



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*86 Chambers Street  
New York, New York 10007*

May 13, 2019

**BY ECF**

The Honorable Andrew L. Carter, Jr.  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 2203  
New York, NY 10007

Re: *Knight First Amendment Institute v. U.S. Dep't of Homeland Security et al.*,  
No. 17 Civ. 7572 (ALC)

Dear Judge Carter:

I write respectfully on behalf of United States Immigration and Customs Enforcement (“ICE”) and United States Citizenship and Immigration Services (“USCIS”), defendants in the above-referenced FOIA action, to request a two-day extension, from May 15, 2019, to May 17, 2019, of the briefing schedule for the government’s opposition and reply brief as to the parties’ cross-motions for summary judgment for those defendants (and thus a corresponding extension, from May 29, 2019, to May 31, 2019, for plaintiff’s reply brief). Plaintiff consents to this request.

On February 15, 2019, the Court endorsed a briefing schedule in which plaintiff’s challenges to the searches conducted by ICE and the Department of Justice, as well as the withholdings claimed by the Department of State, are to be briefed first (“First Motions”), and plaintiff’s challenges to the withholdings claimed by ICE and USCIS are to be briefed second (“Second Motions”). *See* Dkt. No. 87. Accordingly, the First Motions will be fully briefed by May 17, 2019. As to the Second Motions, the government filed its moving papers on March 15, 2019; plaintiff filed its opposition and cross-motion on April 15, 2019; and the government’s reply and opposition is currently due by May 15, 2019. In order to fully address the withholdings at issue in this matter, ICE and USCIS respectfully request a two-day extension of time, from May 15 to May 17, to file the reply and opposition brief.

This is the first request for such an extension; if granted, the government has no objection to a similar extension, from May 29, 2019, to May 31, 2019, for plaintiff’s reply brief. Finally, this extension would not affect the briefing schedule as to the First Motions.

I thank the Court for considering this matter.

Respectfully,

GEOFFREY S. BERMAN  
United States Attorney

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cc: Counsel for Plaintiff (by ECF)