

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

-----X

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

ECF CASE

10 CV 3488 (SAS)(KNF)

[Rel. 10 CV 2705]

Plaintiffs,

v.

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

Defendants.

-----X

**PLAINTIFFS' NOTICE OF CROSS-MOTION
FOR PARTIAL SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that upon the annexed: (1) Declaration of Lisa R. Plush, dated February 9, 2011, together with the exhibits annexed thereto; (2) Declaration of Sarahi Uribe, dated February 9, 2011, together with the exhibits annexed thereto; and (3) accompanying Memorandum of Law, Plaintiffs National Day Laborer Organizing Network, Center for Constitutional Rights, and the Immigration Justice Clinic of the Benjamin N. Cardozo School of Law, by and through their respective counsel, will move this Court pursuant to Rule 56 of the Federal Rules of Civil Procedure at the United States Courthouse, Southern District of New York, 500 Pearl Street, New York, NY 10007-1312, on such date and at such time as the Court

may direct, for an order granting Plaintiffs' instant Cross-Motion for Summary Judgment with respect to search cut-off dates for Plaintiffs' Freedom of Information Act request, and for such other and further relief as this Court may deem just and proper.

Dated: February 9, 2011
New York, New York

Respectfully submitted,

/s/

PAULA A. TUFFIN
ANTHONY J. DIANA
NORMAN R. CERULLO
LISA R. PLUSH
JEREMY D. SCHILDCROUT
Mayer Brown LLP
1675 Broadway
New York, New York 10019
Tel: 212-506-2500
Fax: 212-262-1910
ptuffin@mayerbrown.com
adiana@mayerbrown.com
ncerullo@mayerbrown.com
lplush@mayerbrown.com
jschildcrout@mayerbrown.com

Attorneys for NDLO

/s/

BRIDGET P. KESSLER
PETER L. MARKOWITZ
JAMES HORTON*
HANNAH WEINSTEIN*
CAROLINE E. GLICKLER*
Immigration Justice Clinic
Benjamin N. Cardozo School of Law
55 Fifth Avenue
New York, New York 10003
Tel: 212-790-0213
Fax: 212-790-0256
bkessle1@yu.edu
pmarkowi@yu.edu

**Law student intern
Attorneys for IJC and NDLO*

/s/

SUNITA PATEL
DARIUS CHARNEY
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, New York 10012
Tel: 212-614-6439
Fax: 212-614-6499
SPatel@ccrjustice.org
DCharney@ccrjustice.org

Attorneys for CCR and NDLO