

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Mubashir Khalif Hussien, Mahamed  
Eydarus, and Javier Doe, *on behalf of  
themselves and others similarly situated,*

File No. 26-cv-324 (ECT/ECW)

Plaintiffs,

v.

**ORDER**

Kristi Noem, *in her official capacity as  
Secretary of the U.S. Department of  
Homeland Security; U.S. Department of  
Homeland Security; U.S. Immigration and  
Customs Enforcement; Todd M. Lyons, in  
his official capacity as Acting Director of  
U.S. Immigration and Customs  
Enforcement; David Easterwood, in his  
official capacity as U.S. Immigration and  
Customs Enforcement Field Office Director  
for St. Paul, Minnesota; U.S. Customs and  
Border Protection; Rodney S. Scott, in his  
official capacity as Commissioner of U.S.  
Customs and Border Protection; U.S.  
Border Patrol; Michael W. Banks, in his  
official capacity as Chief of U.S. Border  
Patrol; and Gregory Bovino, in his official  
capacity as Commander-at-Large of U.S.  
Border Patrol,*

Defendants.

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The following schedule and requirements shall govern the adjudication of Plaintiffs' Motion for a Preliminary Injunction [ECF No. 25] and Plaintiffs' Motion for Provisional Class Certification [ECF No. 50]:

1. **Hearing Date and Time.** The motions will be heard on Monday, February 9, 2026, beginning at 9:00 a.m. at the United States Courthouse, Courtroom 7D, 316 North Robert Street, St. Paul, Minnesota. Though no party has requested the opportunity to introduce live witness testimony at this hearing, either party may make that request, and I may order that live witness testimony be presented, at the February 9 hearing.

2. **Defendants' Response Memoranda.** On or before Friday, January 30, 2026, Defendants shall file a memorandum in response to Plaintiffs' motion for a preliminary injunction and a separate memorandum in response to Plaintiffs' motion for provisional class certification.

3. **Plaintiffs' Reply Memoranda.** On or before Thursday, February 5, 2026, Plaintiffs may, but are not required to, file a memorandum in reply to each of Defendants' response memoranda.

4. **Enlargement of Word-Count Limit.** With respect to the preliminary-injunction motion, Plaintiffs' two memoranda together shall not exceed 15,000 words. This same word-count limit applies to Defendants' response memorandum.

5. **Normal Rules Otherwise Apply.** Except insofar as this order is to the contrary, all memoranda and accompanying filings must comply with the Federal Rules of Civil Procedure and Local Rules of the District of Minnesota.

6. **Related Case Issue.** I find this case is not related to *Minnesota v. Noem*, 26-cv-190 (KMM/DJF) (D. Minn.). That case was brought by different plaintiffs raising different causes of action.

7. **Motions to Proceed Under Pseudonyms.** The motions to proceed under pseudonyms [ECF Nos. 15, 60], though unopposed, will be resolved by a separate order.

**SO ORDERED.**

Dated: January 21, 2026

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court