

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

ELECTRONIC PRIVACY CENTER, *et al.*,

Plaintiffs,

v.

U.S. CITIZENSHIP AND IMMIGRATION
SERVICES, *et al.*,

Defendants.

Civ. A. No. 8:26-cv-03457-PX

**MOTION TO FORGO HEARING OR IN THE ALTERNATIVE TO EXTEND HEARING
DATE**

Pursuant to Federal Rules of Civil Procedure 6(b) and Local Rule 105(9), Defendants respectfully request that the Court forgo the hearing in this matter and issue its decision on the paper record, or alternatively, continue the hearing date from September 25, 2026 to the first week of October, 2026 (the week starting October 5, 2026). Plaintiff does not oppose forgoing the hearing but opposes the postponement of the hearing date. As good cause for this request, Defendant states the following:

1. Defendants' counsel are unavailable for argument this week, as counsel informed Plaintiff's counsel prior to the scheduling of the hearing for September 25, 2026. Undersigned counsel has several litigation deadlines in the coming days, including but not limited to briefs and court appearances in other significant litigation matters. Undersigned counsel also has several upcoming religious obligations that will make a hearing this Friday afternoon difficult. And Ms. Shapiro is out of the area this week working remotely, and will not return to the office until September 28.

2. Counsel apologize for not bringing counsel's availability to the court's attention sooner. The Court suggested at the last status conference that it had an upcoming trial and could set the hearing for the week of October 5. Although the Court suggested that it could squeeze in argument earlier if requested, no party at that time requested an earlier hearing.

3. The motion pending before the court is not styled as a motion for preliminary injunction, and thus a hearing is entirely discretionary. Counsel for the government therefore requests that the court issue its decision based on the paper record (a position consistent with that of Plaintiff as described in its reply memorandum, ECF 39, note 1) or hear the pending motion the week of October 5, 2026.

4. Defendants have conferred with Plaintiff's counsel prior to filing this motion. Plaintiff indicated that they will not oppose the Court forgoing the hearing entirely but will oppose postponement until the week of October 5, 2026 and further states the following: "Plaintiff opposes the motion for postponement, given Defendants' unwillingness to postpone launching the State Citizenship List Portal and compiling and disseminating any State Citizenship List data at least until the Court decides Plaintiff's motion for partial summary judgment."

Dated: September 22, 2026

Respectfully submitted,

BRETT A. SHUMATE
Assistant Attorney General
Civil Division

ELIZABETH J. SHAPIRO
Deputy Branch Director

/s/ Joshua N. Schopf
JOSHUA N. SCHOPF
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L St. NW
Washington, DC 20005
Phone: (202) 514-6304
Email: joshua.n.schopf@usdoj.gov

Counsel for Defendants

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