

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KUSUMA NIO, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY, *et al.*,

Defendants.

Civil Action No. 17-0998 (PLF)

JOINT MOTION TO AMEND MEDIATION REFERRAL ORDER

Plaintiffs Kusuma Nio, *et al.*, on behalf of themselves and the certified class, and Defendants the United States Department of Homeland Security, *et al.* respectfully move for an order amending the Court's March 14, 2022 Mediation Referral Order (ECF 330) as previously amended by the Court's March 26, 2022 Minute Order ("the Order").

The Order refers this case to Magistrate Judge G. Michael Harvey for mediation regarding Plaintiffs' pending Motion for Attorneys' Fees, Costs, and Expenses Pursuant to the Equal Access to Justice Act (ECF 319). As amended, the Order requires the parties to advise the Court regarding "the status of mediation and indicating whether they wish to engage in further mediation on or before June 17, 2022." *See* Min. Order (Mar. 26, 2022). Judge Harvey has set a mediation for June 29, 2022. *See* Min. Order (Apr. 8, 2022). In light of the mediation schedule, the parties believe it would be more useful to the Court for them to provide the required update or about July 15, 2022, which is approximately two weeks after the scheduled mediation.

The parties therefore respectfully request an order modifying the Order and directing the parties to file a joint status report informing the Court as to the status of mediation and indicating whether they wish to engage in further mediation on or before July 15, 2022.

Dated: April 13, 2022

Respectfully submitted,

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