

The Honorable John H. Chun
United States District Court Judge

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**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

Bianey GARCIA PEREZ, Maria
MARTINEZ CASTRO, J.M.Z., Alexander
MARTINEZ HERNANDEZ, on behalf of
themselves as individuals and on behalf of
others similarly situated,

Plaintiffs,

v.

U.S. CITIZENSHIP AND IMMIGRATION
SERVICES; Ur JADDOU, Director, U.S.
Citizenship and Immigration Services;
EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW; David NEAL,
Director, Executive Office for Immigration
Review,

Defendants.

Case No. 2:22-cv-00806-JHC

**JOINT STATUS REPORT &
STIPULATION**

Note on Calendar: May 15, 2023

PARTIES' JOINT STATUS REPORT AND STIPULATION

1 Plaintiffs Bianey Garcia Perez; Maria Martinez Castro; J.M.Z.; Alexander Martinez
2 Hernandez; and Defendants U.S. Citizenship and Immigration Services ("USCIS"); Ur Jaddou,
3 Director, USCIS; Executive Office for Immigration Review ("EOIR"); and David L. Neal,
4 Director, EOIR, hereby stipulate to an additional 45-day stay of proceedings as the parties continue
5 their settlement discussions. As detailed below, the parties have reached an agreement in principle
6 as to the EOIR Defendants, and continue to negotiate one outstanding issue with respect to the
7 USCIS Defendants. The parties hope to reach agreement on that issue within two weeks, and to
8 then file a settlement agreement with the Court by June 29, 2023.

9
10 Plaintiffs and Defendants have previously jointly stipulated to several stays. On June 27,
11 2022, this Court issued an order granting a 60-day stay and ordering the parties to submit a joint
12 status report on August 29, 2022. Plaintiffs and Defendants then held a settlement conference on
13 August 3, 2022, where they discussed the claims for the putative classes and agreed that there was
14 potential for resolving many, if not all of the claims without further litigation. Defendants
15 requested Plaintiffs follow up with a written framework providing general parameters for resolving
16 the claims. Plaintiffs submitted a document with a proposed settlement framework to Defendants
17 on August 12, 2022.

18 On August 29, 2022, the parties submitted a joint status report and stipulation detailing
19 their ongoing efforts to reach settlement in this case and requested a 90-day stay to further engage
20 in settlement discussions and conserve judicial resources, as well as those of the parties. On August
21 30, 2022, this Court issued an order granting the 90-day stay and ordering the parties to submit a
22 joint status report on November 28, 2022.

23 On October 14, 2022, Defendants provided written responses to Plaintiffs' proposed
24 settlement framework. On October 26, 2022, the parties held a settlement conference where they
25 discussed Defendants' responses, potential terms for settlement, and the possibility of resolving
26 this matter without further litigation. On November 23, 2022, Defendants also requested that

1 Plaintiffs provide written feedback to Defendants' October 26, 2022, settlement responses.
2 Plaintiffs provided their written feedback on November 29, 2022.

3 On November 28, 2022, the parties filed a third stipulated motion to stay this case,
4 requesting an additional stay of 75 days. The Court issued an order granting the 75-day stay and
5 ordered the parties to submit a joint status report on February 13, 2023.

6 Subsequently, on February 6, 2023, Defendants responded to Plaintiffs with further
7 proposals on how to resolve the remaining disputes between the parties. The parties then held a
8 settlement conference on February 7, 2023, where they discussed the settlement framework and
9 the disputed matters. On February 13, 2023, the parties filed a fourth stipulated motion to stay this
10 case, and this Court issued an order granting a 60-day stay and ordered the parties to submit a joint
11 status report on April 14, 2023.

12 On April 14, 2023, the parties requested an additional 30-day stay, in which Defendants
13 agreed to provide a response to Plaintiffs regarding certain settlement matters they committed to
14 address at the February 7, 2023, settlement conference by May 5, 2023. On that date, Defendants
15 provided their responses to Plaintiffs.

16 Since that response, and following further discussion between the parties, the parties have
17 reached an agreement in principle with respect to the EOIR Defendants. As to the USCIS
18 Defendants, the parties continue to negotiate one remaining term. The USCIS Defendants have
19 agreed to provide Plaintiffs with a response regarding this remaining matter by May 30, 2023. The
20 parties then estimate they will need at least an additional thirty (30) days to draft a settlement
21 agreement and submit it to the Court.

22 In light of these developments, the parties have agreed to stipulate to a 45-day stay of
23 Defendants' briefing deadlines. Good cause exists for the stipulation because the complexity of
24 the issues in this case requires additional time and there continues to be a meaningful opportunity
25 to reach a settlement that would conserve judicial resources, as well as those of the parties.
26

1 Accordingly, the parties request an additional 45-day stay of Defendants' briefing
2 deadlines, until June 29, 2023. At that time, the parties will either submit the settlement agreement
3 to the Court or file the settlement agreement with Court.

4 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

5 Dated this 15th day of May, 2023.

6 For the Plaintiffs:

7 /s/ Matt Adams

8 Matt Adams

9 /s/ Aaron Korthuis

10 Aaron Korthuis

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated this 19th day of May.



The Honorable John H. Chun
UNITED STATES DISTRICT JUDGE