

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

NATIONAL VENTURE CAPITAL ASSOCIATION, et al.,)
)

Plaintiffs,)

v.)

Civil Action No. 1:17-cv-01912-JEB

KIRSTJEN M. NIELSEN,)
Secretary of Homeland Security, et al.,)

Defendant.)

NOTICE TO THE COURT REGARDING POST-JUDGMENT DISCOVERY

The Government’s position is that no post-judgment discovery should be ordered in this case for the reasons previously stated. To the extent this Court disagrees, U.S. Citizenship and Immigration Services (“USCIS”) is prepared to make available for deposition Richard T. Murray, Division Chief of the Immigrant Investor Program Office, for the limited purpose of obtaining testimony directly related to the steps taken by USCIS to implement, in good faith, the International Entrepreneur Rule, following this Court’s December 1, 2017 order.

In addition, USCIS is prepared to provide within a reasonable timeframe, with respect to the International Entrepreneur Rule, documentation USCIS believes is sufficient to establish that the rule has been implemented consistent with this Court’s December 1, 2017 order. Such evidence would consist of copies of training materials, documents related to the development of the training materials, documentation related to identifying the adjudicators and supervisors who will adjudicate parole applications under 8 C.F.R § 212.19, documentation to confirm that steps were taken to adjudicate pending applications prior to the filing of plaintiff’s motion , and meeting invites relating to setting up intake, developing training, providing training, and applying applicable regulations to cases. This production will be from December 1, 2017 (the

date of the Court's order) forward and will be subject to, and without waiver of, all applicable privileges.

This proposal should address any concerns the Court might have.

Respectfully submitted,

CHAD A. READLER
Acting Assistant Attorney General

WILLIAM C. PEACHEY
Director

GLENN M. GIRDHARRY
Assistant Director
United States Department of Justice
Civil Division
Office of Immigration Litigation
District Court Section
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Tel: (202) 532-4807
Fax: (202) 305-7000
Email: glenn.girdharry@usdoj.gov

By: s/ Aaron S. Goldsmith
Aaron S. Goldsmith
Senior Litigation Counsel
United States Department of Justice
Civil Division
Office of Immigration Litigation
District Court Section
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Tel: (202) 532-4107
Email: aaron.goldsmith@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2018, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, which will provide electronic notice and a hyperlink to this document to Plaintiffs' attorneys of record.

By: *s/ Aaron S. Goldsmith*
Aaron S. Goldsmith
Senior Litigation Counsel