

# EXHIBIT

**BEFORE THE JUDICIAL PANEL  
ON MULTIDISTRICT LITIGATION**

	)	
<b>In Re:</b>	)	
	)	<b>MDL Docket No.</b> _____
<b>Mark Daniel Lyttle Litigation</b>	)	
	)	

**FEDERAL DEFENDANTS’ MOTION FOR TRANSFER OF ACTIONS  
PURSUANT TO 28 U.S.C. § 1407 FOR CENTRALIZED PRETRIAL PROCEEDINGS**

All Federal defendants in *Lyttle v. United States*, No. 4:10-cv-00142-D (E.D.N.C.), and *Lyttle v. United States*, No. 1:10-cv-03302-CAP (N.D. Ga.),<sup>1</sup> respectfully move this Panel, under 28 U.S.C. § 1407, for consolidation of both actions in the Eastern District of North Carolina for centralized pretrial proceedings. As set forth in the accompanying brief, MDL transfer is appropriate here because the related cases involve common questions of fact that concern the allegedly unlawful detention and deportation of Plaintiff, Mark Daniel Lyttle. Centralization would also promote the convenience of the parties and witnesses and serve the just and efficient conduct of such actions by eliminating the possibility of inconsistent pretrial rulings and duplicative discovery. The Eastern District of North Carolina, finally, is the most appropriate forum for centralization because the events giving rise to Lyttle’s claims occurred there, and that district is centrally located in relation to where the parties reside.

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<sup>1</sup>Attorney General Eric H. Holder, Jr., Secretary of Homeland Security Janet Napolitano, Director of the Executive Office of Immigration Review Thomas G. Snow, and Immigration and Customs Enforcement Director John T. Morton are all sued in their official capacity in the Georgia action. These official-capacity defendants and the United States are collectively referred to as the “United States.” The individual Federal defendants named in the Georgia action are: James T. Hayes, Raymond Simonse, David Collado, Marco Mondragon, Tracy Moten, Michael Moore, Charles Johnston, and Brian Keys. The individual Federal defendants named in the North Carolina action are: Dashanta Faucette, Dean Caputo, and Robert Kendall. The United States and all eleven individual Federal defendants are collectively referred to as the “Federal defendants.”

Respectfully submitted this 23rd day of December 2010,

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