



U.S. Department of Justice

*United States Attorney
Southern District of New York*

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April 6, 2026

VIA ECF

The Honorable Dale E. Ho
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Doe et al. v. Mullin et al.*, No. 26 Civ. 2103 (DEH)
Doe et al. v. Mullin et al.,¹ No. 26 Civ. 2280 (DEH)

Dear Judge Ho:

This Office represents Defendants (the “government”) in the above-referenced related putative class actions challenging the Secretary of Homeland Security’s decision to terminate Yemen’s Temporary Protected Status (“TPS”) designation. Plaintiffs in both actions moved, pursuant to 5 U.S.C. § 705, to postpone the effective date of the TPS termination, filing supporting memoranda of law that, when combined, total approximately 43 pages in length. With consent of Plaintiffs in both actions, the government respectfully requests leave to file a consolidated opposition of 35 pages, which is above the Court’s normal 25-page limit but less than the combined length of Plaintiffs’ briefs. The government is filing its proposed opposition brief contemporaneously with this request.

In a March 23, 2026, Order, the Court directed the government to file a single consolidated brief opposing both motions in both cases. *See* Case No. 26 Civ. 2280, ECF No. 9. The Court further directed that, if the government required additional pages to respond to all arguments raised in Plaintiffs’ briefs, it should meet and confer with Plaintiffs in both actions and file a letter requesting leave to exceed the page limit. *Id.*

The Court’s Individual Rules and Practices ordinarily limit memoranda of law to 25 pages. Here, however, because the government was required to respond in a single brief to the arguments raised in the filings by both sets of Plaintiffs, additional space was necessary. Plaintiffs’ two supporting briefs total approximately 43 pages combined. Accordingly, the government respectfully requests leave to file a consolidated opposition brief of 35 pages. Plaintiffs consent to this request but reserve the right to seek leave to file a reply brief with

¹ Secretary of Homeland Security Markwayne Mullin is automatically substituted for former Secretary Kristi Noem in both actions pursuant to Federal Rule of Civil Procedure 25(d).

excess pages, if necessary.

I thank the Court for its consideration of this request.

Respectfully submitted,

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cc: All Counsel of Record (via ECF)