



## U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street, 3<sup>rd</sup> Floor  
New York, New York 10007

September 2, 2021

By ECF and Email

(CronanNYSDChambers@nysd.uscourts.gov)

Hon. John P. Cronan

United States District Court

Southern District of New York

500 Pearl Street, Courtroom 12D

New York, NY 10007

SO ORDERED.

Date: September 7, 2021

New York, New York

This case is stayed until November 19, 2021. The parties shall file a status letter by November 10, 2021. In that status letter, the parties must propose a deadline for the Government to respond to the Complaint.

A handwritten signature in black ink, appearing to read "John P. Cronan".

JOHN P. CRONAN

United States District Judge

Re: *W.P.V., on his own behalf and on behalf of his minor child, W.P.O. v. U.S., et al.*  
No. 21 Civ. 4436 (JPC)

Dear Judge Cronan:

Plaintiffs and the Government provide the below update regarding the above-captioned case. On July 22, 2021, the Court granted the Government's application to stay this matter pending settlement negotiations, adjourned the initial conference *sine die*, and ordered the parties to submit a status update by September 2, 2021. Dkt. No. 21. Currently, the stay is set to expire on September 20, 2021. Plaintiffs and the Government write to provide the Court with the ordered status update and to request an additional 60-day stay of this matter until November 19, 2021.

As noted in the Government's prior letter, the United States, along with a group of counsel who are coordinating negotiations on behalf of plaintiffs and claimants, are engaged in a nationwide effort to settle district court cases and pending administrative tort claims arising from family separations at the U.S./Mexico border that occurred during the prior administration. While significant progress has been made, due to the scale and complexity of the effort, additional time is needed to achieve a global resolution of these matters.

Additionally, the Government seeks clarification regarding the impact of the stay on the Government's deadline to respond to the Complaint. Prior to the Court granting the parties' request for a stay, the Government's response to Plaintiffs' Complaint was due on July 23, 2021. In granting the stay, the Court stated that, "[t]his case is stayed until September 20, 2021, with the exception that Defendant shall file their answer by August 16, 2021, as requested." Dkt. No. 21. The Government assumes that the Court was referring to co-defendant Cayuga Home for Children, given it had asked for an extension of its time to answer to that date. Dkt. No. 20. However, the Government respectfully requests that it be permitted to respond to the Complaint in the event the stay is lifted. Accordingly, if the Court grants the request for the stay, then the parties propose that they provide a status update to the Court by November 10, 2021, in which (if necessary) the parties will address a date by which the Government must respond to the Complaint.

We thank the Court for its consideration of this matter.

Sincerely,

/s/ Aamir A. Kazi

Aamir A. Kazi (*pro hac vice*)

GA Bar No. 104235

Karan Jhurani (*pro hac vice*)

GA Bar No. 290326

Fish & Richardson P.C.

1180 Peachtree Street NE

21st Floor

Atlanta, GA 30309

Telephone: 404-892-5005

Fax: 404-892-5002

kazi@fr.com

***Attorney for Plaintiff W.P.V., on his own behalf and on behalf of his minor child, W.P.O.***

AUDREY STRAUSS

United States Attorney for the

Southern District of New York

/s/ Alexander J. Hogan

ALEXANDER J. HOGAN

REBECCA R. FRIEDMAN

Assistant United States Attorneys

86 Chambers Street, Third Floor

New York, New York 10007

Tel.: (212) 637-2799/2614

E-mail: alexander.hogan@usdoj.gov

rebecca.friedman@usdoj.gov