham. United States Department of Homeland Security served on 2/24/2020. (Zignago, K.) (Entered: 02/26/2020)
03/13/2020	<u>8</u>	EX PARTE APPLICATION for Extension of Time to Respond to Complaint by United States Department of Homeland Security, United States Immigration and Customs Enforcement. Attorney Carter, William Dean added. (Carter, William) (Entered: 03/13/2020)
03/17/2020	<u>9</u>	MINUTE ORDER: Defts' Ex Parte Application for Extension of Time to Respond to Complaint <u>8</u> is GRANTED. Defts' response to the complaint shall be due by 4/17/2020. Ordered by Magistrate Judge Edmund F. Brennan on 3/17/2020. (Text only entry)(Cannarozzi, N) (Entered: 03/17/2020)
03/17/2020		SERVICE BY MAIL: 9 Minute Order served on Mark E. Graham. (Cannarozzi, N) (Entered: 03/17/2020)
04/06/2020	<u>10</u>	MOTION to DISMISS by Defendants. Motion Hearing SET for 5/6/2020 at 10:00 AM in Courtroom 8 (EFB) before Magistrate Judge Edmund F. Brennan. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Declaration of Toni Fuentes, # <u>3</u> Proof of Service)(Carter, William) Modified on 4/8/2020 (Mena-Sanchez, L). (Entered: 04/06/2020)
04/21/2020	<u>11</u>	MOTION for 28-DAY EXTENSION OF TIME to respond to the motion to dismiss by Mark E. Graham. (Reader, L) (Entered: 04/22/2020)
04/30/2020	<u>12</u>	ORDER signed by Magistrate Judge Edmund F. Brennan on 4/30/2020 GRANTING <u>11</u> Motion for extension of time. Motion to Dismiss <u>10</u> Hearing Reset for 6/3/2020 at 10:00 AM in Courtroom 8 (EFB) before Magistrate Judge Edmund F. Brennan. Plaintiff shall file an opposition to the pending motion, or a statement of non-opposition by 5/20/2020. Defendant's reply due by 5/27/2020. The Initial Scheduling Conference is Reset for 8/5/2020 at 10:00 AM in Courtroom 8 (EFB) before Magistrate Judge Edmund F. Brennan.(Reader, L) (Entered: 04/30/2020)
04/30/2020		SERVICE BY MAIL: <u>12</u> Order, served on Mark E. Graham. (Reader, L) (Entered: 04/30/2020)
05/20/2020	<u>13</u>	OPPOSITION by Mark E. Graham to <u>10</u> Motion to Dismiss. (York, M) (Main Document 13 replaced on 5/21/2020) (York, M). (Entered: 05/21/2020)
05/20/2020	<u>14</u>	MOTION for LEAVE to FILE SUPPLEMENTAL COMPLAINT by Mark E. Graham. Motion Hearing set for 6/3/2020, at 10:00 AM, in Courtroom 8 (EFB), before Magistrate Judge Edmund F. Brennan. (York, M) (Entered: 05/21/2020)
05/22/2020	<u>15</u>	MINUTE ORDER: Pltf's Motion for Leave to File Supplemental Complaint <u>14</u> , which the Court construes as a Motion for leave to file an amended complaint, is defectively noticed for hearing pursuant to Local Rule 230(b). Pltf's Motion is ordered CONTINUED from 6/3/2020 to 6/17/2020 at 10:00 AM in Courtroom 8 (EFB) before Magistrate Judge Edmund F. Brennan. Additionally, Deft's Motion to Dismiss <u>10</u> , presently calendared for hearing on 6/3/2020, is also ordered CONTINUED to 6/17/2020 at 10:00 AM in Courtroom 8 (EFB) before Magistrate Judge Edmund F. Brennan. Ordered by Magistrate Judge Edmund F. Brennan on 5/22/2020. (Text only entry)(Cannarozzi, N) (Entered: 05/22/2020)

05/22/2020		SERVICE BY MAIL: 15 Minute Order served on Mark E. Graham. (Cannarozzi, N) (Entered: 05/22/2020)
05/27/2020	<u>16</u>	REPLY in support of <u>10</u> Motion to Dismiss by All Defendants. (Carter, William) Modified on 5/28/2020 (Huang, H). (Entered: 05/27/2020)
06/03/2020	<u>17</u>	OPPOSITION to <u>14</u> Motion for Leave to File Supplemental Complaint by United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Supplemental Declaration of Toni Fuentes, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Proof of Service)(Carter, William) Modified on 6/4/2020 (Huang, H). (Entered: 06/03/2020)
06/10/2020	<u>18</u>	REPLY by Mark E. Graham in SUPPORT of <u>14</u> Motion for Leave to File Supplemental Complaint. (York, M) (Entered: 06/11/2020)
06/15/2020	<u>19</u>	MINUTE ORDER: Defendants' motion to dismiss <u>10</u> and plaintiff's motion for leave to file an amended complaint <u>14</u> , which are presently calendared for hearing on 6/17/2020, are ordered submitted without appearance and without argument pursuant to Local Rule 230(g). The 6/17/2020 hearing date is VACATED. If the Court subsequently concludes that oral argument is necessary, a hearing will be set and the parties notified accordingly. Additionally, the Initial Scheduling Conference, previously set for 8/5/2020 is ordered CONTINUED to 12/16/2020 at 10:00 AM in Courtroom 8 (EFB) before Magistrate Judge Edmund F. Brennan. The parties shall file status reports per Order <u>4</u> by 12/2/2020. Ordered by Magistrate Judge Edmund F. Brennan on 6/15/2020. (Text only entry)(Cannarozzi, N) (Entered: 06/15/2020)
06/15/2020		SERVICE BY MAIL: 19 Minute Order served on Mark E. Graham. (Cannarozzi, N) (Entered: 06/15/2020)
06/17/2020	<u>20</u>	ADDENDUM to <u>18</u> Reply by Mark E. Graham. (Huang, H) (Entered: 06/18/2020)
10/01/2020	<u>21</u>	ORDER by Chief Judge Kimberly J. Mueller: The Court having considered the equitable division and efficient and economical determination of court business, hereby reassigns this case from Magistrate Judge *Edmund F. Brennan* to *Magistrate Judge Jeremy D. Peterson* for all further proceedings. As of October 1, 2020, Magistrate Judge Jeremy D. Peterson is reassigned to the Sacramento Division of the Eastern District of California. (Kaminski, H) (Entered: 10/01/2020)
10/01/2020		SERVICE BY MAIL: <u>21</u> Order Reassigning Magistrate Judge, served on Mark E. Graham. (Kaminski, H) (Entered: 10/01/2020)
12/01/2020	<u>22</u>	MINUTE ORDER issued by Relief Courtroom Deputy L. Kennison for Magistrate Judge Jeremy D. Peterson: On the court's own motion, the Status (Pretrial Scheduling) Conference set for 12/16/2020 is RESET to 3/25/2021 at 10:00 AM before Magistrate Judge Jeremy D. Peterson, with the filing of a joint status report due seven (7) days prior. (Text Only Entry)(Kennison, L) (Entered: 12/01/2020)
12/01/2020		SERVICE BY MAIL: 22 Minute Order served on Mark E. Graham. (Kennison, L) (Entered: 12/01/2020)
12/07/2020	<u>23</u>	NOTICE of NON RECEIPT of records or further response to 4/23/20 request by Mark E. Graham. (Zignago, K.) (Entered: 12/08/2020)
03/11/2021	<u>24</u>	MINUTE ORDER issued by Courtroom Deputy N. Cannarozzi: On the court's own motion, the Status (Pretrial Scheduling) Conference set for 3/25/2021 is RESET to 6/24/2021 at 10:00 AM before Magistrate Judge Jeremy D. Peterson, with the filing of a joint status report due seven (7) days prior. (Text Only Entry) (Cannarozzi, N) (Entered: 03/11/2021)
03/11/2021		SERVICE BY MAIL: 24 Minute Order served on Mark E. Graham. (Cannarozzi, N) (Entered: 03/11/2021)
03/31/2021	<u>25</u>	ORDER signed by Magistrate Judge Jeremy D. Peterson on 3/30/2021 GRANTING <u>14</u> plaintiff's motion for leave to file an amended complaint. Within 30 days from the date of this order, plaintiff shall file his first amended complaint. DENIED as MOOT Defendants' <u>10</u> motion to dismiss. Defendants shall file a response to plaintiff's first amended complaint within the time prescribed by the Federal Rules of Civil Procedure. (Reader, L) (Entered: 03/31/2021)

03/31/2021		SERVICE BY MAIL: <u>25</u> Order on Motion to Dismiss, served on Mark E. Graham. (Reader, L) (Entered: 03/31/2021)
04/29/2021	<u>26</u>	FIRST AMENDED COMPLAINT against All Defendants by Mark E. Graham.(Benson, A.) (Entered: 04/30/2021)
05/13/2021	<u>27</u>	MOTION to DISMISS by United States Department of Homeland Security, United States Immigration and Customs Enforcement. Motion Hearing set for 6/10/2021 at 10:00 AM in Courtroom 9 (JDP) before Magistrate Judge Jeremy D. Peterson. (Attachments: # <u>1</u> Points and Authorities, # <u>2</u> Declaration of Fernando Pineiro, # <u>3</u> Proof of Service)(Carter, William) Modified on 5/14/2021 (Kaminski, H). (Entered: 05/13/2021)
05/27/2021	<u>28</u>	OPPOSITION by Mark E. Graham to <u>27</u> Motion to Dismiss. (Benson, A.) (Entered: 05/28/2021)
06/01/2021	29	MINUTE ORDER issued by Courtroom Deputy N. Cannarozzi for Magistrate Judge Jeremy D. Peterson on 6/1/2021: Defendants' motion to dismiss <u>27</u> , which is presently calendared for hearing on 6/10/2021, is ordered submitted without appearance and without argument pursuant to Local Rule 230(g). The 6/10/2021 hearing date is VACATED. If the court subsequently concludes that oral argument is necessary, a hearing will be set and the parties notified accordingly. Additionally, on the court's own motion, the Status (Pretrial Scheduling) Conference previously set for 6/24/2021 is RESET for 9/30/2021 at 10:00 AM in Courtroom 9 (JDP) before Magistrate Judge Jeremy D. Peterson with the filing of a joint status report due seven (7) days prior. Ordered by Magistrate Judge Jeremy D. Peterson on 6/1/2021. (Text only entry)(Cannarozzi, N) (Entered: 06/01/2021)
06/01/2021		SERVICE BY MAIL: 29 Minute Order served on Mark E. Graham. (Cannarozzi, N) (Entered: 06/01/2021)
06/02/2021	<u>30</u>	REPLY by United States Department of Homeland Security, United States Immigration and Customs Enforcement in support of <u>27</u> Motion to Dismiss. (Carter, William) Modified on 6/3/2021 (Tupolo, A). (Entered: 06/02/2021)
09/23/2021	31	MINUTE ORDER issued by Courtroom Deputy N. Cannarozzi: On the court's own motion, the Status (Pretrial Scheduling) Conference previously set for 9/30/2021 is RESET for 1/13/2022 at 10:00 AM in Courtroom 9 (JDP) before Magistrate Judge Jeremy D. Peterson with the filing of a joint status report due seven (7) days prior. Ordered by Magistrate Judge Jeremy D. Peterson on 9/23/2021. (Text Only Entry) (Cannarozzi, N) (Entered: 09/23/2021)
09/23/2021		SERVICE BY MAIL: 31 Minute Order served on Mark E. Graham. (Cannarozzi, N) (Entered: 09/23/2021)
01/03/2022	32	MINUTE ORDER issued by Courtroom Deputy N. Cannarozzi: On the court's own motion, the Status (Pretrial Scheduling) Conference previously set for 1/13/2022 is RESET for 4/28/2022 at 10:00 AM in Courtroom 9 (JDP) before Magistrate Judge Jeremy D. Peterson with the filing of a joint status report due seven (7) days prior. Ordered by Magistrate Judge Jeremy D. Peterson on 1/3/2022. (Text Only Entry)(Cannarozzi, N) (Entered: 01/03/2022)
01/03/2022		SERVICE BY MAIL: 32 Minute Order served on Mark E. Graham. (Cannarozzi, N) (Entered: 01/03/2022)
02/18/2022	<u>33</u>	FINDINGS and RECOMMENDATIONS signed by Magistrate Judge Jeremy D. Peterson on 2/17/2022 RECOMMENDING that the <u>27</u> Motion to Dismiss be Denied. Referred to Judge Troy L. Nunley. Objections due within 14 days after being served with these findings and recommendations. (Coll, A) (Entered: 02/18/2022)
03/29/2022	<u>34</u>	ORDER signed by District Judge Troy L. Nunley on 3/25/2022 ADOPTING <u>33</u> Findings and Recommendations in full, DENYING <u>27</u> Motion to Dismiss. (Coll, A) (Entered: 03/29/2022)
03/29/2022		SERVICE BY MAIL: <u>34</u> Order Adopting Findings and Recommendations served on Mark E. Graham. (Coll, A) (Entered: 03/29/2022)

04/20/2022	<u>35</u>	ANSWER by United States Department of Homeland Security, United States Immigration and Customs Enforcement.(Carter, William) (Entered: 04/20/2022)
04/21/2022	<u>36</u>	STATUS REPORT by United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Carter, William) (Entered: 04/21/2022)
04/22/2022	<u>37</u>	CERTIFICATE of SERVICE by United States Department of Homeland Security, United States Immigration and Customs Enforcement re <u>36</u> Status Report. (Carter, William) (Entered: 04/22/2022)
04/26/2022	<u>38</u>	ORDER to SHOW CAUSE signed by Magistrate Judge Jeremy D. Peterson on 4/26/2022 ORDERING the initial scheduling conference currently set for April 28, 2022, is continued to June 9, 2022, at 10:00 a.m., in Courtroom 9 (JDP) before Magistrate Judge Jeremy D. Peterson. By no later than May 19, 2022, plaintiff shall file a status report in accordance with the court's December 5, 2019 order <u>4</u> . Plaintiff shall show cause, by no later than May 19, 2022, why sanctions should not be imposed for failure to comply with the court's January 3, 2022 order. Failure to comply with this order may result in the imposition of sanctions, including a recommendation that this action be dismissed for lack of prosecution and for failure to comply with court orders.(Cannarozzi, N) (Entered: 04/26/2022)
04/26/2022		SERVICE BY MAIL: <u>38</u> Order to Show Cause served on Mark E. Graham. (Cannarozzi, N) (Entered: 04/26/2022)
05/18/2022	<u>39</u>	RESPONSE to <u>38</u> ORDER to SHOW CAUSE by Mark E. Graham. (Kastilahn, A) (Entered: 05/19/2022)
05/19/2022	<u>40</u>	STATUS REPORT by Mark E. Graham. (Kastilahn, A) (Entered: 05/20/2022)
06/09/2022	41	MINUTES for INITIAL SCHEDULING CONFERENCE proceedings held via videoconference on 6/9/2022 before Magistrate Judge Jeremy D. Peterson: All parties present. The court discussed the status of the case and future scheduling. Case scheduled. Written order to issue. The court DISCHARGES the Order to Show Cause, ECF No. <u>38</u> . Plaintiff, in pro per, present. Government Counsel: William Dean Carter, present. Court Reporter: Kacy Barajas. (Text Only Entry) (Kennison, L) (Entered: 06/09/2022)
06/09/2022		SERVICE BY MAIL: 41 Minutes for 6/9/2022 Scheduling Conference served on Mark E. Graham. (Kennison, L) (Entered: 06/09/2022)
06/13/2022	<u>42</u>	ORDER signed by Magistrate Judge Jeremy D. Peterson on 6/11/2022 DISCHARGING the <u>38</u> Order to Show Cause and SETTING briefing schedule as follows: Defendant's Dispositive Motions due by 10/14/2022. Plaintiff's responsive brief as well as any cross motions due by 11/11/2022. Defendants reply brief and response to any cross motions due by 12/2/2022. Plaintiff's reply to defendants' opposition to any cross motions due by 12/16/2022. (Coll, A) (Entered: 06/13/2022)
06/13/2022		SERVICE BY MAIL: <u>42</u> Order served on Mark E. Graham. (Coll, A) (Entered: 06/13/2022)
10/12/2022	<u>43</u>	MOTION for 14-DAY EXTENSION OF TIME to File Dispositive Motion by United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proposed Order)(Carter, William) (Entered: 10/12/2022)
10/13/2022	<u>44</u>	ORDER signed by Magistrate Judge Jeremy D. Peterson on 10/12/2022 GRANTING <u>43</u> Motion for Extension of Time. Defendants' Dispositive Motions due by 10/28/2022. Plaintiff's Opposition and Cross Motion due by 11/25/2022; Defendants' reply and opposition due by 12/16/2022; Plaintiff's reply due by 12/30/2022. (Mena-Sanchez, L) (Entered: 10/13/2022)
10/13/2022		SERVICE BY MAIL: <u>44</u> Order, served on Mark E. Graham. (Mena-Sanchez, L) (Entered: 10/13/2022)
10/28/2022	<u>45</u>	MOTION FOR SUMMARY JUDGMENT by U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement. Motion Hearing set for 1/19/2023 at 10:00 AM in Courtroom 9 (JDP) before Magistrate Judge Jeremy D. Peterson. (Attachments: # <u>1</u> Points and Authorities, # <u>2</u> Statement of Undisputed Facts, # <u>3</u> Declaration of Fernando Pineiro, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Proof

		of Service)(Carter, William) (Entered: 10/28/2022)
11/28/2022	<u>46</u>	MOTION for EXTENSION OF TIME to file opposition to 12/16/2022 by Mark E. Graham. (Coll, A) (Entered: 11/29/2022)
11/28/2022	<u>47</u>	[DISREGARD – Duplicate of <u>46</u> Motion for Extension of Time] MOTION for EXTENSION OF TIME to file opposition to 12/16/2022 by Mark E. Graham. (Coll, A) Modified on 12/5/2022 (Coll, A). (Entered: 11/29/2022)
12/05/2022	<u>48</u>	ORDER signed by Magistrate Judge Jeremy D. Peterson on 12/2/22 GRANTING <u>46</u> Motion for Extension of Time. The Hearing for Motions for Summary Judgment is CONTINUED to 2/10/2023 at 10:00 AM in Courtroom 9 (JDP) before Magistrate Judge Jeremy D. Peterson. Plaintiff's Opposition and Cross–Motion is due by 12/16/22. Defendants' Reply to Opposition and Opposition to Cross–Motion is due by 1/6/23. Plaintiff's reply due by 1/20/23. (Woodworth, M.) (Entered: 12/05/2022)
12/05/2022		SERVICE BY MAIL: <u>48</u> Order served on Mark E. Graham. (Woodworth, M.) (Entered: 12/05/2022)
12/16/2022	<u>49</u>	MOTION for EXTENSION OF TIME to 1/13/2023 to file opposition by Mark E. Graham. (Perdue, C.) (Entered: 12/19/2022)
12/23/2022	<u>50</u>	MOTION FOR SUMMARY JUDGMENT by Mark E. Graham. (Attachments: # <u>1</u> Points and Authorities) (Spichka, K.) (Entered: 12/27/2022)
12/23/2022	<u>51</u>	OPPOSITION by Mark E. Graham to <u>45</u> Motion for Summary Judgment. (Spichka, K.) (Entered: 12/27/2022)
12/23/2022	<u>52</u>	OPPOSITION by Mark E. Graham to <u>45</u> Motion for Summary Judgment. (Spichka, K.) (Entered: 12/27/2022)
12/29/2022	<u>53</u>	ORDER signed by Magistrate Judge Jeremy D. Peterson on 12/28/22 GRANTING <u>49</u> Motion for Extension of Time. Plaintiff's <u>50</u> MSJ and Defendants' <u>51</u> & <u>52</u> Opposition to MSJ are deemed timely. Defendants' Reply and Opposition to Plaintiff's Cross Motion due by 1/13/23. Plaintiff's Reply due by 1/27/23. The Hearing for Motions for Summary Judgment is CONTINUED to 2/16/2023 at 10:00 AM in Courtroom 9 (JDP) before Magistrate Judge Jeremy D. Peterson. (Woodworth, M.) (Entered: 12/29/2022)
12/29/2022		SERVICE BY MAIL: <u>53</u> Order served on Mark E. Graham. (Woodworth, M.) (Entered: 12/29/2022)
01/13/2023	<u>54</u>	REPLY by U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement in support of <u>50</u> Motion for Summary Judgment and to <u>51</u> Opposition to Motion. (Carter, William) Modified on 1/19/2023 (Benson, A.). (Entered: 01/13/2023)
01/31/2023	<u>55</u>	NOTICE re attempt to file reply by Mark E. Graham. (Spichka, K.) (Entered: 02/01/2023)
01/31/2023	<u>56</u>	REPLY in Support of <u>50</u> Motion for Summary Judgment by Mark E. Graham. (Spichka, K.) (Entered: 02/01/2023)
02/14/2023	<u>57</u>	MINUTE ORDER issued by Courtroom Deputy N. Cannarozzi for Magistrate Judge Jeremy D. Peterson on 2/14/2023: The motions for summary judgment <u>45</u> and <u>50</u> , which are presently calendared for hearing on 2/16/2023, are ordered submitted without appearance and without argument pursuant to Local Rule 230(g). The 2/16/2023 hearing date is VACATED. If the court subsequently concludes that oral argument is necessary, a hearing will be set and the parties notified accordingly. (Text Only Entry)(Cannarozzi, N) (Entered: 02/14/2023)
02/14/2023		SERVICE BY MAIL: <u>57</u> Minute Order served on Mark E. Graham. (Cannarozzi, N) (Entered: 02/14/2023)
08/01/2023	<u>58</u>	FINDINGS and RECOMMENDATIONS signed by Magistrate Judge Jeremy D. Peterson on 7/31/2023 RECOMMENDING that Defendants' <u>45</u> Motion for Summary Judgment be denied without prejudice. Plaintiff's Request for fees and cost should be denied as premature. Plaintiff's <u>50</u> Motion for Summary Judgment be denied without prejudice; and defendants be ordered to produce a Vaughn index within 60 days of any order adopting these Findings and Recommendations. These Findings and Recommendations are submitted to U.S. District Judge Troy L. Nunley; Objections to

		these F&Rs due within fourteen days. (Mena-Sanchez, L) (Entered: 08/01/2023)
08/01/2023		SERVICE BY MAIL: <u>58</u> Findings and Recommendations (Motion), served on Mark E. Graham. (Mena-Sanchez, L) (Entered: 08/01/2023)
08/24/2023	<u>59</u>	ORDER signed by District Judge Troy L. Nunley on 8/23/23 ADOPTING in full <u>58</u> Findings and Recommendations and DENYING without prejudice <u>45</u> Defendants' motion to dismiss, or in the alternative, for summary judgment. Plaintiff's <u>50</u> motion for summary judgment is DENIED without prejudice. Defendants are ORDERED to produce a Vaughn index within 60 days of this order.(Kastilahn, A) (Entered: 08/24/2023)
08/24/2023		SERVICE BY MAIL: <u>59</u> Order Adopting Findings and Recommendations served on Mark E. Graham. (Kastilahn, A) (Entered: 08/24/2023)
10/23/2023	<u>60</u>	NOTICE OF LODGING DOCUMENT(S) ELECTRONICALLY by United States Department of Homeland Security, United States Immigration and Customs Enforcement: Vaughn Index. (Attachments: # <u>1</u> Vaughn Index, # <u>2</u> Proof of Service)(Carter, William) (Entered: 10/23/2023)
02/07/2024	<u>61</u>	ORDER signed by Magistrate Judge Jeremy D. Peterson on 2/7/2024 ORDERING that a Status Conference is SET for 2/22/2024 at 10:00 AM. The conference will be conducted via Zoom. By no later than 2/15/2024, the parties shall file status reports. (Mena-Sanchez, L) (Entered: 02/07/2024)
02/07/2024		SERVICE BY MAIL: <u>61</u> Order, served on Mark E. Graham. (Mena-Sanchez, L) (Entered: 02/07/2024)
02/09/2024	<u>62</u>	MOTION to VACATE or RESET Status Conference by United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proposed Order)(Carter, William) Modified on 2/12/2024 (Benson, A.). (Entered: 02/09/2024)
02/09/2024	63	MINUTE ORDER issued by Courtroom Deputy N. Cannarozzi for Magistrate Judge Jeremy D. Peterson on 2/9/2024: <u>62</u> Defendants' motion to reset the status conference is GRANTED IN PART. The Status Conference previously set for 2/22/2024 is ordered CONTINUED to 3/7/2024 at 10:00 AM via Zoom before Magistrate Judge Jeremy D. Peterson. By no later than 2/29/2024, the parties shall file status reports per the court's <u>61</u> 2/7/2024 Order. (Text only entry) (Cannarozzi, N) (Entered: 02/09/2024)
02/09/2024		SERVICE BY MAIL: 63 Minute Order served on Mark E. Graham. (Cannarozzi, N) (Entered: 02/09/2024)
02/29/2024	<u>64</u>	STATUS REPORT by United States Department of Homeland Security, United States Immigration and Customs Enforcement. (Carter, William) (Entered: 02/29/2024)
02/29/2024	<u>65</u>	STATUS REPORT by Mark E. Graham. (Murphy, J) (Entered: 03/01/2024)
03/07/2024	66	MINUTES (Text Only) for STATUS CONFERENCE held on 3/7/2024 via video conference before Magistrate Judge Jeremy D. Peterson: All parties present and appearing via video conference. The court discussed the status of the case with the parties. After those discussions, the parties agreed to set the matter for a settlement conference. Court order to issue setting the matter. Plaintiff, in pro se, present. Defendants Counsel Dean Carter present. Court Reporter/CD Number: J. Wood, ECRO. (Cannarozzi, N) (Entered: 03/07/2024)
03/11/2024	67	MINUTE ORDER issued by Courtroom Deputy N. Cannarozzi for Magistrate Judge Jeremy D. Peterson on 3/11/2024: A Settlement Conference is ordered SET for 7/23/2024 at 10:00 AM in Courtroom 9 (JDP) before Magistrate Judge Jeremy D. Peterson. No later than one week prior to the settlement conference, each party must submit to Judge Peterson's chambers at jdorders@caed.uscourts.gov, or by mail at U.S. District Court, 501 I Street, Suite 4-200, Sacramento, CA 95814, a confidential settlement conference statement. These statements should neither be filed on the docket nor served on any other party. The statements should not be lengthy but should include: (1) a brief recitation of the facts; (2) a discussion of the strengths and weaknesses of the case; (3) an itemized estimate of the expected costs for further discovery, pretrial, and trial matters, in specific dollar terms; (4) a detailed history of settlement discussions; (5) whether your party would consider making the opening

		offer or demand, and what that offer might be; (6) a list of the individuals participating in the settlement conference on your party's behalf; (7) identification of any other pending cases involving plaintiff and of any prior settlements involving plaintiff. Lastly, no later than one week prior to the settlement conference, each party must file their Notice of Waiver of Disqualification of Settlement Judge pursuant to Local Rule 270(b) form with the Clerk's Office. (Text only entry) (Cannarozzi, N) (Entered: 03/11/2024)
03/11/2024		SERVICE BY MAIL: 67 Minute Order served on Mark E. Graham. (Cannarozzi, N) (Entered: 03/11/2024)
06/26/2024	68	MINUTE ORDER (Text Only Entry) issued by Courtroom Deputy N. Cannarozzi for Magistrate Judge Jeremy D. Peterson on 6/26/2024: Due to the unavailability of the court, the Settlement Conference previously set for 7/23/2024 is ordered CONTINUED to 12/11/2024 at 10:00 AM in Courtroom 9 (JDP) before Magistrate Judge Jeremy D. Peterson. No later than one week prior to the settlement conference, each party must submit to Judge Peterson's chambers at jdporders@caed.uscourts.gov, or by mail at U.S. District Court, 501 I Street, Suite 4-200, Sacramento, CA 95814, a confidential settlement conference statement. These statements should neither be filed on the docket nor served on any other party. The statements should not be lengthy but should include: (1) a brief recitation of the facts; (2) a discussion of the strengths and weaknesses of the case; (3) an itemized estimate of the expected costs for further discovery, pretrial, and trial matters, in specific dollar terms; (4) a detailed history of settlement discussions; (5) whether your party would consider making the opening offer or demand, and what that offer might be; (6) a list of the individuals participating in the settlement conference on your party's behalf; (7) identification of any other pending cases involving plaintiff and of any prior settlements involving plaintiff. Lastly, no later than one week prior to the settlement conference, each party must file their Notice of Waiver of Disqualification of Settlement Judge pursuant to Local Rule 270(b) form with the Clerk's Office. (Cannarozzi, N) (Entered: 06/26/2024)
06/26/2024		SERVICE BY MAIL: 68 Minute Order served on Mark E. Graham. (Cannarozzi, N) (Entered: 06/26/2024)