September 6, 2018

The Honorable Jesse M. Furman United States District Court for the Southern District of New York 40 Centre Street, Room 2202 New York, NY 10007

RE: Plaintiffs' Status Report in State of New York, et al. v. U.S. Dep't of Commerce, et al., 18-CV-2921 (JMF) and New York Immigration Coalition, et al. v. U.S. Dep't of Commerce, et al., 18-CV-5025 (JMF)

Dear Judge Furman,

With regard to the Plaintiffs' motion to compel interrogatory responses and to complete the administrative record, 18-CV-2921 ECF 293, 18-CV-5025 ECF 117, during a meet and confer on other issues yesterday afternoon, Defendants advised that they were prepared to provide certain of the relief sought in the motion, including conducting supplemental searches to complete the Administrative Record. While discussions remain ongoing, Plaintiffs request that the motion be held in abeyance. Defendants' response to this motion would otherwise be due today, September 6.

Plaintiffs will advise the Court if the parties are able to resolve the issues raised in the motion.

Respectfully submitted,

ARNOLD & PORTER KAYE SCHOLER LLP AMERICAN CIVIL LIBERTIES UNION

By: /s/ John A. Freedman

Dale Ho Andrew Bauer

American Civil Liberties Union Foundation Arnold & Porter Kaye Scholer LLP

125 Broad St. 250 West 55th Street New York, NY 10004 New York, NY 10019-9710

(212) 549-2693 (212) 836-7669

 $dho@aclu.org \\ And rew. Bauer@arnoldporter.com$

Sarah Brannon⁺**

John A. Freedman

American Civil Liberties Union Foundation Arnold & Porter Kaye Scholer LLP 915 15th Street, NW 601 Massachusetts Avenue, N.W.

Washington, DC 20005-2313 Washington, DC 20001-3743 202-675-2337 (202) 942-5000

sbrannon@aclu.org John.Freedman@arnoldporter.com

Perry M. Grossman New York Civil Liberties Union Foundation 125 Broad St. New York, NY 10004 (212) 607-3300 601 pgrossman@nyclu.org

+ admitted pro hac vice

** Not admitted in the District of Columbia; practice limited pursuant to D.C. App. R. 49(c)(3).

Attorneys for NYIC Plaintiffs, 18-CV-5025

BARBARA D. UNDERWOOD Attorney General of the State of New York

By: /s/ Matthew Colangelo Matthew Colangelo (MC-1746) **Executive Deputy Attorney General** Elena Goldstein (EG-8586), Senior Trial Counsel Ajay Saini (AS-7014), Assistant Attorney General Office of the New York State Attorney General 28 Liberty Street New York, NY 10005 Phone: (212) 416-6057

Matthew.Colangelo@ag.ny.gov