

IN THE  
**United States Court of Appeals**

FOR THE ELEVENTH CIRCUIT

Nos. 91-6099, 91-6105 and 91-6118

THE HAITIAN REFUGEE CENTER, INC. a Florida not-for-profit Corporation, and ROLAND PROVIDENCE, MOISE CHARLES, ERIC PIERRE, RAYMOND EDME, GOLBERT MIRACLE, ROLAND JEAN, ROOSEVELT ALEXIS, LUC LUXEMBOURG SANON, LEGER PIERRE FRANTZ, OCHEL ENGERRIL, JEAN MICHEL MARIO AVILUS, ARCHILLE BELVU, LUCIEN ROZIER, EMMANUEL SAINTIL, CONDANSER JOSEPH on behalf of themselves and all others similarly situated,

*Plaintiffs-Appellees,*

—against—

JAMES BAKER, III, Secretary of State, REAR ADMIRAL ROBERT KRAHEK and ADMIRAL KIME, Commandants, United States Coast Guard, GENE MCNARY, Commissioner, Immigration and Naturalization Service, The United States Department of Justice, Immigration and Naturalization Service, and the United States,

*Defendants-Appellants.*

ON APPEAL FROM UNITED STATES DISTRICT COURT  
 FOR THE SOUTHERN DISTRICT OF FLORIDA

**PLAINTIFFS-APPELLEES' MEMORANDUM IN OPPOSITION TO  
 DEFENDANTS-APPELLANTS' APPEALS DATED DECEMBER  
 18, DECEMBER 20 AND DECEMBER 23, 1991, FROM ORDERS OF  
 THE DISTRICT COURT ON THESE DATES, AND IN SUPPORT  
 OF PLAINTIFFS-APPELLEES' CROSS-APPEAL FILED DECEMBER  
 23, 1991 FROM ASPECTS OF THE DISTRICT COURT'S  
 ORDER DATED DECEMBER 20, 1991**

*Counsel:*

Douglas H. Flaum, Esq.  
 Sandra Lipsman, Esq.  
 Abraham Rappaport, Esq.  
 Siobhan H. Shea, Esq.  
 Richard Tannenbaum, Esq.

IRA J. KURZBAN, ESQ.  
 KURZBAN, KURZBAN & WEINGER  
 Plaza 2650, Second Floor  
 2650 SW 27th Avenue  
 Miami, Florida 33133  
 (305) 444-0060

National Emergency Civil  
 Liberties Foundation

ROBERT E. JUCEAM, ESQ.  
 FRIED, FRANK, HARRIS,  
 SHRIVER & JACOBSON  
 (A Partnership Including  
 Professional Corporations)  
 One New York Plaza  
 New York, New York 10004  
 (212) 820-8000

BRUCE J. WINNICK, ESQ.

*Attorneys for Plaintiffs-Appellees*