

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NANCY GIMENA HUISHA-HUISHA, on
behalf of herself and others similarly situated,

Plaintiffs,

v.

ALEJANDRO MAYORKAS, Secretary of
Homeland Security, et al.,

Defendants.

Civ. A. No. 21-100 (EGS)

**JOINT MOTION TO HOLD IN ABEYANCE PLAINTIFFS' MOTIONS
FOR CLASS CERTIFICATION AND CLASSWIDE PRELIMINARY INJUNCTION**

Plaintiffs and Defendants, by and through undersigned counsel, jointly move pursuant to Federal Rule of Civil Procedure 6(b)(1) for a four-week abeyance until March 23, 2021, of the briefing on and the Court's consideration of Plaintiffs' Motion for Class Certification (ECF No. 23) and Motion for Classwide Preliminary Injunction (ECF No. 57). As grounds for this motion, the parties state as follows:

1. By Minute Order dated February 3, 2021, the Court set a schedule for briefing Plaintiffs' Motion for Class Certification and Motion for Classwide Preliminary Injunction. Pursuant to this schedule, Plaintiffs have a deadline of today, February 23, 2021, to file their reply in support of the foregoing motions.

2. The parties have begun to explore whether it may be possible to resolve or narrow the dispute at issue in this case. The parties believe the most reasonable and efficient course of action is to temporarily stay further proceedings on the motions to allow such discussions to occur. The parties submit that such discussions present good cause to stay the briefing and consideration of these motions.

3. The parties have agreed that either party may terminate the abeyance by filing a motion seeking such relief.¹

4. A proposed order is enclosed.

5. Therefore, the parties jointly request that the deadline for Plaintiffs' reply brief and any consideration by the Court of these motions be stayed for a period of four weeks. Accordingly, Plaintiffs' reply would be due on March 23, 2021.

6. If this joint motion is denied, Defendants consent to Plaintiffs filing their reply brief the following business day.

Dated: February 23, 2021

Respectfully submitted,

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¹ The parties also agree that the abeyance does not preclude Defendants from filing a motion seeking leave to submit a further declaration or declarations. Plaintiffs reserve the right to oppose such a motion but agree it may be filed consistent with the abeyance. The parties also agree that Plaintiffs may file motions for stays of removal for individual families during the abeyance. Defendants reserve the right to oppose such motions but agree they may be filed consistent with the abeyance.

s/ Lee Gelernt

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**Pro hac vice application forthcoming*

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[PROPOSED] ORDER

Upon consideration of the Joint Motion to Hold in Abeyance Plaintiffs' Motions for Class Certification and Classwide Preliminary Injunction and for good cause shown, it is hereby **ORDERED** that the Joint Motion is **GRANTED**. Either party may terminate the abeyance by filing a motion seeking such relief.

It is **FURTHER ORDERED** that Plaintiffs shall file their reply in support of their motions for class certification and preliminary injunction on March 23, 2021.

Date

Emmet G. Sullivan
United States District Judge