UNITED STATES DISTRICT COURT
THE DISTRICT OF COLUMBIA

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, et al.,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, *et al.*

Defendants.

Civ. A. No. 26-3157 (LLA)

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, *et al.*

Defendants.

Civ. A. No. 26-3263 (LLA)

DSCC, *et al.*,

Plaintiffs,

v.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, et al.,

Defendants.

Civ. A. No. 26-3330 (LLA)

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DEFENDANTS' STATUS REPORT

Pursuant to this Court's Order of October 21, 2026 (granting in part and denying in part Plaintiffs' motion for discovery) and Minute Order of October 23, 2026 (consolidating cases), Defendants, through counsel, in *NAACP, et al. v. DHS, et al.*, No. 26-3263 (LLA), file this unilateral status report updating the court on the status of expedited discovery. The status report is unilateral because Plaintiffs' counsel has not provided their position for a joint status report, as of the time of this filing. Defendants file this status report to comply with the Court's October 21, 2026 Order.

Defendants' Position

1. Defendants, through counsel, state that they have complied with this Court's Order dated October 21, 2026, which ordered that, "Defendants shall respond to Plaintiffs' first and fourth requests for production by October 26, 2026, and Plaintiffs' third request for production by October 28, 2026." Order, Oct. 21, 2026.

2. **Request for Production Nos. 1 and 4.** On October 26, 2026, Defendants provided to Plaintiffs the government's Responses and Objections to Plaintiffs' Requests for Production Nos. 1 and 4, and contemporaneously transmitted the associated production through the USAfx platform to Plaintiffs' counsel. Defendants filed a Notice of Compliance on the same day. ECF No. 28. On October 28, 2026, Defendants provided Plaintiffs with a privilege log for the production for Request for Production No. 4.

3. **Request for Production No. 3.** On October 27, 2026, Defendants' undersigned counsel met and conferred (remotely) with Plaintiffs' counsel, after exchanging emails about the documents sought by Request for Production No. 3. On October 28, 2026, Defendants provided to Plaintiffs the government's Responses and Objections to Plaintiffs' Requests for Production No.

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3, and contemporaneously transmitted the associated production through the USAfx platform to Plaintiffs' counsel. Defendants filed a Notice of Compliance on the same day. ECF No. 29.

4. Defendants understand that Plaintiffs have concerns about apparent deficiencies with the discovery production made by the government. Defendants, through counsel, will work in good faith to expeditiously resolve any issues or concerns that Plaintiffs' counsel have identified with Defendants' production.

5. Defendants propose that the parties file another joint status report in one week, i.e., on November 5, 2026, as to the status of Plaintiffs' discovery concerns.

6. **Defendants Forthcoming Supplement.** Counsel for the parties had tentatively scheduled a meet-and-confer to resolve Plaintiffs' concerns about apparent deficiencies with the discovery production made by the government. The meet-and-confer was scheduled for 3:30 p.m. on October 29, 2026. Defendants' counsel had a hearing in another case on the same day, starting at 2 p.m., and informed Plaintiffs' counsel of the same. *See DSCC, et al. v. Trump, et al.*, No. 26-3674 (hearing on Plaintiffs' motion for expedited discovery and motion for temporary restraining order and preliminary injunction).

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7. After counsel for the parties exchanged emails in the morning, Plaintiffs' counsel sent a significant list of questions at 12:43 p.m. on October 29, 2026, to answer over email or at the meet-and-confer. Defendants' counsel responded back at 1:15 p.m. noting that it was "lengthy list" and given that she was preparing for the 2 p.m. hearing, she would "not be able to obtain these answers prior to our meeting . . . [and] will likely not have answers during our meeting." The meet-and-confer was cancelled.

8. At 6:06 p.m., Defendants' counsel drafted and circulated a drafted joint status report with the government's position, hearing nothing from Plaintiffs' counsel as to the draft.

9. At 6:45 p.m. and 9:02 p.m., Plaintiffs' counsel indicated that they were waiting on Defendants' responses to the 12:43 p.m. email – and had not yet sent Plaintiffs' position for the joint status report.

10. At 9:17 p.m., Defendants' counsel emailed objections and responses to the questions in the 12:43 p.m. email, also asking Plaintiffs to provide their position by 10 p.m. in the draft status report.

11. At 10:04 p.m., Plaintiffs' counsel sent an email to Defendants' counsel saying, among other things, that they were "working to update our positions and requests and plan to circulate that with you shortly" and "[w]e will also plan to include some of these emails as exhibits."

12. At 10:15 p.m., Defendants' counsel asked Plaintiffs' counsel what is the cause for the delay and when will they circulate a draft JSR.

13. At 10:32 p.m., Plaintiffs' counsel responded and indicated that, among other things, were working on a revising their draft position and will share with counsel soon, planning to file the joint status report tonight.

14. At 11:30 p.m., Plaintiffs' counsel provided a six-page insert to the draft joint status report to Defendants' counsel. This is the first time that Defendants' counsel was given a copy of Plaintiffs' position in this report, with less than 30 minutes to review and respond to it, let alone having the opportunity to confer with Defendants' agencies.

15. Defendants will have to supplement Defendants' response on October 30, 2026, to provide a response to Plaintiffs' Status Report.

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Date: October 29, 2026
Washington, DC

Respectfully submitted,

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