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**U.S. District Court**  
**Northern District of Georgia (Atlanta)**  
**CIVIL DOCKET FOR CASE #: 1:20-cv-03702-JPB**

Brown et al v. Azar et al  
Assigned to: Judge J. P. Boulee  
Cause: 05:702 Administrative Procedure Act

Date Filed: 09/08/2020  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Richard Lee Brown**

represented by **Caleb Kruckenberg**  
New Civil Liberties Alliance  
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*PRO HAC VICE*  
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*LEAD ATTORNEY*  
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**Plaintiff****Jeffrey Rondeau**

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

**James W. Hawkins**  
(See above for address)  
*LEAD ATTORNEY*  
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**Plaintiff****David Krausz**

represented by **Caleb Kruckenberg**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**James W. Hawkins**  
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*LEAD ATTORNEY*  
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**Plaintiff**

**Sonya Jones**

represented by **Caleb Kruckenberg**  
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*PRO HAC VICE*  
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**James W. Hawkins**  
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*LEAD ATTORNEY*  
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**Plaintiff**

**National Apartment Association**

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

**James W. Hawkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Alex Azar**  
*In His Official Capacity as Secretary U.S.*  
*Department of Health and Human Services*

represented by **Leslie Cooper Vigen**  
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Email: leslie.vigen@usdoj.gov  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of Health and Human Services**

represented by **Leslie Cooper Vigen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Nina B. Witkofsky**  
*In Her Official Capacity as Acting Chief of*  
*Staff U.S. Centers for Disease Control and*  
*Prevention*

represented by **Leslie Cooper Vigen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant****U.S. Centers For Disease Control and Prevention**represented by **Leslie Cooper Vigen**  
(See above for address)  
*ATTORNEY TO BE NOTICED***Amicus****Professor Emily Benfer**represented by **Wingo F. Smith**  
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*ATTORNEY TO BE NOTICED***Lindsey Meredith Siegel**Atlanta Legal Aid Society, Inc. - Decatur  
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*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/08/2020	<a href="#"><u>1</u></a>	COMPLAINT with TRO request filed by Richard Lee Brown (Filing fee \$400, receipt number AGANDC-10116860). (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet)(ah) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions and Pretrial Associated Forms which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 09/08/2020)

09/08/2020	<a href="#">2</a>	Electronic Summons Issued as to All Defendants. (Attachments: # <a href="#">1</a> Summons U.S. Dept., # <a href="#">2</a> Summons Witkofsky, # <a href="#">3</a> Summons CDC)(ah) (Entered: 09/08/2020)
09/08/2020		Submission of <a href="#">1</a> Complaint for TRO ruling, to District Judge William M. Ray II. (ah) (Entered: 09/08/2020)
09/08/2020	<a href="#">3</a>	SEVENTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONAVIRUS. Signed by Judge Thomas W. Thrash, Jr. on 9/1/2020. (ah) (Entered: 09/08/2020)
09/08/2020	<a href="#">4</a>	APPLICATION for Admission of Caleb Kruckenberg Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-10117573).by Richard Lee Brown. (Hawkins, James) <b>Documents for this entry are not available for viewing outside the courthouse.</b> (Entered: 09/08/2020)
09/08/2020	<a href="#">5</a>	MOTION for Leave to File Excess Pages by Richard Lee Brown. (Attachments: # <a href="#">1</a> Exhibit Proposed Brief in Excess of Page Limit)(Hawkins, James) (Entered: 09/08/2020)
09/08/2020	<a href="#">6</a>	MOTION for Temporary Restraining Order or Preliminary Injunction, <b>IMMEDIATE HEARING REQUESTED</b> , filed by Richard Lee Brown. (Hawkins, James) . Added MOTION for Preliminary Injunction on 9/9/2020 (ddm). (Entered: 09/08/2020)
09/08/2020		Submission of <a href="#">6</a> MOTION for Temporary Restraining Order <b>IMMEDIATE HEARING REQUESTED</b> , to District Judge William M. Ray II. (ah) (Entered: 09/08/2020)
09/08/2020	<a href="#">7</a>	ORDER REASSIGNING CASE. Case reassigned to Judge J. P. Boulee for all further proceedings. Judge William M. Ray, II no longer assigned to case. NOTICE TO ALL COUNSEL OF RECORD: The Judge designation in the civil action number assigned to this case has been changed to 1:20-cv-3702-JPB. Please make note of this change in order to facilitate the docketing of pleadings in this case. Signed by Judge William M. Ray, II on 9/8/2020. (ah) (Entered: 09/08/2020)
09/08/2020		Submission of <a href="#">6</a> MOTION for Temporary Restraining Order <b>IMMEDIATE HEARING REQUESTED</b> , to District Judge J. P. Boulee. (ah) (Entered: 09/08/2020)
09/09/2020	<a href="#">8</a>	<b>STANDING ORDER REGARDING CIVIL LITIGATION.</b> Signed by Judge J. P. Boulee on 9/9/20. (bnw) (Entered: 09/09/2020)
09/10/2020		APPROVAL by Clerks Office re: <a href="#">4</a> APPLICATION for Admission of Caleb Kruckenberg Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-10117573). Attorney Caleb Kruckenberg added appearing on behalf of Richard Lee Brown (cdg) (Entered: 09/10/2020)
09/10/2020		ORDER granting <a href="#">4</a> Application for Admission Pro Hac Vice. Signed by Judge J. P. Boulee on 9/10/20. If the applicant does not have CM/ECF access in the Northern District of Georgia already, they must request access at <a href="http://pacer.gov">http://pacer.gov</a> . If they have electronically filed in this district in a previous case, please omit this step.(bnw) (Entered: 09/10/2020)
09/10/2020	<a href="#">9</a>	NOTICE of Appearance by Leslie Cooper Vigen on behalf of Alex Azar, U.S. Centers For Disease Control and Prevention, U.S. Department of Health and Human Services, Nina B. Witkofsky (Vigen, Leslie) (Entered: 09/10/2020)
09/10/2020	<a href="#">10</a>	AFFIDAVIT of Service for Complaint, Summons, Motion for TRO or PI , as to Nina B. Witkofsky, Dept. of Health and Human Services, Alex Azar, Centers for Disease Control and Prevention. (Hawkins, James) (Entered: 09/10/2020)
09/17/2020	<a href="#">11</a>	AFFIDAVIT of Service for Summons, Complaint, Civil Cover Sheet, Plaintiff's Motion for Leave to File a Motion and Memorandum of Law for a Preliminary Injunction in Excess of

		25 Pages and Exhibits, Plaintiff's Motion for a Preliminary Injunction and Exhibits , as to Defendants, Secretary Alex Azar, U.S. Department of Health and Human Services, Acting Chief of Staff Nina B. Witkofsky, U.S. Centers for Disease Control and Prevention, U.S. Attorney for N.D. Georgia, Attorney General of the U.S.. (Attachments: # <a href="#">1</a> Proof of Service, # <a href="#">2</a> Proof of Service, # <a href="#">3</a> Proof of Service, # <a href="#">4</a> Proof of Service, # <a href="#">5</a> Proof of Service)(Kruckenberg, Caleb) (Entered: 09/17/2020)
09/18/2020	<a href="#">12</a>	AMENDED COMPLAINT against All Defendants filed by Richard Lee Brown, Jeffrey Rondeau, David Krausz, Sonya Jones, National Apartment Association. (Kruckenberg, Caleb) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions and Pretrial Associated Forms which includes the Consent To Proceed Before U.S. Magistrate form. Modified on 9/22/2020 to edit filers (ddm). (Entered: 09/18/2020)
09/18/2020	<a href="#">13</a>	NOTICE by Richard Lee Brown, Jeffrey Rondeau, David Krausz, Sonya Jones, National Apartment Association re <a href="#">5</a> MOTION for Leave to File Excess Pages , <a href="#">6</a> MOTION for Temporary Restraining Order <b>IMMEDIATE HEARING REQUESTED</b> MOTION for Preliminary Injunction <i>Withdrawing Pending Motions</i> (Kruckenberg, Caleb) Modified on 9/22/2020 to edit filers (ddm). (Entered: 09/18/2020)
09/18/2020	<a href="#">14</a>	MOTION for Preliminary Injunction by Richard Lee Brown, Jeffrey Rondeau, David Krausz, Sonya Jones, National Apartment Association. (Attachments: # <a href="#">1</a> Exhibit Declaration of Rick Brown, # <a href="#">2</a> Exhibit Declaration of Jeffrey Rondeau, # <a href="#">3</a> Exhibit Declaration of David Krausz, # <a href="#">4</a> Exhibit Declaration of Sonya Jones, # <a href="#">5</a> Exhibit Declaration of Robert Pinnegar)(Kruckenberg, Caleb) Modified on 9/22/2020 to edit filers (ddm). (Entered: 09/18/2020)
09/18/2020	<a href="#">15</a>	Unopposed MOTION for Leave to File Excess Pages <i>for Memorandum of Law in Support of Motion for Preliminary Injunction</i> by Richard Lee Brown, Jeffrey Rondeau, David Krausz, Sonya Jones, National Apartment Association . (Attachments: # <a href="#">1</a> Exhibit Proposed Memorandum of Law)(Kruckenberg, Caleb) Modified on 9/22/2020 to edit filers (ddm). (Entered: 09/18/2020)
09/18/2020	<a href="#">16</a>	Joint MOTION Entry of Proposed Scheduling Order <a href="#">14</a> MOTION for Preliminary Injunction , <a href="#">15</a> Unopposed MOTION for Leave to File Excess Pages <i>for Memorandum of Law in Support of Motion for Preliminary Injunction</i> by Richard Lee Brown, Jeffrey Rondeau, David Krausz, Sonya Jones, National Apartment Association . (Kruckenberg, Caleb) Modified on 9/22/2020 to edit filers (ddm). (Entered: 09/18/2020)
09/18/2020	<a href="#">17</a>	ORDER granting Plaintiffs' Unopposed Motion for Leave to File a Motion and Memorandum of Law for a Preliminary Injunction in Excess of 25 Pages <a href="#">15</a> and Joint Motion for Entry of Proposed Briefing Schedule <a href="#">16</a> . Plaintiffs' brief in support of their Motion for Preliminary Injunction may exceed twenty-five pages. The brief, however, shall not exceed thirty-nine pages. Defendants shall respond to Plaintiffs' Motion for Preliminary Injunction no later than October 2, 2020. Plaintiffs' reply, if any, shall be filed no later than October 16, 2020. Signed by Judge J. P. Boulee on 9/18/2020. (ddm) (Entered: 09/18/2020)
09/18/2020	<a href="#">18</a>	MOTION for Preliminary Injunction with Brief In Support by Richard Lee Brown, Jeffrey Rondeau, David Krausz, Sonya Jones, National Apartment Association. (Attachments: # <a href="#">1</a> Memorandum of Law, # <a href="#">2</a> Exhibit Declaration of Rick Brown, # <a href="#">3</a> Exhibit Declaration of Jeffrey Rondeau, # <a href="#">4</a> Exhibit Declaration of David Krausz, # <a href="#">5</a> Exhibit Declaration of Sonya Jones, # <a href="#">6</a> Exhibit Declaration of Robert Pinnegar)(Kruckenberg, Caleb) Modified on 9/22/2020 to edit filers (ddm). (Entered: 09/18/2020)
09/29/2020	<a href="#">19</a>	EIGHTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID19 AND

		RELATED CORONA VIRUS. Signed by Judge Thomas W. Thrash, Jr. on 09/28/2020. (ddm) (ADI) (Entered: 09/29/2020)
10/01/2020	<a href="#">20</a>	Consent MOTION for Leave to File Excess Pages by Alex Azar, U.S. Centers For Disease Control and Prevention, U.S. Department of Health and Human Services, Nina B. Witkofsky. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Vigen, Leslie) (Entered: 10/01/2020)
10/02/2020	<a href="#">21</a>	MOTION for Leave to File Excess Pages <i>on behalf of Amicus Curiae</i> by Emily Benfer. (Smith, Wingo) (Entered: 10/02/2020)
10/02/2020		ORDER: For good cause shown, Defendants' <a href="#">20</a> Consent Motion for Leave to File Excess Pages is GRANTED. IT IS HEREBY ORDERED that Defendants' response brief may exceed the page limitation, but shall not exceed forty-seven pages in length. Signed by Judge J. P. Boulee on 10/2/20. (bnw) (Entered: 10/02/2020)
10/02/2020	<a href="#">22</a>	RESPONSE in Opposition re <a href="#">18</a> MOTION for Preliminary Injunction filed by Alex Azar, U.S. Centers For Disease Control and Prevention, U.S. Department of Health and Human Services, Nina B. Witkofsky. (Vigen, Leslie) (Entered: 10/02/2020)
10/05/2020		ORDER: For good cause shown, the <a href="#">21</a> Motion by Amicus Curiae for Permission to Exceed Page Limitations is GRANTED. The brief shall not exceed thirty-five pages. Signed by Judge J. P. Boulee on 10/5/20. (bnw) (Entered: 10/05/2020)
10/06/2020		Submission of the <a href="#">14</a> MOTION for Preliminary Injunction to District Judge J. P. Boulee. (aaq) (Entered: 10/06/2020)
10/07/2020		NOTICE OF VIDEO PROCEEDING : Oral Argument Hearing set for 10/20/2020 at 10:00 AM before Judge J. P. Boulee. Connection Instructions: <a href="https://ganduscourts.zoomgov.com/j/1606365521">https://ganduscourts.zoomgov.com/j/1606365521</a> Passcode: 116770 Or iPhone one-tap : US: +16692545252 You must follow the instructions of the Court for remote proceedings available <a href="#">here</a> . The procedure for filing documentary exhibits admitted during the proceeding is available <a href="#">here</a> . <i>Photographing, recording, or broadcasting of any judicial proceedings, including proceedings held by video teleconferencing or telephone conferencing, is strictly and absolutely prohibited.</i> (bnw) (Entered: 10/07/2020)
10/08/2020	<a href="#">23</a>	Amicus Curiae APPEARANCE entered by Lindsey Meredith Siegel on behalf of Nat'l Housing Law Project, Legal Services of Northern Virginia, Atlanta Legal Aid Society. (Siegel, Lindsey) (Entered: 10/08/2020)
10/09/2020	<a href="#">24</a>	Amicus Curiae APPEARANCE entered by Charles Richardson Bliss on behalf of Nat'l Housing Law Project, Legal Services of Northern Virginia, Atlanta Legal Aid Society. (Bliss, Charles) (Entered: 10/09/2020)
10/09/2020	<a href="#">25</a>	Amicus Curiae APPEARANCE entered by John Owen Gainey on behalf of Nat'l Housing Law Project, Legal Services of Northern Virginia, Atlanta Legal Aid Society. (Gainey, John) (Entered: 10/09/2020)
10/09/2020	<a href="#">26</a>	APPLICATION for Admission of Dipti Pidikiti-Smith Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-10245786).by Nat'l Housing Law Project, Legal Services of Northern Virginia, Atlanta Legal Aid Society. (Siegel, Lindsey) <b>Documents for this entry are not available for viewing outside the courthouse.</b> (Entered: 10/09/2020)
10/09/2020	<a href="#">27</a>	APPLICATION for Admission of Flor Salvador Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-10246089).by Nat'l Housing Law Project, Legal Services of Northern Virginia, Atlanta Legal Aid Society. (Siegel, Lindsey) <b>Documents for this entry are not available for viewing outside the courthouse.</b> (Entered: 10/09/2020)
10/09/2020	<a href="#">28</a>	APPLICATION for Admission of Jennifer Ann Fulmer Pro Hac Vice (Application fee \$

		150, receipt number AGANDC-10246151).by Nat'l Housing Law Project, Legal Services of Northern Virginia, Atlanta Legal Aid Society. (Siegel, Lindsey) <b>Documents for this entry are not available for viewing outside the courthouse.</b> (Entered: 10/09/2020)
10/09/2020	<a href="#">29</a>	APPLICATION for Admission of Emily A. Benfer Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-10246395).by Emily Benfer. (Smith, Wingo) <b>Documents for this entry are not available for viewing outside the courthouse.</b> (Entered: 10/09/2020)
10/09/2020	<a href="#">30</a>	APPLICATION for Admission of J.L. Pottenger, Jr Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-10246438).by Emily Benfer. (Smith, Wingo) <b>Documents for this entry are not available for viewing outside the courthouse.</b> (Entered: 10/09/2020)
10/09/2020	<a href="#">31</a>	Unopposed MOTION Leave to File Amicus Brief <a href="#">22</a> Response in Opposition to Motion, <a href="#">18</a> MOTION for Preliminary Injunction <i>on behalf of Amici Curiae</i> with Brief In Support by Emily Benfer. (Attachments: # <a href="#">1</a> Brief Brief of Amici Curiae, # <a href="#">2</a> Exhibit Ex A - Statements of Interest of Amici Curiae, # <a href="#">3</a> Exhibit Ex B - Table of Authorities)(Smith, Wingo) (Entered: 10/09/2020)
10/09/2020	<a href="#">32</a>	APPLICATION for Admission of Eric Dunn Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-10246711).by Nat'l Housing Law Project, Legal Services of Northern Virginia, Atlanta Legal Aid Society. (Siegel, Lindsey) <b>Documents for this entry are not available for viewing outside the courthouse.</b> (Entered: 10/09/2020)
10/09/2020	<a href="#">33</a>	Unopposed MOTION for Leave to File Amicus Brief with Brief In Support by Nat'l Housing Law Project, Legal Services of Northern Virginia, Atlanta Legal Aid Society. (Attachments: # <a href="#">1</a> Brief of Amici Curiae, # <a href="#">2</a> Appendix A)(Siegel, Lindsey) (Entered: 10/09/2020)
10/09/2020	<a href="#">34</a>	Certificate of Interested Persons by Nat'l Housing Law Project, Legal Services of Northern Virginia, Atlanta Legal Aid Society. (Siegel, Lindsey) (Entered: 10/09/2020)
10/09/2020	<a href="#">35</a>	APPLICATION for Admission of Katherine Elizabeth Walz Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-10246855).by Nat'l Housing Law Project, Legal Services of Northern Virginia, Atlanta Legal Aid Society. (Siegel, Lindsey) <b>Documents for this entry are not available for viewing outside the courthouse.</b> (Entered: 10/09/2020)
10/13/2020		ORDER: For good cause shown, the <a href="#">33</a> Motion for Leave to File Brief of Amici Curiae is GRANTED. The Clerk is DIRECTED to docket the Brief of Amici Curiae in Opposition to Plaintiffs' Motion for Preliminary Injunction [Doc. 33-1] as of the date of this Order. Signed by Judge J. P. Boulee on 10/13/20. (bnw) (Entered: 10/13/2020)
10/13/2020	<a href="#">36</a>	RESPONSE in Opposition <i>BRIEF OF AMICI CURIAE IN OPPOSITION</i> re <a href="#">18</a> MOTION for Preliminary Injunction filed by Nat'l Housing Law Project, Legal Services of Northern Virginia, Atlanta Legal Aid Society. (Attachments: # <a href="#">1</a> Appendix A)(bnw) (Entered: 10/13/2020)
10/13/2020		ORDER: For good cause shown, the <a href="#">31</a> Motion for Leave to File Brief of Amici Curiae is GRANTED. The Clerk is DIRECTED to docket the Brief of Amici Curiae [Doc. 31-1] as of the date of this Order. Signed by Judge J. P. Boulee on 10/13/20. (bnw) (Entered: 10/13/2020)
10/13/2020	<a href="#">37</a>	RESPONSE <i>BRIEF OF AMICI CURIAE</i> re <a href="#">18</a> MOTION for Preliminary Injunction filed by Emily Benfer. (Attachments: # <a href="#">1</a> Exhibit A. Statements of Interest of Amici Curiae, # <a href="#">2</a> Exhibit B. Table of Authorities)(bnw) (Entered: 10/13/2020)

**Transaction Receipt**

10/13/2020 10:26:33

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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:20-cv-03702-JPB Start date: 7/1/2020 End date: 10/13/2020
<b>Billable Pages:</b>	7	<b>Cost:</b>	0.70