

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**COOK COUNTY, ILLINOIS,**  
et al.,

Plaintiffs,

v.

**CHAD F. WOLF**, in his official capacity as  
Acting Secretary of U.S. Department of  
Homeland Security,  
et. al.,

Defendants.

Case No. 19-cv-6334

Judge Gary Feinerman

**MOTION FOR EXTENSION OF TIME TO FILE  
OPPOSITION TO MOTION FOR EXPEDITED DISCOVERY**

Pursuant to F.R.C.P. 6(b), Defendants respectfully request an extension of time to file their opposition to Plaintiff Illinois Coalition for Immigrant and Refugee Rights, Inc.’s (“ICIRR”) Motion for Expedited Discovery on Equal Protection Claim, ECF No. 157, which was filed on June 9, 2020. The Court ordered Defendants to respond to ICIRR’s motion by June 12, 2020. Defendants request an extension of five (5) days, so that their opposition would be due by June 17, 2020, which is eight days after the motion was filed.

Good cause exists for the requested extension. Defendants require additional time in order for counsel to analyze the arguments in ICIRR’s motion, draft their opposition, obtain any agency declarations that may be necessary to oppose the motion, and have the opposition reviewed by the clients and by supervisors within the Department of Justice before filing. This is especially true given the existence of numerous other impending litigation deadlines, which have been in place since before the opposition deadline was set. For instance, Defendants are today filing a motion

to dismiss in an analogous case pending in the Northern District of California, *La Clinica de La Raza v. Trump*, No. 19-4980 (N.D. Cal.). On Friday, Defendants will serve the first part of a privilege log in *Washington v. DHS*, No. 19-5210 (E.D. Wash.), and an extensive effort is currently under way relating to that privilege log. Defendants are also expecting to file a substantive motion in the instant case by early next week. Aside from these deadlines in the various public charge cases, counsel also have upcoming deadlines in other cases as well. For instance, two members of the public charge litigation team, including the lead counsel on this particular case, are currently responding to a motion for a preliminary injunction in another matter, in which the government's opposition is due today and a hearing is scheduled for tomorrow. These and other pressing litigation commitments will make it difficult for Defendants to file their opposition to ICIRR's motion two days from now.

Lastly, Plaintiff's motion seeks expedited discovery from a senior White House advisor and other high-ranking executive officials. The proposed discovery into the subjective, individual motivations of the President and his advisors in taking official actions in their official capacity raises significant separation-of-powers issues. Particularly given the significance of these issues, Defendants should be allowed a reasonable amount of time to present their arguments to the Court. Accordingly, a modest five-day extension is appropriate.

For the foregoing reasons, the Court should grant Defendants' requested extension of time. Plaintiff does not consent to this request.

Dated: June 10, 2020

Respectfully submitted,

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