

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

MARIA ARGUETTA, et al.,

Plaintiffs,

vs.

UNITED STATES IMMIGRATION AND  
CUSTOMS ENFORCEMENT ("ICE"), et al.,

Defendants.

Civil Action No.: 08-1652 (PGS)

**ORDER**

This matter comes before the Court on Defendant Agent 5, 6, 12, 17, 20, 21, 29, and 30's Motion to Dismiss Plaintiff's Third Amended Complaint (Motion to Dismiss) (ECF No. 216.); and the Court having considered the submissions of the parties; and the Court having heard oral argument on said motion on January 6, 2011; and for the reasons set forth on the record on February 3, 2011; and for good cause shown;

IT IS on this 3rd day of February 2011, ORDERED that the Motion to Dismiss (ECF No. 216.) is denied as it applies to lack of subject matter jurisdiction and special factors, and granted as it applies the substantive due process claim.

  
PETER G. SHERIDAN, U.S.D.J.

February 3, 2011