



U.S. Department of Justice

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June 9, 2021

BY ECF

The Honorable Ramon E. Reyes, Jr.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Bing Guan, et al. v. Alejandro Mayorkas, et al.*,
Civ. No. 19-CV-6570 (Chen, J.) (Reyes, M.J.) (E.D.N.Y.)

Dear Judge Reyes:

The parties in the above-referenced action respectfully submit this letter to request a 30-day extension of time, from June 11 to July 12, 2021, to exchange their initial disclosures. In light of this request, the parties further respectfully request a five-week extension of time, from June 21 to July 26, 2021, for the commencement of discovery.

In support of this request, the parties provide the following factual background. On April 21, 2021, counsel for the parties appeared before the Court for an initial conference in this case. The Court ordered the parties to serve initial disclosures pursuant to Federal Rule of Civil Procedure 26(a) by May 28, 2021, and to file a protective order prior to exchanging initial disclosures. *See* Minute Order (Apr. 21, 2021). On May 24, 2021, counsel for Defendants sent counsel for Plaintiffs a proposed protective order. On May 26, 2021, the parties jointly moved for a brief extension of the deadline to exchange their initial disclosures. *See* Dkt. No. 44. On May 27, 2021, the Court granted the parties' requested extension, from May 28 to June 11, 2021, to serve their initial disclosures. *See* Order (May 27, 2021).

The parties respectfully request an additional 30-day extension of time, from June 11 to July 12, 2021 to serve their initial disclosures. The parties seek this extension because they need additional time to review and finalize the protective order for this case, which they must file and the Court must endorse prior to the exchange of initial disclosures. As noted, Defendants sent Plaintiffs a proposed protective order on May 24. On June 4, 2021, Plaintiffs provided an alternative protective order, on the basis that it addressed both parties' interests in protecting information during discovery and was modeled after prior protective orders agreed to in litigation between the ACLU and the government. On June 8, 2021, counsel for the parties conferred and Defendants' counsel informed Plaintiffs' counsel that Defendants would need an additional 30 days to review and respond to Plaintiffs' proposed protective order.

In light of the parties' request for this extension to serve their initial disclosures, the parties further respectfully request the following amendments to the case management plan:

1. Discovery shall not commence before July 26, 2021.
2. The parties shall make required Rule 26(a)(2) disclosures with respect to
 - a. Expert witnesses on or before: October 26, 2021.
 - b. Rebuttal expert witnesses on or before: November 26, 2021.
3. All discovery, including deposition of experts, shall be completed on or before January 26, 2022.

The parties thank the Court for its consideration of this request.

Respectfully submitted,

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By: /s/
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