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15 **UNITED STATES DISTRICT COURT**
FOR THE NORTHERN DISTRICT OF CALIFORNIA
16 **SAN FRANCISCO DIVISION**

17 THE CITY OF SEATTLE, *et al.*,

18 Plaintiffs,

19 v.

20 DEPARTMENT OF HOMELAND
SECURITY, KRISTI NOEM, JOSEPH B.
21 EDLOW, and UNITED STATES
CITIZENSHIP AND IMMIGRATION
22 SERVICES *et al.*,

23 Defendants.¹

Case No. 3:19-cv-07151-MMC

JOINT STATUS REPORT; ~~PROPOSED~~
ORDER

24
25 Plaintiffs the City of Seattle, Immigrant Legal Resource Center, Catholic Legal Immigration Network,
26 Inc., Self-Help For The Elderly, OneAmerica, and Central American Resource Center of California

27 ¹ Pursuant to Fed. R. Civ. P. 25(d), Kristi Noem, the Secretary of Homeland Security, and Joseph B. Edlow,
28 the Director of United States Citizenship and Immigration Services, are automatically substituted as
Defendants in place of their predecessors.

1 (collectively, “Plaintiffs”), and Defendants the U.S. Department of Homeland Security (“DHS”), U.S.
2 Citizenship and Immigration Services (“USCIS”), Secretary of Homeland Security Kristi Noem, and USCIS
3 Director Joseph B. Edlow (collectively, “Defendants”) respectfully submit this Joint Status Report. The
4 parties report as follows:

- 5 1. As explained in the parties’ February 12, 2021 joint status report, ECF No. 89, Executive Order
6 14,012, “Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and
7 Inclusion Efforts for New Americans,” 86 Fed. Reg. 8,277 (Feb. 5, 2021) (the “EO”), directed
8 defendant the Secretary of Homeland Security to undertake a review of, among other things, the 2020
9 Final Rule and the fee waiver process at issue in this litigation.
- 10 2. Defendants published on January 4, 2023 a Notice of Proposed Rulemaking (“NPRM”) proposing a
11 new fee rule that would adjust USCIS fees and the USCIS fee waiver policy. *See* 88 Fed. Reg. 402.
- 12 3. On January 31, 2024, Defendants published a final rule, “U.S. Citizenship and Immigration Services
13 Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements,” 89 Fed. Reg.
14 6194 (Jan. 31, 2024) (“2024 Final Rule”). The 2024 Final Rule went into effect on April 1, 2024, and
15 replaced the 2020 Final Rule in its entirety.
- 16 4. The 2024 Final Rule is being challenged in *Moody v. Mayorkeas*, No. 1:24-cv-00762-CNS (D. Colo. Mar.
17 19, 2024), and *Civitas Capital Management, LLC v. Mayorkeas*, No. 3:24-cv-00984-L (N.D. Tex. Apr. 22,
18 2024). Merits briefing in those cases was completed in December 2024 and January 2025, respectively.
- 19 5. Because the 2024 Final Rule has gone into effect and superseded the 2020 Final Rule, Defendants
20 believe this case is now moot, notwithstanding the ongoing litigation in *Moody* and *Civitas*.
- 21 6. Plaintiffs believe that, in light of the pending challenges to the 2024 Rule, the case is not yet moot.
- 22 7. Nevertheless, the parties have conferred and agree that, to conserve the parties’ and the Court’s
23 resources, this case should continue to be held in abeyance. The parties jointly request that the Court
24 continue to hold this case and all proceedings in abeyance, and that the parties be permitted to file a
25 joint status report by February 13, 2026, indicating whether this case and all proceedings should
26 continue to be held in abeyance or proposing a schedule for continuing the litigation.

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Dated: August 13, 2025

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~~PROPOSED~~ ORDER

IT IS SO ORDERED. This case shall be stayed, with all proceedings held in abeyance, for the reasons provided in the parties' Joint Status Report dated August 13, 2025. The parties shall file a joint status report on or before February 13, 2026, indicating whether this case and all proceedings should continue to be held in abeyance or proposing a schedule for continuing the litigation.

Date: October 3, 2025


HONORABLE MAXINE M. CHESNEY
United States District Judge