

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

KUSUMA NIO, *et al.*,

*Plaintiffs,*

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY, *et al.*,

*Defendants.*

No. 1:17-cv-00998-PLF

Hon. Paul L. Friedman

**DEFENDANTS' UNOPPOSED MOTION TO EXPAND PAGE-LIMITATIONS AND  
MODIFY FILING DEADLINES**

Defendants respectfully request leave to exceed the limitation of 45 pages, as stated in Local Rule 7(e), by 15 pages in their Opposition to Plaintiffs' Motion for Attorneys' Fees, Costs, and Expenses Pursuant to the Equal Access to Justice Act. If this request is granted, Defendants' also request that Plaintiffs be permitted to exceed the limitation of 25 pages, as stated in Local Rule 7(e), by 10 pages in their Reply.

Good cause supports this motion. Critically, Plaintiffs seek to recover nearly \$10 million in fees, costs, and expenses. A thorough examination of Plaintiffs' claims is required before potentially dispersing this large sum of taxpayer money. The nature of Plaintiffs' claims further warrant this expansion. Beyond explaining why Defendants' actions were substantially justified, what billing rate is appropriate, and what entries in Plaintiffs' billing statement warrant reduction and why, Defendants also must address Plaintiffs' allegations that Defendants acted in bad faith, which include more than 15 alleged examples. Defendants require the extra pages to adequately respond to these serious allegations. In addition, Defendants must respond to Plaintiffs' more

than 500 pages of declarations, exhibits, and the billing records that are central to this matter. Accordingly, Defendants respectfully request leave to exceed the ordinary page limitations by 15 pages. Should this request be granted, to allow Plaintiffs' adequate length to reply, Defendants also respectfully request leave for Plaintiffs to exceed the ordinary page limitations by 10 pages.

For the same reasons, Defendants submit there is also good cause to extend Defendants' filing deadline by seven (7) days, to May 31, 2021, and Plaintiffs' time to file a reply by 17 days, to July 1, 2021. Fed. R. Civ. Pro. 6 (b)(1) (allowing court to grant extensions for good cause). Defendants do not seek these extensions for purposes of delay and the requested extensions would not prejudice Plaintiffs, especially in light of Plaintiffs' statement that they do not oppose the requests.

On May 7, 2021, counsel for Plaintiffs, Susan Baker Manning, Esq., *et al.*, was advised of this request for an expansion of the page limitations and modification to the filing deadlines. By email on May 11, 2021, Ms. Baker Manning indicated that Plaintiffs do not oppose the motion.

A proposed order is attached for the Court's convenience.

DATED: May 11, 2021,

Respectfully Submitted,

BRIAN M. BOYNTON  
Acting Assistant Attorney General  
Civil Division

WILLIAM C. PEACHEY  
Director

COLIN A. KISOR  
Deputy

ELIANIS N. PEREZ  
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*/s/ Jordan K. Hummel*

JORDAN K. HUMMEL

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*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on May 11, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. All parties are registered CM/ECF users and will be served electronically.

/s/ Jordan K. Hummel  
JORDAN K. HUMMEL  
Trial Attorney  
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Civil Division  
Office of Immigration Litigation  
District Court Section

*Attorney for Defendants*

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Hon. Paul L. Friedman

**[Proposed] ORDER GRANTING DEFENDANTS' UNOPPOSED MOTION TO EXPAND  
PAGE-LIMITATIONS AND MODIFY FILING DEADLINES**

Based on the Defendants' motion, and for good cause found, the Court hereby ORDERS that the page limitation for Defendants' Response and Opposition to Plaintiffs' Motion for Attorneys' Fees, Costs, and Expenses Pursuant to the Equal Access to Justice Act is hereby expanded by fifteen (15) pages, and the filing deadline is extended to May 31, 2021. The Court also hereby ORDERS that the page limitation for Plaintiffs' Reply is hereby expanded by ten (10) pages, and the filing deadline is extended to July 1, 2021.

**IT IS SO ORDERED**

DATED: \_\_\_\_\_, 2021

\_\_\_\_\_  
The Honorable Paul L. Friedman  
United States District Judge

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I HEREBY CERTIFY that on May 11, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. All parties are registered CM/ECF users and will be served electronically.

/s/ Jordan K. Hummel  
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