



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street, 3<sup>rd</sup> Floor  
New York, New York 10007

October 25, 2021

BY ECF

The Honorable Mary Kay Vyskocil  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 10/26/2021
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Re: *Reclaim the Records, et al. v. USCIS*, No. 21-cv-6397 (MKV)

Dear Judge Vyskocil:

This Office represents the United States Citizenship and Immigration Services (“USCIS”) in connection with the above-referenced action brought pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. I write on behalf of both parties to respectfully seek an adjournment of the initial conference currently scheduled for November 2, 2021, and, consequently, the October 26 submission in advance of the conference.

Plaintiff Reclaim the Records filed this action on July 27, 2021, alleging that USCIS did not properly fulfill several FOIA requests. As alleged in the complaint, the requests seek documents relating to seven individuals. Also as alleged in the complaint, “[a]ll named individuals regarding whom documents were requested are deceased and all were born more than 100 years prior to the date of the Requests.” USCIS answered the complaint on September 7, 2021. On September 8, 2021, the Court scheduled an initial conference for November 2, 2021.

The parties respectfully request that the Court adjourn the initial conference by approximately 30 days to a date convenient for the Court. The parties seek this adjournment because the agency is still gathering information relevant to this action, and the parties are still discussing their respective positions as to how they believe the case should proceed.

This is the parties’ first request for an adjournment. At present, the parties are available December 7 (in the afternoon), December 8, and December 10.

The parties thank the Court for its attention to this matter.

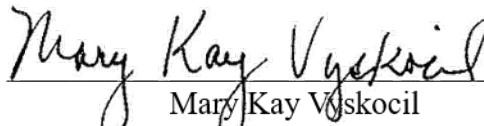
Respectfully,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

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**GRANTED. The initial pretrial conference set for November 2, 2021 at 10:00 AM is ADJOURNED to December 2, 2021 at 11:30 AM. On or before November 25, 2021, Counsel are further directed to submit a Proposed Case Management Plan and Scheduling Order and joint letter, as required by this Court's Individual Rules of Practice in accordance with the Notice of Initial Pretrial Conference filed on September 8, 2021. [ECF No. 8]. SO ORDERED.**

Date: 10/26/2021  
New York, New York

  
Mary Kay Vyskocil  
United States District Judge