UNITED STATES DISTRICT COURT

DISTRICT OF MARYLAND

GREENBELT DIVISION

THE DOOR, *et al*;

Plaintiffs,

vs.

Joseph EDLOW, *et al*,

Defendants.

Case No. 8:26-CV-04326-BAH

DECLARATION OF SARA HAJI REGARDING PLAINTIFFS' PROPOSED REMEDY TO ADDRESS DEFENDANTS' NONCOMPLIANCE WITH TRO

DECLARATION OF SARA HAJI

1. I, Sara Haji, make the following statements on behalf of myself and as counsel in the above-captioned matter. I certify under penalty of perjury that the following statement is true and correct.

2. I am over the age of 18 years old and make this declaration based upon my personal knowledge and experience. If called to do so, I could and would competently testify to these matters under oath.

3. I am Executive Director of Trial Impact Project and counsel of record in the above-captioned matter.

4. Immediately after the hearing on November 5, 2026, counsel for Defendants informed my co-counsel, Melissa Crow, that they would draft an initial proposal by which USCIS would remedy its non-compliance with the Court's temporary restraining order in this case.

5. On November 5, 2026 at 4:54 P.M. EST, I received an email from Defendants' counsel in this matter outlining a proposed remedy for Defendants' non-compliance with the Court's temporary restraining order in this case. Ms. Kipnis stated that when she received requested

information from USCIS she would draft a Joint Status Report for review by Plaintiffs' counsel. A true and correct copy of this correspondence is attached as **Exhibit 1.**

6. At 5:13 P.M. EST, I responded to Ms. Kipnis's email to clarify Plaintiffs' position on the parameters of the proposed remedy. *Id*.

7. On November 6, 2026, at 10:55 A.M. EST, my co-counsel Ms. Crow emailed Ms. Kipnis asking when Plaintiffs could expect to receive a proposal from Defendants. *Id.* Ms. Kipnis said that she was waiting on a response from USCIS. *Id.* I therefore emailed Ms. Kipnis Plaintiffs' position regarding any proposed remedy at 12:11 P.M. EST. *See* Ex. 1.

8. At 3:01 P.M. EST, I received a draft joint status report from Ms. Kipnis. Along with co-counsel, I prepared redlines to the draft report and was preparing to share those redlines with Ms. Kipnis at approximately 4:00 P.M. EST. Plaintiffs' proposed redlines are attached as **Exhibit 2.**

9. While Plaintiffs' counsel worked to redline the proposed draft, at 4:15 P.M. EST, Ms. Kipnis sent an entirely new version of the joint status report which differed significantly from the original draft. Plaintiffs' counsel worked quickly to review the new draft and determined we could not agree to the proposed remedy.

10. As a result, and given the late hour at which Defendants sent an entirely new proposal, we informed Ms. Kipnis we would submit our redline version of Defendants' initial draft as our proposed remedy. Ms. Kipnis agreed that the parties should file separate proposals.

11. Since the hearing on November 5 at 3 P.M. EST, Plaintiffs' counsel have continued to receive emails—including multiple today, November 6—from attorneys reporting a lack of timely response from USCIS to requests to reschedule imminent interviews. Multiple attorneys informed Plaintiffs' counsel that they were told by USCIS that they had to wait for a written decision on their rescheduling request in the mail, even when the interview was imminent.

12. Plaintiffs' proposed order, attached as **Exhibit 3**, attempts to remedy the full range of USCIS's noncompliance that has been reported over the last week.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 6th day of November, 2026, at Los Angeles, California.

/s/ Sara Haji
Sara Haji

Kipnis, Dayna (USAMD) Outlook

From: Kipnis, Dayna (USAMD)

Sent: Friday, November 6, 2026 2:28 PM

To: Sara Haji; Crow, Melissa

Cc: Marjorie Menza; Mishan Wroe; Diane de Gramont; Lynn Damiano Pearson; Hannah Comstock; Kevin Siegel

Subject: RE: [The Door v. Edlow] TRO Noncompliance

Dear Counsel:

USCIS does not agree to the proposed edits. I think it's best at this juncture for each party to file their own status report as you suggested below and to let the Court decide.

Thank you,

Dayna Kipnis

Assistant United States Attorney

U.S. Attorney's Office, District of Maryland

36 South Charles Street, 4th Floor

Baltimore, Maryland 21201

(410) 209-4908

From: Kipnis, Dayna (USAMD)
Sent: Friday, November 6, 2026 5:07 PM
To: Sara Haji <shaji@trialimpact.org>; Crow, Melissa <crowmelissa@uclawsf.edu>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah

Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: RE: [The Door v. Edlow] TRO Noncompliance

I will forward it on right now. Please stand by

Dayna Kipnis

Assistant United States Attorney

U.S. Attorney's Office, District of Maryland

36 South Charles Street, 4th Floor

Baltimore, Maryland 21201

(410) 209-4908

From: Sara Haji <shaji@trialimpact.org>
Sent: Friday, November 6, 2026 5:01 PM
To: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>; Crow, Melissa <crowmelissa@uclawsf.edu>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: [EXTERNAL] Re: [The Door v. Edlow] TRO Noncompliance

Dayna,

Although the Court has approved the extension, Plaintiffs take issue with and have questions about too much of USCIS's latest redrafted proposal to make even the 6 pm deadline feasible at this point. We recommend that the Parties file their separate proposals with the Court. Plaintiffs plan to file the redlined version of your original proposal with the Court as the proposed remedy. I attach it here, in the event that your client wishes to quickly review and accept these changes.

Best,

Sara

Sara Haji (she/her)



Executive Director
(213) 259-2501

www.trialimpact.org

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From: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Sent: Friday, November 6, 2026 1:15 PM
To: Sara Haji <shaji@trialimpact.org>; Crow, Melissa <crowmelissa@uclawsf.edu>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: RE: [The Door v. Edlow] TRO Noncompliance

Counsel:

Attached is the draft status report approved by USCIS. I highlighted the changed language which is basically everything.

This has to be filed in 46 minutes so please respond ASAP.

Dayna Kipnis

Assistant United States Attorney

U.S. Attorney's Office, District of Maryland

36 South Charles Street, 4th Floor

Baltimore, Maryland 21201

(410) 209-4908

From: Kipnis, Dayna (USAMD)
Sent: Friday, November 6, 2026 3:01 PM
To: Sara Haji <shaji@trialimpact.org>; Crow, Melissa <crowmelissa@uclawsf.edu>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: RE: [The Door v. Edlow] TRO Noncompliance
Importance: High

Counsel:

Attached please find the draft joint status report.

Please provide me with your feedback ASAP so that I can review it with my client before it gets filed.

Dayna Kipnis

Assistant United States Attorney

U.S. Attorney's Office, District of Maryland

36 South Charles Street, 4th Floor

Baltimore, Maryland 21201

(410) 209-4908

From: Sara Haji <shaji@trialimpact.org>
Sent: Friday, November 6, 2026 12:11 PM
To: Crow, Melissa <crowmelissa@uclawsf.edu>; Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: [EXTERNAL] Re: [The Door v. Edlow] TRO Noncompliance

Dayna,

We continue to hear of concerning instances of non-compliance with the TRO and non-responsiveness to requests to reschedule. Attorneys in Tampa and Chicago reported to us that as recently as yesterday, Nov. 5, they had to show up in person at the asylum office to request to reschedule because USCIS failed to respond to their prior rescheduling requests. Even after they showed up in person, they had to wait to speak to multiple asylum officers. The Tampa interviews were finally rescheduled after the attorney waited for 6 hours in the office. The Chicago office did not provide a decision on the reschedule request, and the attorney is now concerned her client may receive a failure to appear. This state of affairs is unacceptable.

I understand you are waiting on USCIS's response before sending a draft status report for our review. Any remedy the Parties propose to the Court must include the following:

- USCIS will notify each asylum office of the Court's order and ensure that all auto-response templates are updated to remove the exceptional circumstances policy. USCIS will ensure its asylum offices respond to requests to reschedule under the TRO within 24 hours. If an attorney requests to reschedule on the day of the interview, asylum officers will be instructed to grant the request if eligible under the TRO without requiring multiple levels of supervisory review.

- If an applicant received a failure to appear because of a denial of a reschedule request made consistent with the TRO, USCIS will immediately vacate the failure to appear and reach out to the affected applicant and their counsel to offer a new interview date.

- If an applicant proceeded with an interview after their reschedule request was denied or USCIS refused to decide it before the interview, USCIS will rescind any referral to EOIR resulting from that interview and offer a new interview. If USCIS plans to issue a referral, it will not issue the referral and will instead offer a new interview.

To aid USCIS's identification of affected applicants:

- Plaintiffs will send USCIS the client names, A numbers, and asylum office for their clients who requested rescheduling during the noncompliance period and whose requests were not responded to, denied for lack of exceptional circumstances, or otherwise not acted on in

accordance with the Court's TRO & stay. USCIS will provide this list to each relevant asylum office and direct the office to reach out to reschedule with Plaintiffs.

- USCIS will create or provide an email address to process these and other remedy requests, as well as any future noncompliance notifications, from Plaintiffs or others affected by the TRO/stay.

- USCIS will instruct each asylum office to search its email, phone logs, or any other record of communications for messages that failed to comply with the TRO by citing exceptional circumstances or denying matter-of-course or good-cause rescheduling, as appropriate, or by failing to respond to rescheduling requests altogether. Each asylum office will compile that list and inform USCIS of the number of interviews affected during the Noncompliance Period and when the office has rescheduled all affected interviews. USCIS will provide the same information to Plaintiffs.

After identifying affected applicants through the means above, USCIS will affirmatively reach out to the affected attorneys and applicants to offer to reschedule.

I'm available to discuss by phone, if helpful.

Best,

Sara

Sara Haji (she/her)

Executive Director
(213) 259-2501

www.trialimpact.org

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From: Crow, Melissa <crowmelissa@uclawsf.edu>
Sent: Friday, November 6, 2026 7:58 AM
To: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>; Sara Haji <shaji@trialimpact.org>

Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: RE: [The Door v. Edlow] TRO NonHi, Dayna. Just checking in to make sure we are on the same page regarding the data needed from USCIS. As Sara explained, applicants should be able to reschedule regardless of the length of notice they receive...

Thank you.

Melissa Crow | she/her
Director of Litigation

Center for Gender & Refugee Studies
crowmelissa@uclawsf.edu | (202) 355-4471

From: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Sent: Friday, November 6, 2026 10:58 AM
To: Crow, Melissa <crowmelissa@uclawsf.edu>; Sara Haji <shaji@trialimpact.org>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: RE: [The Door v. Edlow] TRO NonHi, Dayna. Just checking in to make sure we are on the same page regarding the data needed from USCIS. As Sara explained, applicants should be able to reschedule regardless of the length of notice they receive...

We are on the same page. I am waiting for USCIS to advise me on a possible timeline for when they can accomplish compliance for this limited period, then I will send over to you the draft status report.

Dayna Kipnis

Assistant United States Attorney

U.S. Attorney's Office, District of Maryland

36 South Charles Street, 4th Floor

Baltimore, Maryland 21201

(410) 209-4908

From: Crow, Melissa <crowmelissa@uclawsf.edu>
Sent: Friday, November 6, 2026 10:55 AM
To: Sara Haji <shaji@trialimpact.org>; Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: [EXTERNAL] RE: [The Door v. Edlow] TRO NonHi, Dayna. Just checking in to make sure we are on the same page regarding the data needed from USCIS. As Sara explained, applicants should be able to reschedule regardless of the length of notice they receive...

Hi, Dayna. Just checking in to make sure we are on the same page regarding the data needed from USCIS. As Sara explained, applicants should be able to reschedule regardless of the length of notice they received. Apologies for not realizing this when we spoke yesterday.

Please let us know when we can expect your proposal. If you would like to discuss further, you can reach me at the number below. Best, Melissa

Melissa Crow | she/her
Director of Litigation

Center for Gender & Refugee Studies
crowmelissa@uclawsf.edu | (202) 355-4471



From: Sara Haji <shaji@trialimpact.org>
Sent: Thursday, November 5, 2026 5:13 PM
To: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: Re: [The Door v. Edlow] TRO Noncompliance

Dayna,

That formulation for USCIS's data collection won't address the issue. USCIS should collect data for all unaccompanied children who had asylum interviews in that time period (12 pm on October 30 through 5 pm on November 5) who requested that their interview be rescheduled and whose requests were either denied or not responded to. The parameters should not include the amount of notice they received because whether or not they received 21 days' notice, they were entitled to reschedule as of right or for good cause. Let me know if you have questions about this, or feel free to give me a call at the number in my signature below.

We will work with Plaintiffs to collect a list of clients who fall within that category, as well. When you talk to USCIS, can you also please request an email address that others (non-Plaintiffs) can use to report that their unaccompanied child clients were affected by non-compliance between last Friday and today?

Thanks,

Sara

Sara Haji (she/her)

Executive Director
(213) 259-2501

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From: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Sent: Thursday, November 5, 2026 1:54 PM
To: Sara Haji <shaji@trialimpact.org>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: RE: [The Door v. Edlow] TRO Noncompliance

Counsel:

Pursuant to the Judge's instructions from the bench today, we need to prepare a joint status report to be filed by COB tomorrow outlining how non-compliance with the TRO from 12:00pm October 30, 2026 through 5:00p.m. November 11, 2026 will be remedied.

I have instructed USCIS to collect data for all UACs who had asylum interviews during that time period who:

1. Had less than 21 days notice of the interview, and
2. Requested that their interview be rescheduled for the first time as of right or for good cause and were denied.

After the hearing, Melissa Crow advised that Plaintiffs will be able to produce to me a table of their clients who were affected by the above parameters, along with their A numbers, to provide to USCIS.

USCIS will be instructed to grant to any UAC that falls within the above parameters either a rescheduled interview date, or a continuation of their interview date.

I have asked USCIS to provide me with a reasonable expectation of how long it will take them to:

1. Collect all of the data of UACs who fall within the above parameters who were affected by non-compliance, and

2. The estimated timeline of remedy completion.

Once I receive that information, I will draft for your review a Joint Status Report.

Thank you,

Dayna Kipnis

Assistant United States Attorney

U.S. Attorney's Office, District of Maryland

36 South Charles Street, 4th Floor

Baltimore, Maryland 21201

(410) 209-4908

From: Kipnis, Dayna (USAMD)
Sent: Thursday, November 5, 2026 9:39 AM
To: 'Sara Haji' <shaji@trialimpact.org>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Lynn Damiano

Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: RE: [The Door v. Edlow] TRO Noncompliance

Sara:

Attached is the redacted response from the Chicago Asylum Office rescheduling the interview and complying with the TRO's guaranteed first reschedule plus subsequent reschedules for good cause. Also, here are links to USCIS's website on reschedule requests with the special carve-out for UACs in accordance with the TRO found here, as well as the policy alert found here stating the updated interview rescheduling procedures do not apply to UACs

Dayna Kipnis

Assistant United States Attorney

U.S. Attorney's Office, District of Maryland

36 South Charles Street, 4th Floor

Baltimore, Maryland 21201

(410) 209-4908

From: Sara Haji <shaji@trialimpact.org>
Sent: Wednesday, November 4, 2026 12:19 PM
To: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: [EXTERNAL] Re: [The Door v. Edlow] TRO Noncompliance

Thank you for this update, Dayna. Can you please send us both the original guidance to AOs last week and the USCIS instruction you reference in your email below?

Sara Haji

Executive Director

Trial Impact Project

(213) 259-2501



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From: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Sent: Wednesday, 04 November 2026 09:15:01
To: Sara Haji <shaji@trialimpact.org>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: RE: [The Door v. Edlow] TRO Noncompliance

Dear Counsel:

This was an unfortunate oversight. The Chicago Asylum Office sent out a templated email response in this email chain without consideration of this TRO. USCIS has instructed them and all asylum offices to correct this immediately and ensure that no other rescheduling requests for UACs were inappropriately denied since 10/31 in contravention of this TRO. In response, the Chicago Asylum Office will be replying to this email shortly agreeing to reschedule the interview and will be reviewing all other emails that were sent out since Friday to ensure reschedule requests for UACs are handled in accordance with this TRO.

Dayna Kipnis

Assistant United States Attorney

U.S. Attorney's Office, District of Maryland

36 South Charles Street, 4th Floor

Baltimore, Maryland 21201

(410) 209-4908

From: Sara Haji <shaji@trialimpact.org>
Sent: Tuesday, November 3, 2026 6:20 PM
To: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: [EXTERNAL] [The Door v. Edlow] TRO Noncompliance

Dayna,

We are hearing very concerning reports of noncompliance with the Court's TRO, and we ask that you inform your clients immediately of these violations so they can be rectified. In addition to the concern raised by the Court in the letter order today, we have heard from our clients and other attorneys that asylum officers in the Newark and Boston offices have refused to reschedule interviews as a first request and/or for good cause. Additionally, we received the attached email today regarding a violation in the Chicago office that concerns an interview scheduled for 8:30am CT tomorrow.

Please confirm with Plaintiffs **by 9am ET tomorrow (Wednesday)** that you have addressed these issues with your clients and informed each office of its obligations under the TRO, particularly with respect to the interview that is currently scheduled for tomorrow morning. Please also share a copy of any guidance you've provided to USCIS offices to inform them of how to comply with the TRO. If necessary, Plaintiffs will file a report with the Court in advance of the telephonic hearing raising these issues.

Best,

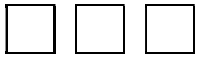
Sara



Sara Haji (she/her)
Executive Director

(213) 259-2501

shaji@trialimpact.org



New name, same mission:

*Social Justice Legal Foundation is now the **Trial Impact Project**.*

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

THE DOOR, *et al*.

Plaintiffs,

v.

JOSEPH B. EDLOW, ~~DIRECTOR~~Director, USCIS, *et al.*

Defendants.

Civil Action No. 8:26-cv-04326-BAH

JOINT STATUS REPORT

Pursuant to the Court's November 6, 2026 Order (ECF No. 63), the parties, through their undersigned counsel, submit this Joint Status Report to advise the Court of the steps Defendant United States Citizenship and Immigration Services ("USCIS") will take to remediate its non-compliance with the Temporary Restraining Order ("TRO") (ECF No. 54) from 12:00 p.m. on October 30, 2026, through 5:00 p.m. on November 5, 2026 ("TRO Noncompliance Period").

1. If an unaccompanied child ("UC") ~~UAC~~ received a failure to appear because of a denial of, or lack of response to, ~~of~~ a reschedule~~d~~ request made consistent with the TRO, USCIS will immediately vacate the failure to appear and contact the affected U~~A~~C and their counsel to offer a new interview date.

2. If a UC proceeded with an interview after their reschedule request was denied in violation of the TRO, USCIS will offer a new interview. If USCIS issued a referral on an interview held in violation of the TRO during the TRO Noncompliance Period, it will rescind that referral.

3. USCIS will ensure its asylum offices provide a timely response by phone or by email, within 24 hours whenever possible, to requests to reschedule interviews of U~~A~~Cs under the TRO. If an attorney requests to reschedule on the day of the interview, asylum officers will be instructed to grant the request if eligible under the TRO.

4~~3~~. USCIS has been instructed to collect data for all ~~Unaccompanied Alien Children ("UAC")~~UCs ~~who were scheduled for an asylum interview during the TRO Noncompliance Period~~ who requested that their interviews be rescheduled for the first time as of right or subsequently for good cause ~~during the TRO Noncompliance Period~~ and whose requests were either denied or not responded to during the TRO Noncompliance Period. ~~Plaintiffs' counsel will provide to USCIS a list of their affected clients.~~ USCIS will provide this data~~list~~ to each relevant asylum office by November 10 and direct the office to promptly reach out to reschedule interviews of affected U~~A~~Cs, including but not limited to those Plaintiffs identify through their own compilation of affected clients and non-clients.

5~~4~~. USCIS will create an email address to process these and other remedy requests, as well as future noncompliance notifications, from Plaintiffs or others affected by the TRO, and publish that email address on its website.

6. The Status Reports that Defendants are required to provide pursuant to the Court's November 5, 2026 Order (ECF 63) shall include an anonymized list of noncompliance notifications received during the period covered by each Status Report and how such noncompliance has been addressed.

Dated: November 6, 2026

Respectfully submitted,

Kelly O. Hayes

United States Attorney

/s/ Dayna Kipnis

Dayna Kipnis, Bar number: 13673
Assistant U.S. Attorney
U.S. Attorney's Office, District of Maryland
36 S. Charles Street, 4th Fl.
Baltimore, MD 21201
Dayna.Kipnis2@usdoj.gov
(410) 209-4800

Counsel for Defendants

_____

Melissa Crow
Director of Litigation
Center for Gender & Refugee Studies

Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

THE DOOR, *et al*.

Plaintiffs,

v.

JOSEPH B. EDLOW, Director, USCIS, *et al.*

Defendants.

Civil Action No. 8:26-cv-04326-BAH

[PROPOSED] ORDER REGARDING DEFENDANTS' NONCOMPLIANCE

As the Court ordered at the November 5, 2026 status conference, and pursuant to the Court's subsequent November 6, 2026 Order (ECF 63), the Parties were required to confer and attempt to reach agreement on a joint proposal addressing the steps Defendant USCIS would take to remedy its noncompliance with the Court's Temporary Restraining Order ("TRO") dated October 30, 2026 (ECF 54). The Parties were unable to reach agreement, and each side submitted a proposal. Having considered the Parties' proposals, **the Court ORDERS as follows:**

***

To remedy Defendant USCIS's non-compliance with the TRO from 12:00 p.m. on October 30, 2026, through 5:00 p.m. on November 5, 2026 (the "TRO Noncompliance Period"):

1. If an unaccompanied child ("UC") received a failure to appear because of a denial of, or lack of response to, a reschedule request made consistent with the TRO, including constructive denials where USCIS refused to make a decision before the interview, USCIS will immediately vacate the failure to appear and contact the affected UC and their counsel to offer a new interview date.

2. If a UC proceeded with an interview after their reschedule request was denied in violation of the TRO, USCIS will offer a new interview. If USCIS issued a referral on an interview held in violation of the TRO during the TRO Noncompliance Period, it will rescind that referral.

3. USCIS will ensure its asylum offices provide a timely response by phone or by email, within 24 hours whenever possible, to requests to reschedule interviews of UCs under the TRO. If an attorney requests to reschedule on the day of the interview, asylum officers will be instructed to grant the request if eligible under the TRO.

4. USCIS has been instructed to collect data for all UCs who requested that their interviews be rescheduled for the first time as of right or subsequently for good cause and whose requests were either denied or not responded to during the TRO Noncompliance Period. USCIS will provide this data to each relevant asylum office by November 10 and direct the office to promptly reach out to reschedule interviews of affected UCs, including but not limited to those Plaintiffs identify through their own compilation of affected clients and non-clients.

5. USCIS will create an email address to process these and other remedy requests, as well as future noncompliance notifications, from Plaintiffs or others affected by the TRO, and publish that email address on its website.

6. The Status Reports that Defendants are required to provide pursuant to the Court's November 5, 2026 Order (ECF 63) shall include an anonymized list of noncompliance notifications received during the period covered by each Status Report and how such noncompliance has been addressed.

Dated: _____

_____

Hon. Brendan Hurson
United States District Judge