

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DOC SOCIETY and INTERNATIONAL
DOCUMENTARY ASSOCIATION,

Plaintiffs,

v.

ANTONY J. BLINKEN, in his official
capacity as Secretary of State, and
ALEJANDRO N. MAYORKAS, in his
official capacity as Secretary of Homeland
Security,

Defendants.

Civil Action No. 19-cv-3632 (TJK)

JOINT MOTION TO LIFT STAY

The parties jointly move the Court to lift the stay in this case. Plaintiffs challenge a policy requiring most applicants for immigrant and nonimmigrant visas to register with the Government their social media identifiers for twenty different social media platforms. The Court stayed the case in March 2021 pending the Government's internal review of the challenged policy. Both parties understood that the stay had been lifted in October 2021, but the Clerk of the Court recently informed them that the stay remains in effect. The parties therefore respectfully request that the stay be lifted. A proposed order is attached.

The parties completed briefing on Defendants' motion to dismiss this case on June 10, 2020. *See* ECF No. 44. On March 23, 2021, the Court stayed the case *sua sponte* pending the completion of a report reviewing the challenged policy as ordered by President Biden. *See* Minute Order of March 23, 2021. On July 2, 2021, the Court granted a joint motion to extend the stay for an additional 45 days. *See* Minute Order of July 2, 2021. On August 16, 2021, Defendants informed the Court that they anticipated completing their review of the challenged policy within 60 days,

and the parties agreed that the stay should remain in place for no more than 60 days. *See* Joint Status Report, ECF No. 53. The Court then extended the stay for an additional 60 days. *See* Minute Order of August 18, 2021. On October 18, 2021, Defendants informed the Court that they could not predict the outcome of the policy review or the precise date on which it would be completed. *See* Joint Status Report, ECF No. 54. On October 20, 2021, the Court issued a minute order stating that, within 30 days of a decision to implement a policy change that would “moot or otherwise affect” the case, Defendants should file a status report to inform the Court. *See* Minute Order of October 20, 2021.

Both parties understood the Court’s Minute Order of October 20, 2021, as lifting the stay. *See* ECF No. 57 (Plaintiffs’ notice of supplemental authority filed “[n]ow that the stay has been lifted in this case”); ECF No. 58 (Defendants’ response to Plaintiffs’ notice of supplemental authority). And on February 11, 2022, Defendants informed the Court that they did not “anticipate any imminent changes” to the challenged policy. ECF No. 58.

On May 31, 2023, the parties jointly called the Office of the Clerk of the Court to request the removal of the “stay” designation from the docket. That Clerk’s Office informed the parties that the stay was still in effect, and that they should file a motion to lift the stay.

Accordingly, the parties respectfully request that the Court enter an order lifting the stay in this matter. A proposed order is attached.

Dated: July 6, 2023

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Respectfully submitted,

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[PROPOSED] ORDER

Upon consideration of the Joint Motion to Lift the Stay of these proceedings by Plaintiffs Doc Society and International Documentary Association (“Plaintiffs”) and Defendants Antony Blinken and Alejandro Mayorkas (“Defendants”), it is on this ____ day of _____, 2023, hereby:

ORDERED that the Joint Motion to Lift the Stay is **GRANTED**;

FURTHER ORDERED that the stay of these proceedings imposed by the Court’s order dated March 23, 2021, and extended on July 2, 2021 and August 18, 2021, is lifted.

DATED: _____

HON. TIMOTHY J. KELLY
United States District Judge