

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

CASA DE MARYLAND, INC., *et al.*,

Plaintiffs,

v.

MAYORKAS, *et al.*,

Defendants.

Case No. 8:20-cv-2118-PX

JOINT STATUS REPORT AND STIPULATION [AND PROPOSED ORDER]

Pursuant to this Court's paperless order dated May 10, 2022, ECF No. 172, the Parties have conferred regarding Plaintiffs' concerns about Defendants' implementation of the February 7, 2022 order in *Asylumworks v. Mayorkas*, No. 1:20-cv-03815-BAH (D.D.C.), Dkt. No. 41, and submit the following status report.

- 1) On April 12, 2022, this Court held a status conference with the Parties regarding the next steps in this case following the *Asylumworks* vacatur order, ECF No. 169, and ordered the Parties to file a joint status report no later than May 10, 2022. ECF No. 170.
- 2) Following that conference, Plaintiffs emailed Defendants some of their concerns about the government's implementation of the *Asylumworks* vacatur order and the reasons they believed it necessary for this Court's preliminary injunction to remain in place to protect Plaintiffs and their members and clients from irreparable harm.
- 3) On May 9, 2022, the Parties agreed and stipulated that Defendants would respond to Plaintiffs' concerns. The Parties also agreed and stipulated that they would submit a joint status report on June 6, 2022, which the Court approved. ECF Nos. 171, 172.

- 4) Defendants provided Plaintiffs a written response to their concerns on June 3, 2022. In view of the substance of Defendants' response, the Parties agree that their positions are irreconcilable.
- 5) Plaintiffs believe that this action continues to present a case-or-controversy, that the Court can and should continue enforcing the preliminary injunction in order to protect Plaintiffs and their members and clients from irreparable harm, and reserve the right to continue to seek any additional relief to which they are entitled, including such relief as may be necessary in light of the government's continuing failure to implement the February 7 *Asylumworks* vacatur order.
- 6) Defendants believe that this action no longer presents a case-or-controversy, that the Court need not and cannot continue to enforce the preliminary injunction, and that the Government is otherwise in compliance with the February 7 *Asylumworks* order as well as the other statutes, regulations, and other legal authorities that govern the processing of these applications.
- 7) Should the Court determine that briefing is necessary, the Parties have provided a proposed briefing schedule to address their respective positions. That schedule is as follows:
 - Defendants will file a Motion to Dismiss by July 18, 2022.
 - Plaintiffs will file their opposition to the Motion to Dismiss by August 1, 2022.
 - Defendants will file their reply in further support of their Motion to Dismiss by August 15, 2022.
- 8) A status conference is currently scheduled for 10:00 a.m. on June 13, 2022. Defendants believe that the most efficient way forward is to first discuss this matter with the Court during that June 13th conference in order to determine whether briefing is necessary, and if so whether the Court has any particular scope or issues of concern. Plaintiffs defer to the Court to determine

whether a conference would be helpful to the Court, or whether it would be most helpful to adjourn the conference until after the Parties have submitted briefing on Defendants' assertion of mootness.

Dated June 6, 2022

Respectfully submitted,

/s/
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IT SO ORDERED.

PAULA XINIS
UNITED STATES DISTRICT JUDGE