



August 28, 2026

BY ECF

Hon. Paul A. Engelmayer, United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *ACLU, et al. v. DOJ, et al.*, 25 Civ. 10189 (PAE)

Dear Judge Engelmayer:

Plaintiffs American Civil Liberties Union, American Civil Liberties Union Foundation (together, “ACLU”), and the Center for Constitutional Rights (“CCR”) write respectfully pursuant to Rule 3(N) of this Court’s Individual Rules and Practices in Civil Cases to alert the Court that it has been more than 60 days since Plaintiffs’ cross-motion for summary judgment was fully briefed and oral argument on the motion was held. *See* ECF Nos. 60, 62, 64.

Plaintiffs also submit this letter in light of the government’s ongoing lethal strikes on small boats in the Caribbean Sea and eastern Pacific Ocean. Just this week, the government carried out two such strikes, killing six civilians and bringing the death toll from its boat strikes campaign to at least 227.¹ Public transparency about the government’s working law of this unprecedented military campaign—the Office of Legal Counsel memorandum Plaintiffs seek—is thus urgently needed.

We thank the Court for its consideration of this letter.

Respectfully submitted,

/s/ Jeffrey Stein

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¹ *See* Lazaro Gamio, Carol Rosenberg, & Charlie Savage, *Tracking U.S. Military Killings in Boat Attacks*, N.Y. Times (Aug. 25, 2026), <https://www.nytimes.com/interactive/2025/10/29/us-us-caribbean-pacific-boat-strikes.html>.



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