UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COMMON CAUSE, ROBERT HUNTER, SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 32BJ, and EMPIRE STATE 32BJ SEIU PAC,

Plaintiffs,

-against-

DEPARTMENT OF HOMELAND SECURITY; MARKWAYNE MULLIN, *Secretary of the Department of Homeland Security, in his official capacity*; OFFICE OF MANAGEMENT AND BUDGET; RUSSELL VOUGHT, *Director of the Office of Management and Budget, in his official capacity*; EXECUTIVE OFFICE OF THE PRESIDENT; and SUSIE WILES, *White House Chief of Staff, in her official capacity*,

Defendants.

Case No. 1:26-cv-08882 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

As discussed during today's conference, the Court will permit Plaintiffs limited expedited discovery in connection with their preliminary injunction motion. Plaintiffs shall serve their discovery requests by today, **October 14, 2026**. Defendants shall respond to Plaintiffs' discovery requests by **October 19, 2026**. Plaintiffs shall file their motion for a preliminary injunction by **October 22, 2026**. Defendants shall file their opposition to the preliminary injunction by **October 27, 2026**. Plaintiffs shall file their reply by **October 29, 2026**.

Counsel for all parties shall appear for a preliminary injunction hearing on **November 4, 2026**, at **11:30 a.m.** in Courtroom 20B of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007.

Pursuant to Federal Rule of Civil Procedure 65(b)(2), the Court will extend its October 11, 2026 Order granting the temporary restraining order and stay for 14 additional days, until **November 8, 2026.** The Court finds good cause exists for the extension for the reasons stated on the record during the October 14, 2026 conference, as well as the reasons provided in the Court's October 11, 2026 Order, Dkt. 41, and October 12, 2026 Opinion in support of its Order, Dkt. 42.

By **October 15, 2026**, as discussed during the October 14, 2026 conference, Defendants shall provide the Court with one or more declarations and/or other evidence that explains why challenged advertisements were aired on October 12, 2026 given the contrary representations made by counsel and in paragraph 8 of the Mehringer Declaration, dated October 10, 2026, Dkt. 38.

Finally, the Initial Pretrial Conference scheduled for January 12, 2027 is cancelled and rescheduled for **November 24, 2026 at 11:30 am**. The parties shall otherwise comply with the Court's Order at Dkt. 23.

Dated: October 14, 2026
New York, New York

SO ORDERED.

Jennifer Rochon

JENNIFER L. ROCHON
United States District Judge