UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

CATHOLIC LEGAL IMMIGRATION NETWORK, INC., et al., Plaintiffs, v. MARCO RUBIO, Secretary of State, et al., Defendants.	)	Case No. 1:26-cv-858-JAV

DEFENDANTS' NOTICE OF MOTION TO STAY THE RULE 54(b) JUDGMENT PENDING APPEAL

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 62(h) and the Court's inherent authority to stay its judgment pending appellate review, Defendants Marco Rubio, in his official capacity as Secretary of State, and the United States Department of State respectfully move this Court for an order staying pending appeal the Rule 54(b) Judgment entered on August 24, 2026, ECF No. 84. In the alternative, Defendants request that the Court stay the portions of the Judgment that set aside immigrant-visa refusals based solely on the January 14, 2026 Policy and remand those refusals and applications for further proceedings. At minimum, Defendants request that the Court stay that refusal-vacatur and remand relief insofar as it applies to nonparty applicants. This motion is based on the accompanying Memorandum of Law in Support of Defendants' Motion to Stay the Rule 54(b) Judgment Pending Appeal, the Declaration of John Armstrong, the record in this action, and such further argument as the Court may permit.

Dated: September 14, 2026

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Respectfully Submitted,

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CERTIFICATE OF SERVICE

I, Susan Ansari, hereby certify that on September 14, 2026, I filed the foregoing brief with the Court's electronic filing system, which electronically served this brief on all counsel of record.

/s/ Susan Ansari
SUSAN ANSARI
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