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PRO-SE1

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:23-cv-00989-JLH**

Freites C., et al. v. Bolivarian Republic of Venezuela, et al.
Assigned to: Judge Jennifer L. Hall
Cause: 28:1332 Diversity-Breach of Contract

Date Filed: 09/07/2023
Jury Demand: Plaintiff
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

Ivan R. Freites C.

represented by **Ivan R. Freites C.**
Eichholzstrasse 2
Steinhausen 6312
CH
PRO SE

Plaintiff

Miguel Enrique Otero

represented by **Miguel Enrique Otero**
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Plaintiff

Jorge Rodriguez, III

represented by **Jorge Rodriguez, III**
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Plaintiff

Plaintiff 4

represented by **Plaintiff 4**
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PRO SE

Plaintiff

Plaintiff 5

represented by **Plaintiff 5**
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Steinhausen 6312
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PRO SE

Plaintiff

Plaintiff 6

represented by **Plaintiff 6**
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PRO SE

Plaintiff

Plaintiff 7

represented by **Plaintiff 7**
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V.

Defendant

Bolivarian Republic of Venezuela

Defendant

Petroleos De Venezuela, S.A.
PDVSA

Defendant

PDV Holding

represented by **Alexandra M. Cumings**
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Defendant

PDV America

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Defendant

CITGO Holding

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Defendant

Citgo Petroleum Corporation

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Nathan P. Eimer
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ATTORNEY TO BE NOTICED

Defendant

Junta Administradora Ad-Hoc de PDVSA

Defendant

Francisco Illaramendi
also known as
 Pancho

Defendant

Kentwood Management Group

Date Filed	#	Docket Text
09/07/2023	1	[SEALED] MOTION to Seal Case and for Electronic Filing Rights - filed by Ivan R. Freites C., Plaintiff 5, Plaintiff 3, and Plaintiff 4. (Attachments: # 1 Text of Proposed Order, and # 2 Envelope) (mkr). (Entered: 09/07/2023)
09/07/2023	2	[SEALED] MOTION for Leave to Proceed in forma pauperis - filed by Plaintiff 3. (Attachments: # 1 Envelope) (mkr) (Entered: 09/07/2023)
09/07/2023	3	[SEALED] MOTION for Leave to Proceed in forma pauperis - filed by Ivan R. Freites C. (Attachments: # 1 Envelope) (mkr) (Entered: 09/07/2023)
09/07/2023	4	[SEALED] MOTION for Leave to Proceed in forma pauperis - filed by Plaintiff 5. (Attachments: # 1 Envelope) (mkr). Modified on 2/9/2024 (smg). (Entered: 09/07/2023)
09/07/2023	5	[SEALED] COMPLAINT for VIOLATION OF LABOR RIGHTS, HUMAN RIGHTS, BREACH OF CONTRACT, AND OTHER CAUSES filed Pro Se with Jury Demand against Bolivarian Republic of Venezuela, CITGO Holding, Citgo Petroleum Corporation, Francisco Illaramendi, Junta Administradora Ad-Hoc de PDVSA, Kentwood Management Group, PDV America, PDV Holding, and Petroleos de Venezuela, S.A. - filed by Plaintiff 4, Ivan R. Freites C., Plaintiff 5, and Plaintiff 3. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Envelope) (mkr) (Entered: 09/07/2023)
09/07/2023	6	[SEALED] Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction.

		(mkr) Modified on 2/9/2024 (smg). (Entered: 09/07/2023)
09/07/2023		Remark: U.S. Magistrate consent form and Privacy Notice has been mailed to all plaintiffs. (mkr) (Entered: 09/07/2023)
09/13/2023		Case Assigned to Judge Maryellen Noreika. Please include the initials of the Judge (MN) after the case number on all documents filed. (rjb) (Entered: 09/13/2023)
09/19/2023	7	[SEALED] ORDER - IT IS HEREBY ORDERED that, within sixty (60) days from the date of this Order, each Plaintiff shall sign the Complaint and that Complaint shall be submitted to the Clerk's Office. Failure of any Plaintiff to timely sign the Complaint shall result in dismissal of said Plaintiff from the case without prejudice. IT IS FURTHER ORDERED that within sixty (60) days from the date of this Court, each Plaintiff shall submit a signed request to proceed in forma pauperis (Application to Proceed in District Court without Prepaying Fees or Costs, AO Form 239, attached hereto). Alternatively, Plaintiffs may pay in full the \$402.00 filing fee. Assuming the \$402.00 filing fee is not paid, failure of any individual Plaintiff to submit a signed request to proceed in forma pauperis will result in dismissal of said Plaintiff from the case without prejudice. IT IS STILL FURTHER ORDERED that Plaintiffs' motion to seal the case is DENIED without prejudice. Plaintiffs may re-file a signed copy of their motion for the Court's consideration. IT IS FINALLY ORDERED that Plaintiffs' request for electronic filing rights is DENIED without prejudice. Plaintiffs may re-file a signed motion and are advised that, per the CM/ECF Registration/Training section of the Court's website, in order to receive authorization to file electronically, a pro se party must indicate in their motion that they have independently reviewed all the materials and related topics on the Courts web site and that they have a PACER account. Signed by Judge Maryellen Noreika on 9/19/2023. ***Copy mailed to each Pro Se Plaintiff 9/19/2023***(dlw) (Entered: 09/19/2023)
09/25/2023	8	[SEALED] Return of Undeliverable Mail sent to Plaintiff 4 - RTS Reason: Unknown. (twk) Modified on 2/9/2024 (smg). (Entered: 09/25/2023)
10/10/2023	9	[SEALED] RESPONSE to Order at D.I. 7 Order - filed by Ivan R. Freitas C., Plaintiff 5, Plaintiff 3, and Plaintiff 4. (Attachments: # 1 Envelope) (vfm) (Entered: 10/10/2023)
10/10/2023	10	[SEALED] AMENDED COMPLAINT filed Pro Se with Jury Demand against Bolivarian Republic of Venezuela, CITGO Holding, Citgo Petroleum Corporation, Francisco Illaramendi, Junta Administradora Ad-Hoc de PDVSA, Kentwood Management Group, PDV America, PDV Holding, Petroleos de Venezuela, S.A. - filed by Plaintiff 4, Ivan R. Freitas C., Plaintiff 5, and Plaintiff 3. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Cover Letter) (vfm) Modified on 11/2/2023 (mpb). (Entered: 10/10/2023)
10/10/2023	11	[SEALED] MOTION for Leave to Proceed in forma pauperis - filed by Plaintiff 5. (Attachments: # 1 Cover Letter) (vfm) (Entered: 10/10/2023)
10/10/2023	12	[SEALED] MOTION for Leave to Proceed in forma pauperis - filed by Ivan R. Freitas C.. (vfm) (Entered: 10/10/2023)
10/10/2023	13	[SEALED] MOTION for Leave to Proceed in forma pauperis - filed by Plaintiff 4. (vfm) (Entered: 10/10/2023)

10/10/2023	14	[SEALED] MOTION for Leave to Proceed in forma pauperis - filed by Plaintiff 3. (vfm) (Entered: 10/10/2023)
10/10/2023	15	[SEALED] MOTION for Electronic Filing Rights - filed by Plaintiff 3. (vfm) (Entered: 10/10/2023)
10/10/2023	16	[SEALED] MOTION to Seal Case - filed by Ivan R. Freitas C., Plaintiff 5, Plaintiff 3, and Plaintiff 4. (Attachments: # 1 Cover Letter, # 2 Text of Proposed Order) (vfm) (Entered: 10/10/2023)
10/10/2023		Remark: Courtesy copies of D.I. 9 , 10 , 11 , 12 , 13 , 14 , 15 and 16 have been placed in case jacket. (vfm) (Entered: 10/10/2023)
10/12/2023	17	[SEALED] Letter of Attached Judgement Statement and Related Issues. (Attachments: # 1 Exhibit A) (mkr) (Entered: 10/12/2023)
10/12/2023		Remark: Courtesy Copies of D.I. 17 were received on October 12, 2023, and have been placed in the file (mkr) (Entered: 10/12/2023)
11/02/2023	18	[SEALED] MOTION to File Amended Complaint - filed by Ivan R. Freitas C., Plaintiff 5, Plaintiff 3, and Plaintiff 4. (Summonses bearing the former Clerk of the Courts name directed to Defendants have been received and placed in case jacket) (Attachments: # 1 Proposed Amended Complaint, # 2 Envelope)(mpb) (Entered: 11/02/2023)
11/06/2023	19	[SEALED] ORDER DENYING 11 12 13 14 MOTIONS for Leave to Proceed in forma pauperis GRANTING 15 MOTION for Electronic Filing Rights filed by Plaintiff 3. Signed by Judge Maryellen Noreika on 11/6/2023. ***Copy mailed to each plaintiff 11/6/2023*** (dlw) (Entered: 11/06/2023)
11/14/2023	20	[SEALED] MOTION for Execution of E-Filing Privileges and Stay of Filing Fee Payment - filed by Plaintiff 3. (Attachments: # 1 Certificate of Compliance) (apk) (Entered: 11/15/2023)
12/05/2023	21	[SEALED] ORDER re 20 MOTION - IT IS HEREBY ORDERED that the motion is DENIED to the extent that it requests an exception to the established procedures for electronic filing rights and GRANTED to the extent that it requests a thirty-day extension to pay the filing fee. Signed by Judge Maryellen Noreika on 12/5/2023. ***Copy mailed to each Plaintiff 12/5/2023*** (dlw) (Entered: 12/05/2023)
12/05/2023		Filing fee: \$ 402.00, receipt number 1770 (jfm) (Entered: 12/05/2023)
12/05/2023		Remark: Rule 4 with acknowledgement mailed to Plaintiffs: Plaintiff 3, Ivan R. Freitas C., Plaintiff 4, & Plaintiff 5. (jfm) (Entered: 12/07/2023)
12/07/2023	22	[SEALED] NOTICE of Appearance by Kenneth J. Nachbar on behalf of CITGO Holding, Citgo Petroleum Corporation, PDV America, PDV Holding. ***Copy mailed to pro se plaintiffs*** (dlw) (Entered: 12/07/2023)
12/07/2023	23	[SEALED] NOTICE of Appearance by Susan W. Waesco on behalf of CITGO Holding, Citgo Petroleum Corporation, PDV America, PDV Holding. ***Copy mailed to pro se plaintiffs*** (dlw) (Entered: 12/07/2023)

12/07/2023	24	[SEALED] NOTICE of Appearance by Alexandra M. Cumings on behalf of CITGO Holding, Citgo Petroleum Corporation, PDV America, PDV Holding. ***Copy mailed to pro se plaintiffs*** (dlw) (Entered: 12/07/2023)
12/07/2023	25	[SEALED] MOTION for Pro Hac Vice Appearance of Attorney Daniel D. Birk - filed by CITGO Holding, Citgo Petroleum Corporation, PDV America, PDV Holding. ***Copy mailed to pro se plaintiffs*** (dlw) (Entered: 12/07/2023)
12/07/2023	26	[SEALED] MOTION for Pro Hac Vice Appearance of Attorney Nathan P. Eimer - filed by CITGO Holding, Citgo Petroleum Corporation, PDV America, PDV Holding. ***Copy mailed to pro se plaintiffs*** (dlw) (Entered: 12/07/2023)
12/07/2023		SO ORDERED re 25 MOTION for Pro Hac Vice Appearance of Attorney Daniel D. Birk, 26 MOTION for Pro Hac Vice Appearance of Attorney Nathan P. Eimer filed by CITGO Holding, Citgo Petroleum Corporation, PDV America, PDV Holding. ORDERED by Judge Maryellen Noreika on 12/7/2023. ***Copy mailed to pro se plaintiffs*** (dlw) (Entered: 12/07/2023)
12/08/2023	27	[SEALED] MOTION for Extension of Time to Answer or Otherwise Respond to the 10 First Amended Complaint - filed by CITGO Holding, Citgo Petroleum Corporation, PDV America, PDV Holding. (Attachments: # 1 Text of Proposed Order)(dlw) (Entered: 12/11/2023)
12/08/2023	28	[SEALED] Disclosure Statement pursuant to Rule 7.1: identifying Corporate Parent Petroleos de Venezuela, S.A., Corporate Parent PDV Holding, Inc. for CITGO Holding, Inc. f/k/a PDV America, Inc. filed by CITGO Holding, PDV America. (dlw) (Entered: 12/11/2023)
12/08/2023	29	[SEALED] Disclosure Statement pursuant to Rule 7.1: identifying Corporate Parent Petroleos de Venezuela, S.A., Corporate Parent PDV Holding, Inc., Corporate Parent CITGO Holding, Inc. for Citgo Petroleum Corporation filed by Citgo Petroleum Corporation. (dlw) Modified on 12/11/2023 (dlw). (Entered: 12/11/2023)
12/08/2023	30	[SEALED] Disclosure Statement pursuant to Rule 7.1: identifying Corporate Parent Petroleos de Venezuela, S.A. for PDV Holding filed by PDV Holding. (dlw) (Entered: 12/11/2023)
12/11/2023		Remark - D.I. Nos. 27-30 mailed to all Pro Se Plaintiffs 12/11/2023 (dlw) (Entered: 12/11/2023)
01/16/2024	31	[SEALED] MOTION to File Second Amended Complaint and Response to D.I. 27 , Motion for Extension of Time - filed by Ivan R. Freitas C., Plaintiff 5, Plaintiff 3, and Plaintiff 4. (Attachments: # 1 Proposed Second Amended Complaint, # 2 Envelope) (jfm) (Entered: 01/16/2024)
01/23/2024		Case Reassigned to Judge Jennifer L. Hall. Please include the initials of the Judge (JLH) after the case number on all documents filed. (rjb) (Entered: 01/23/2024)
01/26/2024	32	[SEALED] Return of Undeliverable Mail D.I. 21 Order, sent to Plaintiff 4. Reason for return: Not deliverable as addressed and unable to forward. (mkr) (Entered: 01/26/2024)

		01/29/2024)
01/29/2024	33	[SEALED] Return of Undeliverable Mail sent to Ivan R. Freitas C. (D.I. 25 , 22 , 26 , 23 , & 24). (jfm) (Entered: 01/30/2024)
01/30/2024	34	Letter to The Honorable Jennifer L. Hall from Alexandra M. Cumings, Esq. regarding Motion to Seal. (Attachments: # 1 Exhibits 1-4, # 2 Text of Proposed Order, # 3 Certificate of Service)(ceg) (Entered: 01/30/2024)
01/30/2024		Remark: D.I. No. 34 mailed to all Pro Se Plaintiffs 1/30/2024. (ceg) (Entered: 01/30/2024)
02/01/2024	35	[SEALED] Return of Undeliverable Mail sent to Plaintiff 5 (D.I. 22 , 23 , 25 , 26). (vfm) (Entered: 02/01/2024)
02/05/2024	36	[SEALED] Return of Undeliverable Mail sent to Plaintiff 4 (D.I. 22 , 23 , 25 , 26). (vfm) (Entered: 02/06/2024)
02/09/2024	37	MEMORANDUM ORDER: 1. Plaintiffs' motion for leave to file a third amended complaint (D.I. 27) is GRANTED. 2. The CITGO Defendants' motion for an extension of time to respond to the amended complaint (D.I. 27) and Plaintiffs' motion for leave to file a second amended complaint (D.I. 18) are DENIED as moot. 3. Plaintiffs' motion to seal (D.I. 16), which, read in conjunction with Plaintiffs' motion for leave to file a third amended complaint (D.I. 31), requests that all but two of the Plaintiffs (including those Plaintiffs added in the proposed third amended complaint) be referred to by pseudonyms is GRANTED. 4. The CITGO Defendants' request that the case caption be changed so that a publicly identified Plaintiff is the first name listed (D.I. 34 at 2 n.2) is GRANTED. The Clerk of Court is directed to change the caption of the case to Freitas C., et al. v. The Bolivarian Republic of Venezuela, et al. 5. On the docket, the Clerk of Court is directed to list Plaintiff Ivan R. Freitas C. first, followed by Miguel Enrique Otero. The other five Plaintiffs shall be listed as Plaintiff 3, Plaintiff 4, Plaintiff 5, Plaintiff 6, and Plaintiff 7, respectively. The parties shall refer to Plaintiffs with these pseudonyms in filings going forward. 6. Plaintiffs shall file a version of the proposed third amended complaint that incorporates the above-listed pseudonyms and effectuate service on Defendants of the same. The properly revised Third Amended Complaint shall be filed on or before March 11, 2024. 7. The Clerk of Court is directed to unseal this case, but to leave all filings up to and including D.I. 31 under seal. This Order shall not be placed under seal. (Please see Order for further details) Signed by Judge Jennifer L. Hall on 2/9/2024. (mkr) (Entered: 02/09/2024)
02/09/2024		Case unsealed per D.I. 37 Signed by Judge Jennifer L. Hall on 2/9/2024. (mkr) (Entered: 02/09/2024)
02/09/2024	38	[SEALED] Return of Undeliverable Mail sent to Plaintiff 5 (D.I. 27 , 28 , 29 , 30 .) (mpb) (Entered: 02/12/2024)
02/09/2024	39	[SEALED] Return of Undeliverable Mail sent to Plaintiff 3 (D.I. 27 , 28 , 29 , 30 .) (mpb) (Entered: 02/12/2024)
02/12/2024		Address updated per: D.I. 20 MOTION. (mpb) (Entered: 02/12/2024)

02/12/2024		Remark: D.I. 27 , 28 , 29 , and 30 re-mailed to Plaintiff 3 at address found on D.I. 20 . (mpb) (Entered: 02/12/2024)
02/12/2024		Pro Hac Vice Attorneys Nathan P. Eimer and Daniel D. Birk for CITGO Holding, Citgo Petroleum Corporation, PDV America, and PDV Holding added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 02/12/2024)
02/13/2024	40	Return of Undeliverable Mail sent to Plaintiff 4 (D.I. 27 , 28 , 29 , 30). (mpb) (Entered: 02/13/2024)
02/21/2024	41	Return of Undeliverable Mail (D.I. 21) sent to Ivan R. Freites C. - Return to Sender. Vacant. Unable to Forward. (vfm) (Entered: 02/22/2024)
02/28/2024	42	[SEALED] Return of Undeliverable Mail sent to Plaintiff 5 (D.I. 34). (vfm) (Entered: 02/28/2024)
02/28/2024	43	[SEALED] Return of Undeliverable Mail sent to Ivan R. Freites C (D.I. 34). (vfm) (Entered: 02/28/2024)
02/28/2024	44	[SEALED] Return of Undeliverable Mail sent to Plaintiff 3 (D.I. 34). (vfm) (Entered: 02/28/2024)
03/08/2024	45	REDACTED VERSION of D.I. 31 MOTION to File Second Amended Complaint and Response to D.I. 27 Motion for Extension of Time - filed by Ivan R. Freites C., Plaintiff 3, Plaintiff 4, Plaintiff 5. (Attachments: # 1 REDACTED Proposed Second Amended Complaint, # 2 Cover Letter, # 3 Envelope)(mpb) (Entered: 03/11/2024)
03/13/2024	46	[SEALED] Return of Undeliverable Mail sent to Plaintiff 5 (D.I. 21). Not Deliverable as Addressed. (mpb) (Entered: 03/13/2024)
03/13/2024	47	[SEALED] Return of Undeliverable Mail sent to Plaintiff 5 (Blank Rule 4). Not Deliverable as Addressed. (mpb) (Entered: 03/13/2024)
03/13/2024	48	[SEALED] Return of Undeliverable Mail sent to Plaintiff 3 (Blank Acknowledgement of Receipt of Rule 4 and Rule 4). Not Deliverable as addressed. (mpb) (Entered: 03/13/2024)
03/13/2024	49	Return of Undeliverable Mail sent to Ivan R. Freites C. (Blank Acknowledgement of Receipt of Rule 4 and Rule 4). Not Deliverable as addressed. (mpb) (Entered: 03/13/2024)
03/18/2024	50	[SEALED] Return of Undeliverable Mail sent to Ivan R. Freites C. (D.I. 19). (mpb) (Entered: 03/19/2024)
03/18/2024	51	[SEALED] Return of Undeliverable Mail sent to Ivan R. Freites C. (D.I. 27 , 28 , 29 , 30). (mpb) (Entered: 03/19/2024)
03/25/2024	52	MOTION for Extension of Time to File Answer <i>or Otherwise Respond to the Proposed Second Amended Complaint on behalf of Defendants PDV Holdings, Inc., Citgo Holding, Inc. (f-k-a PDV America, Inc.) and Citgo Petroleum Corporation</i> - filed by CITGO Holding, Citgo Petroleum Corporation, PDV America, PDV Holding. (Attachments: # 1 Text of Proposed Order [Proposed] Order, # 2 Exhibit A)(Cumings,

		Alexandra) (Entered: 03/25/2024)
04/17/2024	53	ORDER: The CITGO Defendants' Motion is GRANTED. The deadline for the CITGO Defendants to respond to Plaintiffs' Proposed Second Amended Complaint is extended until 60 days after Petroleos de Venezuela, S.A. has been served under the Foreign Sovereign Immunities Act, 28 U.S.C. § 1602, et. seq., and any sovereign-immunity-based objections have been resolved. Signed by Judge Jennifer L. Hall on 4/17/2024. (apk) (Entered: 04/17/2024)
05/30/2024	54	[SEALED] Emergency MOTION for Immediate Relief Due to Unauthorized Disclosure of Sealed Information - filed by Ivan R. Freitas C., Miguel Enrique Otero, Plaintiff 3, Plaintiff 4, Plaintiff 5, Plaintiff 6, Plaintiff 7. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Cover Letter, # 6 Text of Proposed Order) (apk) Modified on 5/31/2024 (ceg). (Entered: 05/31/2024)
05/31/2024	55	Letter to The Honorable Jennifer L. Hall from Alexandra M. Cumings regarding Request for Copy of Plaintiffs' Emergency Motion for Immediate Relief Due to Unauthorized Disclosure of Sealed Information - re 54 MOTION. (Cumings, Alexandra) (Entered: 05/31/2024)
06/11/2024	56	[SEALED] Letter to Judge Hall, from all of the Plaintiffs, regarding D.I. 54 Emergency Motion. (Attachments: # 1 Cover Letter)(apk) (Entered: 06/11/2024)
06/11/2024		Remark: Plaintiff 3 has been changed to Jorge Rodriguez, III per the granting of his e-filing rights (D.I. 19 , 21) (mpb) (Entered: 06/11/2024)
06/12/2024	57	Letter to The Honorable Jennifer L. Hall from Alexandra M. Cumings regarding letter Plaintiffs filed under seal yesterday, June 11, 2024 (D.I. 56) - re 56 Letter, 54 MOTION, 55 Letter. (Andersen, Kirk) (Entered: 06/12/2024)
06/14/2024	58	SEALED ANSWERING BRIEF in Opposition to (D.I. 57) filed by Jorge Rodriguez, III.Reply Brief due date per Local Rules is 6/21/2024. (Rodriguez, Jorge) (Entered: 06/14/2024)
06/14/2024	59	Emergency MOTION to Seal Case <i>PRIVILEGES FOR SEALED E-FILING, TEMPORARY SEALING, AND CAPTION MODIFICATION</i> - filed by Jorge Rodriguez, III. (Rodriguez, Jorge) (Entered: 06/14/2024)
06/14/2024	60	MOTION for Leave to File <i>UNDER FRCP 60(b)(2) DUE TO FRAUD AGAINST PLAINTIFFS</i> - filed by Jorge Rodriguez, III. (Rodriguez, Jorge) (Entered: 06/14/2024)

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	Docket	Search	1:23-cv-00989-JLH Start date:

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Billable Pages:	8	Cost:	0.80