

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

SVITLANA DOE, et al.

Plaintiffs,

– v. –

KRISTI NOEM, in her official capacity as  
Secretary of Homeland Security, et al.

Defendants.

Civil Action No.: 1:25-cv-10495-IT

**EMERGENCY MOTION FOR PRELIMINARY INJUNCTION  
AND STAY OF ADMINISTRATIVE ACTION**

Plaintiffs<sup>1</sup> respectfully move for a preliminary injunction and a stay under Fed. R. Civ. P. 65(a) and 5 U.S.C. § 705 of Defendants'<sup>2</sup> unlawful termination of humanitarian parole processes for foreign nationals to gain entry to the United States under 8 U.S.C. § 1182(d)(5)(A). Plaintiffs also seek a preliminary injunction and administrative stay concerning Defendants' unlawful indefinite moratorium on adjudicating *any* application for an immigration benefit (re-parole, asylum, temporary protected status, green cards, etc.) that would permit the parolees to extend their lawful presence in the United States.

Defendants' actions break with *decades* of practice from every single administration since President Eisenhower's—including President Trump's first administration—and for purposes of

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<sup>1</sup> Plaintiffs are 18 individuals and a nonprofit organization (Haitian Bridge Alliance) injured by the challenged agency actions. *See* Am. Compl., Doc No. 22.

<sup>2</sup> The Defendants are Kristi Noem, in her official capacity as Secretary of Homeland Security; Todd M. Lyons, in his official capacity as the Acting Director of Immigration and Customs Enforcement; Pete R. Flores, in his official capacity as Acting Commissioner of U.S. Customs and Border Protection; Kika Scott, in her official capacity as the Senior Official Performing the Duties of the Director of U.S. Citizenship and Immigration Services; and Donald J. Trump, in his official capacity as President of the United States.

this motion, are contrary to law and arbitrary and capricious within the meaning of the Administrative Procedure Act. Defendants actions have caused irreparable harm to Plaintiffs and similarly situated individuals fleeing from life-threatening political and/or humanitarian crises in their home countries as well as their U.S.-based sponsors.

For the reasons set forth above and in the accompanying exhibits and memorandum of law filed herewith, Plaintiffs respectfully request that the Court enter an order:

1. Enjoining and restraining the Defendants and their officers, agents, servants, employees, attorneys, and all members and persons acting in concert or participation with them under Rule 65 and 5 U.S.C. § 705 from the date of the Court's order, from taking any action to implement or enforce the January 20, 2025 memorandum issued by Acting Director Benjamine Huffman, entitled "Exercising Appropriate Discretion Under Parole Authority," and any related termination of any already established humanitarian parole processes, including but not limited to the suspension of processing of any parole or re-parole applications for the Uniting for Ukraine parole process; the parole processes for Cubans, Haitians, Nicaraguans, and Venezuelans; the Operation Allies Welcome parole process; the Family Reunification Parole processes; the Military Parole-in-Place process; and the Central American Minors parole process;
2. Enjoining and restraining the Defendants and their officers, agents, servants, employees, attorneys, and all members and persons acting in concert or participation with them under Rule 65 and 5 U.S.C. § 705 from the date of the Court's Order, from taking any action to implement or enforce the February 14, 2025 memorandum issued by Acting USCIS Deputy Director Andrew Davidson, entitled "Administrative Hold on All USCIS Benefit Requests filed by Parolees Under the Uniting for Ukraine (U4U) Process, Processes for Haitians,

Cubans, Nicaraguans, and Venezuelans (CHNV) Process, or Family Reunification Parole (FRP) Process,” and any other related directive, memorandum, guidance, or policy, including but not limited to a directive issued by Acting USCIS Director Jennifer Higgins during the week of January 20, 2025, requiring the suspension of the processing or adjudication of immigration benefits applications filed by, or that would benefit, individuals who have received parole through already established humanitarian parole processes, including but not limited to the Uniting for Ukraine parole process; the parole processes for Cubans, Haitians, Nicaraguans, and Venezuelans; the Operation Allies Welcome parole process; the Family Reunification Parole processes; the Military Parole-in-Place process; and the Central American Minors parole process; and

3. Requiring Defendants, within three days of the issuance of the Court’s order and then weekly thereafter, file a status report with the Court describing in detail all steps taken to ensure agency staff are aware of and are in compliance with the Court’s order, along with copies of all issued guidance and directives related to the Court’s order.

A proposed order is attached hereto.

**REQUEST FOR ORAL ARGUMENT**

Plaintiffs respectfully request an oral argument pursuant to Local Rule 7.1(d) on this Motion.

Dated: March 17, 2025

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Respectfully submitted,

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**CERTIFICATE UNDER LOCAL RULE 7.1(a)(2)**

The plaintiffs, through their counsel, were unable to confer with the defendants pursuant to Local Rule 7.1(a)(2) because counsel for the defendants have not yet entered an appearance.

Dated: March 17, 2025

/s/ John A. Freedman

John A. Freedman

**CERTIFICATE OF SERVICE**

I, John A. Freedman, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ John A. Freedman

John A. Freedman