

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

COOK COUNTY, ILLINOIS, an Illinois governmental)	
entity, and ILLINOIS COALITION FOR IMMIGRANT)	
AND REFUGEE RIGHTS, INC.,)	19 C 6334
)	
Plaintiffs,)	Judge Gary Feinerman
)	
vs.)	
)	
CHAD F. WOLF, in his official capacity as Acting)	
Secretary of U.S. Department of Homeland)	
Security, U.S. DEPARTMENT OF HOMELAND)	
SECURITY, a federal agency, KENNETH T.)	
CUCCINELLI II, in his official capacity as Senior)	
Official Performing the Duties of the)	
Director of U.S. Citizenship and Immigration Services,)	
and U.S. CITIZENSHIP AND IMMIGRATION)	
SERVICES, a federal agency,)	
)	
Defendants.)	

ORDER

Plaintiff ICIRR’s motion for expedited discovery [157] is granted in part and denied in part for the reasons and to the extent set forth below. Telephonic status hearing set for 7/14/2020 at 3:00 p.m.

STATEMENT

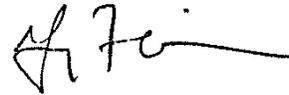
Given the continuing and substantial harms imposed by the Final Rule, Doc. 157-1, expedited discovery is warranted and necessary. However, the schedule proposed by ICIRR is unwarranted and in parts unrealistic. Accordingly, discovery shall proceed as follows:

1. By 7/1/2020, Defendants shall serve written responses to ICIRR’s requests for production of documents, Doc. 157-2 at 2-11.
2. By 7/8/2020, the parties shall meet and confer regarding any objections asserted by Defendants, including any objections to ICIRR’s proposed custodians and search terms, *id.* at 9-11.
3. By 7/10/2020, the parties shall file a status report stating whether they have reached agreements regarding any objections asserted by Defendants, including any objections to ICIRR’s proposed custodians and search terms.

If the parties cannot resolve all disputes, they shall set forth in the status report their respective positions and proposals on the unresolved disputes.

4. A document production schedule will be set at the 7/14/2020 status hearing.
5. The court cannot determine at this point whether ICIRR will be permitted to depose the individuals identified on its list of proposed deponents, *id.* at 12-13. At the appropriate juncture, the court will address with the parties whether depositions may proceed and, if so, of whom. To facilitate scheduling in the event the court determines that depositions may proceed, the parties shall meet and confer by 7/20/2020 regarding post-8/14/2020 deposition dates for each of the proposed deponents.
6. If the court grants Defendants' motion for a certificate of appealability, Doc. 162, which will be fully briefed by 7/3/2020, Doc. 169, it will determine whether a stay of discovery is appropriate. The court will rule on Defendants' motion and, if it is granted, determine whether to stay discovery before any document production or deposition schedule is set.

June 23, 2020



United States District Judge