

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

NATIONAL DAY LABORER ORGANIZING  
NETWORK; CENTER FOR CONSTITUTIONAL  
RIGHTS; and IMMIGRATION JUSTICE CLINIC OF  
THE BENJAMIN N. CARDOZO SCHOOL OF LAW,

Plaintiffs,

- against -

UNITED STATES IMMIGRATION AND CUSTOMS  
ENFORCEMENT AGENCY; UNITED STATES  
DEPARTMENT OF HOMELAND SECURITY;  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW;  
FEDERAL BUREAU OF INVESTIGATION; and  
OFFICE OF LEGAL COUNSEL,

Defendants.

No. 10 Civ. 3488 (SAS)  
ECF Case

**DECLARATION OF  
JOSEPH N. CORDARO**

I, JOSEPH N. CORDARO, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am one of the Assistant United States Attorneys assigned to handle this case and am fully familiar with all of the facts stated herein. I make this declaration in support of the motion by defendant United States Immigration and Customs Enforcement for (i) a stay of this Court's Opinion and Order dated October 24, 2011 (the "Order") pending the disposition of defendants' appeal from the Order to the United States Court of Appeals for the Second Circuit, and (ii) if this motion is denied, an interim stay of the Order pending defendants' motion for a stay pending appeal to the United States Court of Appeals for the Second Circuit pursuant to Federal Rule of Appellate Procedure 8(a)(2).

2. Attached hereto as Exhibit A is a true and correct copy of defendants' Notice of Appeal, filed on November 14, 2011.

3. Attached hereto as Exhibit B is a true and correct copy of a document bates-stamped ICE FOIA 10-2674.0002927.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
November 14, 2011

s/ Joseph N. Cordaro  
JOSEPH N. CORDARO  
Assistant United States Attorney