

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
D.V.D., <i>et al.</i> ,)	
)	
Individually and on behalf of all others)	
similarly situated,)	
)	
Plaintiffs,)	No. 1:25-cv-10676-BEM
)	
v.)	
)	
U.S. Department of Homeland Security, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

DEFENDANTS’ RESPONSE TO THE COURT’S APRIL 10, 2025 ORDER

On April 10, 2025, this Court ordered “Plaintiffs to provide names and alien numbers to the Defendants” and for Defendants to respond to Plaintiffs’ allegations regarding compliance with the Temporary Restraining Order. ECF No. 62. Plaintiffs have provided Defendants with the names and alien numbers of six aliens. On April 11, 2025, Plaintiffs notified Defendants of four aliens. On April 16, 2025, and again on April 21, 2025, Plaintiffs gave notice of an additional alien. Pursuant to this Court’s order Defendants report as follows:

1. [REDACTED], a convicted domestic abuser, was removed to Mexico on March 28, 2025 at 8:10 AM before this Court issued its Temporary Restraining Order (ECF No. 34) in the afternoon of March 28, 2025. Declaration of Tracy J. Huettl, Exhibit A, at ¶¶ 34, 35. Prior to his removal, Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE ERO) “asked him if he was afraid of being returned to Mexico. At this time, he stated he was not afraid of returning to Mexico.” *Id.* at ¶ 33.

2. [REDACTED], an admitted human smuggler, was removed to Mexico on March 25, 2025, before this Court issued its Temporary Restraining Order (ECF No. 34), on March 28, 2025. *Id.* at ¶¶ 38, 41.
3. [REDACTED], a registered sex offender, was removed to El Salvador on March 31, 2025 “by the Department of Defense on a flight with no DHS personnel onboard.” *Id.* at ¶¶ 47, 51. DHS did not direct the Department of Defense to remove [REDACTED]. *Id.* at ¶ 51. The Department of Defense is not a defendant in this action.
4. [REDACTED], an identified Tren de Aragua (TdA) gang member, was removed to El Salvador on March 31, 2025, “by the Department of Defense on a flight with no DHS personnel onboard.” *Id.* at ¶¶ 22, 27. DHS did not direct the Department of Defense to remove [REDACTED]. *Id.* at ¶ 27. The Department of Defense is not a defendant in this action.
5. [REDACTED], an identified TdA chief, was removed to El Salvador on March 31, 2025, “by the Department of Defense on a flight where no DHS personnel onboard.” *Id.* at ¶¶ 16, 18. DHS did not direct the Department of Defense to remove [REDACTED]. *Id.* at ¶ 18. The Department of Defense is not a defendant in this action.
6. [REDACTED], an admitted TdA gang member, was removed to El Salvador on March 31, 2025, “by the Department of Defense on a flight where no DHS personnel onboard.” *Id.* at ¶¶ 10, 12. DHS did not direct the Department of Defense to remove [REDACTED]. *Id.* at ¶ 12. The Department of Defense is not a defendant in this action.

Accordingly, based on the attached declaration, DHS did not violate the Court's Temporary Restraining Order (ECF No. 34).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Mary Larakers, Senior Litigation Counsel, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: April 23, 2025

/s/ Mary L. Larakers
Mary L. Larakers
Senior Litigation Counsel