

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IMRAN AHMED,

Plaintiff,

v.

MARCO RUBIO, *et al.*,

Defendants.

Case No. 25 Civ. 10705 (LAP)

STIPULATION AND [PROPOSED] ORDER

WHEREAS, on December 24, 2025, Plaintiff Imran Ahmed filed a Complaint, ECF 1, and an Order to Show Cause for a Temporary Restraining Order and Preliminary Injunction, ECF 8;

WHEREAS, on December 25, 2025, the Court signed a Temporary Restraining Order (“TRO”) that, among other things, enjoined Defendants from arresting or detaining Plaintiff pending further order of the Court, ECF 14, and the TRO was thereafter extended by consent of the parties, ECF 26, 40;

WHEREAS, on September 8, 2026, the Court granted Defendants’ motion to dismiss for lack of subject-matter jurisdiction and ordered that the TRO would remain in effect for five business days and thereafter dissolve, absent any further order from the United States Court of Appeals for the Second Circuit or the Supreme Court, ECF 67;

WHEREAS, on September 9, 2026, Plaintiff filed a notice of appeal, ECF 68, moved in this Court for a stay pending appeal, ECF 69, and moved in the Second Circuit for a stay pending appeal, *Ahmed v. Rubio*, No. 26-2509 (2d Cir.), Dkt. 8 (the “Second Circuit Stay Motion”);

WHEREAS, on September 10, 2026, the Clerk of Court entered judgment, ECF 70, and the Court ordered that the TRO remain in effect pending the Second Circuit's resolution of the Stay Motion, ECF 71; and

WHEREAS, Defendants have agreed not to arrest or detain Plaintiff during the pendency of his appeal;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the parties, through their undersigned counsel, that:

1. Subject to the Court's approval, the TRO signed on December 25, 2025 (ECF 14), and subsequently extended by the consent of the parties (ECF 26, 40) and by order of the Court on September 10, 2026 (ECF 71), shall remain in effect during the pendency of Plaintiff's appeal in *Ahmed v. Rubio*, No. 26-2509 (2d Cir.), including any proceedings on rehearing or rehearing *en banc*, until the issuance of the mandate of the Court of Appeals, and, if the judgment of this Court is vacated or reversed, until further order of this Court.

2. Should the Court so-order this Stipulation and Proposed Order, Plaintiff shall file a letter in the Second Circuit within one business day withdrawing the Second Circuit Stay Motion as moot;

3. Nothing in this Stipulation and Proposed Order shall be construed as a waiver of any claim, defense, or argument of any party in this action or on appeal, including with respect to jurisdiction and venue.

4. A facsimile or scanned copy of this Stipulation and Order will be considered the same as an original and may be filed with the Court electronically.

Dated: September 28, 2026
New York, New York

/s/ Roberta A. Kaplan

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** *pro hac vice*

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IT IS SO ORDERED.

Hon. Loretta A. Preska
United States District Judge

Dated: September __, 2026