

The Jerome N. Frank Legal Services Organization

YALE LAW SCHOOL

February 8, 2017

Honorable Carol Bagley Amon
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Darweesh v. Trump*, 17-CV-00480 (CBA)

Dear Judge Amon,

The parties write to propose a mutually agreed-upon schedule for briefing on two matters: Plaintiffs' Emergency Motion for a Stay of Removal (ECF No. 6), and Defendants' motion to dismiss. In light of the representations of the government at the status conference on February 2, 2017 that the case could proceed on a less expedited schedule than originally ordered by Judge Donnelly, and Plaintiffs' agreement with that position, the parties attempted to negotiate a less expedited briefing schedule. However, the government has concluded that it is unable to consent to an extension of the stay. Because the stay is set to expire on February 21, 2017, this has forced the parties back to an expedited schedule. Accordingly, the parties propose the following schedule:

- (1) Defendants will file their brief in response to Plaintiffs' Emergency Motion for a Stay of Removal, as well as their motion to dismiss, by noon, February 10, 2017;
- (2) Plaintiffs will file their responsive brief on both motions by February 16, 2017; and
- (3) Defendants will file their reply by February 19, 2017.

Plaintiffs respectfully request that the Court extend the stay briefly to ensure that the Court can more fully consider the issues presented by this case. Alternatively, the parties respectfully request that the Court rule on the stay motion before its expiration on February 21.

The parties believe that briefing on the Plaintiffs' Motion for Class Certification (ECF No. 4) can await the Court's adjudication of the stay motion and the motion to dismiss.

Finally, Plaintiffs state that by agreeing to the expedited schedule proposed above, they do not intend to waive any right to amend their complaint pursuant to Fed. R. Civ. P. 15.

Sincerely,

/s/ Steven A. Platt
Steven A. Platt
U.S. Department of Justice, Civil Division
Office of Immigration Litigation
Counsel for Defendants

/s/ Michael J. Wishnie
Michael J. Wishnie (MW 1952)
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