



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

October 22, 2026

BY ECF

The Honorable Jennifer L. Rochon
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Common Cause et al. v. Department of Homeland Security et al.*, 26 Civ. 8882 (JLR)

Dear Judge Rochon:

This Office represents the Defendants in the above-referenced matter. I write respectfully to request that the Court reschedule the preliminary injunction hearing from November 10, 2026 at 2:00 p.m. to a date and time convenient for the Court on or after November 12, 2026.

Today, the Court entered an Order granting Plaintiffs' letter motion for extension of time and, among other things, scheduling the preliminary injunction hearing for Tuesday, November 10, 2026 at 2:00. *See* ECF No. 78. Unfortunately, the undersigned will be out of the office from November 6 through November 10, 2026, and therefore unable to appear for the preliminary injunction hearing on November 10. Accordingly, I respectfully request that the preliminary injunction hearing be rescheduled to a date and time convenient for the Court on or after November 12, 2026 (November 11, 2026 is a federal holiday).

I have consulted with Plaintiffs' counsel, and they are available to appear on November 12 and 13, as well as during the week of November 16, if necessary. Plaintiffs' counsel kindly consented to this request, provided that the temporary restraining order ("TRO") is extended by the Court to at date at least five business days after the preliminary injunction hearing. Defendants consent to extending the TRO to five business days after the preliminary injunction hearing.

Thank you for your consideration of this request.

The Defendants' request is GRANTED. Pursuant to Federal Rule of Civil Procedure 65(b)(2), on consent of the parties, the TRO is extended from November 15, 2026 to November 20, 2026. The preliminary injunction hearing previously scheduled for November 10, 2026 at 2:00 p.m. is rescheduled for **November 13, 2026 at 2:00 p.m.**

The Clerk of Court is respectfully directed to terminate the motion at Dkt. 79.

SO ORDERED.

Dated: October 22, 2026
New York, New York


JENNIFER L. ROCHON
United States District Judge

Respectfully submitted,

JAMIE M. MCDONALD
United States Attorney for the
Southern District of New York

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