

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
M.G.U., <u>et al.</u> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 18-1458 (PLF)
)	
KIRSTJEN NIELSEN, <u>et al.</u> ,)	
)	
Defendants.)	
_____)	

MEMORANDUM OPINION AND ORDER

This matter is before the Court on plaintiffs’ Application for a Temporary Restraining Order (“TRO”) [Dkt. No. 8] filed on June 22, 2018. The matter was fully briefed, and the Court held a hearing on the application on June 27, 2018. The TRO application sought specific information about plaintiffs’ children who are detained by defendants separately from their parents. At the hearing, defendants represented that they had provided or would soon provide certain of the information requested. The Court therefore held the application for a TRO in abeyance and suggested that the parties meet and confer and provide a joint status report to the Court. The parties provided that joint status report [Dkt. No. 26] on July 5, 2018 and represented that they had resolved several issues pertaining to the application, but that some matters were still outstanding. Meanwhile, plaintiffs filed a motion for preliminary injunction [Dkt. No. 13]. That motion was fully briefed, and the Court held a hearing on that motion and on what remained of the TRO application on July 12, 2018. The Court anticipates ruling on the motion for preliminary injunction later this week.

In a filing on July 13, 2018 [Dkt. No. 40-2], plaintiffs made clear that they now request only three items from defendants pursuant to their initial TRO application. In view of the fact that the Court will soon issue its Opinion and Order with respect to the pending preliminary injunction motion, the fact that defendants have represented to Judge Dana M. Sabraw – who is presiding over the class action in federal court in San Diego – that they are committed to complying with his order to reunite all of the separated children with their parents by the court-ordered deadline of July 26, 2018, Ms. L. v. U.S. Immigration and Customs Enf't, No. 18-0428, ECF No. 109, at 1 (S.D. Cal. July 15, 2018), and the fact that they have further represented to him that they anticipate reuniting up to 200 children with their parents every day from now until July 26, see id., ECF No. 107-1, ¶ 40, it is hereby

ORDERED that plaintiffs' Application for a Temporary Restraining Order [Dkt. No. 8] is GRANTED in part and DENIED in part as moot; it is

FURTHER ORDERED that defendants shall facilitate daily telephone calls between each plaintiff and each plaintiff's child while the plaintiff-parent and his or her child remain separated and in defendants' custody; it is

FURTHER ORDERED that defendants shall facilitate at least one telephone call per week between the case manager for each plaintiff's child and each plaintiff, at a pre-determined time when each respective case manager and each plaintiff are available and able to access a telephone, while the plaintiff-parent and his or her child remain separated and in defendants' custody; it is

FURTHER ORDERED that on or before July 17, 2018, defendants shall provide the address for the home or facility where E.F.'s child, B.Y.A.F., is currently detained; and it is

FURTHER ORDERED that defendants shall notify the Court promptly when plaintiff A.P.F. or plaintiff E.F. has been reunited with their children. Ordering paragraphs 2 and 3 above will be vacated upon those reunifications.

SO ORDERED.

_____/s/_____
PAUL L. FRIEDMAN
United States District Judge

DATE: July 16, 2018