

## Bucket worksheets

Bucket #2 - case specific questions  
Team on Circuit briefing letter &  
Ordering to EO to review.  
Only ask q's that could affect  
determination; not the want to know.  
Very targeted questions.  
The letter would reflect review of  
their particular file  
Recognize that ~~do~~ can do some  
political - don't need to establish that  
political

2 types of ~~app~~ apps -

(a) sophisticated, w/ legal advice

(b) Hand written, very general - don't know  
the law - ~~would~~ be able to answer  
technical questions & may grant and refer  
for follow-up. Do as much work as can -  
looking at websites, etc.

Relief--Failure of Restaurant to Remove Architectural Barrier [28 U.S.C.A. §§ 1331, 1343, 2201, 2202; 42 U.S.C.A....

Federal Procedural Forms § 10:191, Complaint--Class Action--By Wheelchair Users--For Injunctive Relief--Inaccessible Stadium--Patrons Precluded from Sitting on Floor Level [28 U.S.C.A. §§ 1331, 1343, 2201, 2202].

Federal Procedural Forms § 10:210, Class Action Complaint--Wheelchair Users--Injunctive Relief--Failure of State Government to Construct Curb Ramps at Newly Constructed or Altered Intersections [28 U.S.C.A. §§ 1331, 1343...]

Federal Procedural Forms § 10:218, Complaint--By Individual Who is Blind--For Declaratory and Injunctive Relief--Refusal to Permit Jury Service [28 U.S.C.A. §§ 1331, 1343, 1391, 2201, 2202; 29 U.S.C.A. § 794; 42 U.S.C.A....]

Federal Procedural Forms § 10:219, Complaint--By Individual With Physical and Mental Disabilities--For Declaratory and Injunctive Relief--Person With Cognitive Limitations Precluded from Participating in State...

Federal Procedural Forms § 10:255, Complaint--Segregation--By Interdistrict Transfer of Part of School District--For Declaratory and Injunctive Relief [28 U.S.C.A. §§ 1343, 2201, 2202; 42 U.S.C.A. § 1983; Fed. R. Civ. P....]

Federal Procedural Forms § 10:256, Complaint--Refusal to Admit to University--For Declaratory and Injunctive Relief [28 U.S.C.A. §§ 1331, 1343, 2201, 2202; 42 U.S.C.A. § 1981; Fed. R. Civ. P. 8(A), 57, 65].

Federal Procedural Forms § 10:266, Complaint--For Declaratory and Injunctive Relief--Class Action--Improper Placement--Of African-American Children--In Special Educational Class for Educable Mentally Disabled [.

Federal Procedural Forms § 10:267, Complaint--For Declaratory and Injunctive Relief--Improper Placement--Of "Trainable Mentally Handicapped" Child With Aids-Related Complex--In Homebound Education Program.

Federal Procedural Forms § 10:268, Complaint--By Child With an Aids-Related Complex--For Declaratory and Injunctive Relief--Improper Placement--In "Aids Classroom" Trailer Near School [28 U.S.C.A. §§ 1331].

Federal Procedural Forms § 10:270, Complaint--For Declaratory and Injunctive Relief--Denial of Free Appropriate Public Education--Refusal to Provide Physical Therapy During Summer--Failure to Provide Timely And...

Federal Procedural Forms § 10:271, Complaint--For Temporary Restraining Order, Declaratory and Injunctive Relief--Denial of Free Appropriate Public Education--Refusal to Provide Residential Academic Placement--Failure...

Federal Procedural Forms § 10:276, Complaint--For Declaration Approving Residential Placement--For Reimbursement of Educational Expenses--For Attorney Fees [20 U.S.C.A. §§ 1401(3), 1415(i)(3); 28 U.S.C.A. §§ 1331, 1391...]

Federal Procedural Forms § 10:304, Complaint--Suspension for Violation of Restrictive Hair Length Code--For Temporary Restraining Order--For Declaratory and Injunctive Relief [28 U.S.C.A. §§ 1343, 2201, 2202; 42 U.S.C.A...]

Federal Procedural Forms § 10:341, Amended Complaint--By Female Athletes--Discriminated Against in Intercollegiate Athletic Program--Class Action--For Declaratory and Injunctive Relief [28 U.S.C.A. §§ 1331, 1343...]

Object is to move the cases; doing  
#2 just  
Matthew, Andy, Justin, Hilary - review team

Bucket 4 - Conci shipped 10 oldest to  
JC - Judy & Justin will write  
development if needed.  
Tom Miller will review denial letters  
then go back to Conci for issuance.

Bucket 3 is the guppies  
Bucket 4 ~~can~~ generally are ~~of~~ daybod

Sharon is reviewing the bucket recommendations

EO Detenn Quality Assurance reviewing these cases  
Not having a lot of disagreement

Bucket 3 typically they parents told us  
anything - in 2 extreme activity  
description, boxes marked inconsistently

Limit on Processing of Application [28 U.S.C.A. §§ 1331, 1337, 1343(A)(3)]

Federal Procedural Forms § 7:160, Complaint--Class Action by Aviation Mechanics--Against FAA by Mechanic School Graduates for Agency's Demand for Reexamination [28 U.S.C.A. § 1337; 49 U.S.C.A. § 41104; Fed. R. Civ. P....]

Federal Procedural Forms § 7:161, Complaint--Against FAA--Injunction to End Enforcement of Revocation of Certificate [28 U.S.C.A. § 1337; 14 C.F.R. Pt. 212, 380].

Federal Procedural Forms § 8:146, Complaint--For Declaratory Relief--Regarding FDIC's Authority as Receiver and Bridge Depository Institution's Status as Trustee--For Injunctive Relief--Enjoining Action in.

Federal Procedural Forms § 8:331, Federal Question Jurisdiction.

Federal Procedural Forms § 10:128, Complaint--Unlawful Arrest--Interrogation--Incriminating Statements Leading to Plaintiffs Criminal Conviction--Action for Damages [28 U.S.C.A. §§ 1331, 1343, 2201, 2202; 42 U.S.C.A...]

Federal Procedural Forms § 10:134, Complaint--Unnecessary and Unreasonable Search--Strip Search--Class Action--Action for Declaratory and Injunctive Relief and Damages--Demand for Jury Trial [28 U.S.C.A. §§ 1331].

Federal Procedural Forms § 10:145, Complaint--By Detainee--Denial of Necessary and Adequate Medical Care and Treatment--For Residual Effects of Prior Surgery--Demand for Jury Trial--Action for Declaratory and i.

Federal Procedural Forms § 10:146, Complaint--By Detainee--Unreasonable Search and Seizure--"Shakedown" of Cell Without Probable Cause--Seizure of Trial Transcript--Action for Declaratory and Injuncti.

Federal Procedural Forms § 10:147, Complaint--By Detainee--Incarceration Beyond Expiration Date of State Sentence [28 U.S.C.A. §§ 1331, 1343; 42 U.S.C.A. § 1983; Fed. R. Civ. P. 8(a)].

Federal Procedural Forms § 10:149, Allegations in Complaint--Pretrial Detainee--Unreasonable Delay in Bringing Before Judge [28 U.S.C.A. §§ 1331, 1343, 1391; 42 U.S.C.A. § 1983; Fed. R. Civ. P. 8].

Federal Procedural Forms § 10:156, Complaint--Denial of Freedom of Religion--Ordinance Limiting Religious Solicitation at Municipal Facilities--For Declaratory and Injunctive Relief [28 U.S.C.A. §§ 1331, 1343, 2201].

Federal Procedural Forms § 10:157, Complaint--Violation of Right to Privacy--Statute Prohibiting Sodomy by Consenting Homosexuals in Private--For Declaratory Relief [28 U.S.C.A. §§ 1331, 1343, 1391, 2201, 2202; 42 U.S.C.A...]

Federal Procedural Forms § 10:158, Complaint--Violation of Right to Privacy--Refusal to Suspend Extraordinary Means of Treatment--Cessation of Nutrition and Hydration--For Declaratory Relief [28 U.S.C.A. §§ 1331].

Federal Procedural Forms § 10:179, Complaint--Race Discrimination--Termination of Inn's Membership in Hotel Membership Organization Because Rooms Were Leased to Families Referred by Social Services--Action For...

Federal Procedural Forms § 10:188, Complaint--Wheelchair User Denied Full and Equal Enjoyment of Place of Public Accommodation--Baseball Coach Precluded from On-Field Coaching--For Declaratory and Injunctive Relief [28...]

Federal Procedural Forms § 10:190, Complaint--By Disability Rights Advocacy Group--For Injunctive

like related entities & political  
intervention

often don't understand what doing.

Other #3 are those that require lots  
of follow-up

Janine - When coming down on how  
much political is too much?

Holly - Don't know how many are close cases.  
Told them if the case is close, approve  
& do a referral. Application doesn't  
lead itself to deeper review.

Will talk to Ann about a specific  
Worm project.

Holly - ~~do~~ no bright lines; ~~used~~ in training,  
pulled actual cases and discussed / explained  
how to work analyze.

Constitutional Rights--Ignoring Employees' Objections in Certifying Labor Organization to be Their Exclusive Representative [28 U.S.C...

Federal Procedural Forms § 48:99, Remedies.

Federal Procedural Forms § 5:113, Complaint--For Declaratory and Injunctive Relief--To Vacate Officer's Invalid Administrative Discharge [28 U.S.C.A. §§ 1331, 2201; Fed. R. Civ. P. 57].

Federal Procedural Forms § 5:114, Complaint--For Declaratory and Injunctive Relief--To Reinstatement Plaintiff as Officer in United States Armed Forces--Discharge Under Other Than Honorable Conditions [28 U.S.C.A. §§ 1331...

Federal Procedural Forms § 5:116, Answer--Defense Against Suit for Declaratory and Injunctive Relief--From Alleged Invalid Discharge Imposed by Court-Martial [28 U.S.C.A. §§ 2201, 2202; Fed. R. Civ. P. 12(B), 12(C), 12(H), 57...

Federal Procedural Forms § 5:122, Complaint--For Declaratory and Injunctive Relief and Petition for Writ of Mandamus--Compelling Recognition of Rank to Which Servicemember Should Have Been Promoted [5 U.S.C.A. §§ 701, 702...

Federal Procedural Forms § 5:145, Complaint--For Correction of Air Force Records--For Declaratory, Injunctive and Mandamus Relief [10 U.S.C.A. § 1552; 28 U.S.C.A. §§ 1361, 2201, 2202].

Federal Procedural Forms § 5:217, Complaint--For Injunction to Enjoin Denial of Fee Waiver Requests--For Declaration that Plaintiff Eligible For, and Entitled To, Waiver of Search and Review Fees [5 U.S.C.A. § 552(A)(4)(A)...

Federal Procedural Forms § 5:250, Petition--For Injunctive Relief and Mandatory Injunction to Reinstatement Plaintiff in National Guard and Rescind Order to Report for Active Duty Into United States Army [10 U.S.C.A. § 802(D); 28 U.S.C...

Federal Procedural Forms § 50:61, Complaint in District Court--For Review of Rejection of Offer for Noncompetitive Oil Lease [5 U.S.C.A. § 703; 28 U.S.C.A. § 1331; 30 U.S.C.A. § 226; Fed. R. Civ. P. 8 (a)].

Federal Procedural Forms § 51:42, Complaint in District Court--By Class and Individual Plaintiffs--Against United States--To Enjoin Construction of Dam on Navigable River--Inadequacy of Documentation [42 U.S.C.A....

Federal Procedural Forms § 54:89, Complaint--In District Court--For Declaratory Judgment that Postal Service Has Made Erroneous Determination of Nonmailability and for Injunctive Relief [5 U.S.C.A. § 703, 39 U.S.C.A. § 3001(M)]...

Federal Procedural Forms § 55:87, Complaint in District Court--For Review of Decision by the Bureau of Land Management Approving Land Exchange [28 U.S.C.A. § 1331; 5 U.S.C.A. § 702].

Federal Procedural Forms § 67:15, Action Against State Officials to Enforce Right to Unemployment Compensation.

Federal Procedural Forms § 67:20, Complaint--Class Action for Declaratory and Injunctive Relief--State Unemployment Compensation Statute Violative of Due Process; Denial of Benefits Without Opportunity for Prior...

Federal Procedural Forms § 67:21, Complaint--For Declaratory Judgment that Denial of Unemployment Compensation Benefits Violates of First Amendment--Plaintiff Forced to Quit Due to Religious Convictions [28 U.S.C.A....

Federal Procedural Forms § 67:22, Complaint--To Secure Benefits and to Impose Maximum Time

Circi paralyzed by letting any issue go  
unaddressed. They think they know what  
the org is really doing, rather than  
looking at actual activities.

Q's were not activity based, but guilt  
by association questions. Like Q's  
asking party affiliations

Quantum was not the discussion, more  
that on activities test, ~~and~~  
told them they can think of it as 51/49  
as a guidepost, but not the standard.

Encouraged people to look at the good  
activities too and that can do some  
politics. Help them see as a balancing  
test. Development may need to be good  
activities. No getting activities (the de term  
speakers have a C3 mindset -  
there seen approval of something that

Favoring Temporary Stay of Operation of Determinations by Federal Official [5 U.S.C.A. § 705; Fed. R. App. P. 18].

Federal Procedural Forms § 30:64, Complaint--Action for Declaratory Relief and Enforcement of Paca Trust Provisions Against Paca Licensee--Failure to Pay for Delivered Produce [7 U.S.C.A. § 499e; 28 U.S.C.A. §§ 1331, 1391...

Federal Procedural Forms § 37:26, Complaint--Class Action for Declaratory and Injunctive Relief--Failure to Provide Assistance to Food Stamp Recipients in Emergency Situations [7 U.S.C.A. §§ 2011 to 2036; 28 U.S.C.A. §§ 1331...

Federal Procedural Forms § 37:65, Governing Law.

Federal Procedural Forms § 38:13, Complaint--For Injunctive and Declaratory Relief--Breach of Agency Authority; Failure to Conduct Adequate Environmental Impact Study; Failure to Conduct Public Hearing--Highway...

Federal Procedural Forms § 38:19, Complaint--For Declaratory and Injunctive Relief Under Environmental Acts--Highway Construction [5 U.S.C.A. § 702; 23 U.S.C.A. §§ 101 et Seq.; 28 U.S.C.A. §§ 1331, 1361, 2201; 42 U.S.C.A....

Federal Procedural Forms § 38:20, Complaint--For Writ of Mandamus, Injunction, and Declaration of Rights Under Nepa--Highway Alteration and Reconstruction [5 U.S.C.A. §§ 701 et Seq.; 23 U.S.C.A. §§ 101 et Seq.; 28 U.S.C.A....

Federal Procedural Forms § 38:21, Allegations in Complaint--District Court Jurisdiction in Action Under Federal-Aid Highway Act [28 U.S.C.A. §§ 1331, 1361, 2201; Fed. R. Civ. P. 8(a)].

Federal Procedural Forms § 41:19, Allegation in Complaint in District Court--Failure to Commence Probate Proceedings was Abuse of Discretion [5 U.S.C.A. §§ 701 et Seq.; 25 U.S.C.A. § 372; 28 U.S.C.A. §§ 1331, 1361, 2201; Fed. R....

Federal Procedural Forms § 41:24, Complaint in District Court--For Declaratory Judgment and Damages in Connection With Unlawful Cession of Indian Lands to State [28 U.S.C.A. §§ 1331, 1362, 2201; Fed. R. Civ. P. Rules 8(A), 57]...

Federal Procedural Forms § 41:53, Complaint in District Court--For Declaratory and Injunctive Relief--To Enjoin County from Collecting Taxes on Mobile Homes Owned by Indians and Located on Reservation Land [28 U.S.C.A....

Federal Procedural Forms § 41:54, Complaint in District Court--For Declaratory Relief--Right to Hunt and Fish on Property Ceded to United States Under Treaty [28 U.S.C.A. § 1362; 28 U.S.C.A. § 2201].

Federal Procedural Forms § 41:55, Complaint in District Court--Violation of Native American Graves Protection and Repatriation Act and Others--Declaratory and Injunctive Relief Requested [25 U.S.C.A. § 3001 et Seq.; 16 U.S.C.A....

Federal Procedural Forms § 41:57, Answer--To Complaint in District Court for Declaratory and Injunctive Relief [28 U.S.C.A. § 1360; Fed. R. Civ. P. Rule 8(B)].

Federal Procedural Forms § 41:69, Complaint in District Court--Indian Reorganization Act--Challenge to Lowering of Blood Requirement for Tribal Membership [25 U.S.C.A. § 461 et Seq.].

Federal Procedural Forms § 45:86, Complaint--Class Action for Declaratory and Injunctive Relief Against Employer--Discrimination in Employment on Basis of Race, Religion, National Origin, or Sex [28 U.S.C.A. §§ 1343(A)(4)...

Federal Procedural Forms § 46:75, Complaint by Employees Against NLRB--Deprivation of

will turn out to be very bad or -  
terrified of that - that they personally will  
be criticized,  
Need to have power to say yes.

agents felt if they asked enough questions,  
they will find a big problem.

Agents were jumping to negative conclusions/  
assumptions. - particularly where ~~the~~ relationships  
with political groups or applicants.

Sharon - what to agents weigh/ balance

Sharon - Don't look at anyone thing - maintains  
website,

Holly - more of a general, totality type of  
determinations - not quantitative.

Sharon - had 1 case where asked for

Holly - told them just assume what they were  
political and then ~~consider~~ focus on the  
good activities and

Sharon - some cases will have to ascertain what  
the primary activity is - DC will look at  
those'