

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PROJECT SOUTH and CENTER FOR
CONSTITUTIONAL RIGHTS,

Plaintiffs,

v.

UNITED STATES IMMIGRATION AND
CUSTOMS ENFORCEMENT; UNITED
STATES DEPARTMENT OF HOMELAND
SECURITY; UNITED STATES CITIZENSHIP
AND IMMIGRATION SERVICES; UNITED
STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION
REVIEW; and UNITED STATES
DEPARTMENT OF STATE,

Defendants.

No. 21 Civ. 8440 (ALC)

STIPULATION AND ORDER OF SETTLEMENT AND DISMISSAL

WHEREAS, in April and June of 2021, Plaintiffs Project South and Center for Constitutional Rights (“Plaintiffs”) submitted requests (the “Requests”) pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, to U.S. Immigration and Customs Enforcement, the U.S. Department of Homeland Security; U.S. Citizenship and Immigration Services, the U.S. Department of Justice Executive Office for Immigration Review (“EOIR”), and the U.S. Department of State (together, the “Agencies”);

WHEREAS, on October 13, 2021, Plaintiffs filed a complaint in this action against the Agencies;

WHEREAS, EOIR had produced responsive records to Plaintiffs prior to October 13, 2021;

WHEREAS, following the commencement of this action, the remaining Agencies produced records responsive to the Requests; and

WHEREAS, the only outstanding issue in this case is Plaintiffs' claim for attorneys' fees and costs, and the parties wish to resolve that claim and dispose of this matter without further litigation,

NOW, THEREFORE, it is hereby STIPULATED and AGREED between the parties as follows:

1. The Agencies shall pay Plaintiffs the total sum of one hundred and ten thousand five hundred and twenty seven dollars (\$110,527.00) in full and final satisfaction of any claim by Plaintiffs for attorneys' fees and litigation costs in this matter. Payment shall be made by electronic funds transfer, and Plaintiffs' counsel will provide the necessary information to counsel for the Agencies to effectuate the transfer.

2. Plaintiffs release and discharge the Agencies and the United States of America, including its agencies, departments (including the Agencies), officers, employees, servants, and agents, from any and all claims and causes of action that Plaintiffs asserted, or could have asserted, in this litigation arising out of the Requests.

3. This action is dismissed with prejudice and without costs or fees other than as provided in paragraph 1 of this Stipulation and Order, provided that the Court shall retain jurisdiction for the purpose of enforcing this Stipulation and Order and resolving any issues that might arise relating to such enforcement.

4. Nothing in this Stipulation and Order shall constitute an admission that the Agencies are liable for any attorneys' fees or litigation costs. This Stipulation and Order is entered into by the parties solely for the purpose of compromising disputed claims in this case and avoiding the expenses and risks of further litigation concerning Plaintiffs' claim for attorneys' fees and litigation costs. This Stipulation and Order is non-precedential with respect

to any other proceeding involving the parties, including, but not limited to, any other FOIA action or administrative proceeding, and shall have no effect or bearing on any pending or future request for records made by Plaintiffs under FOIA.

5. This Stipulation and Order contains the entire agreement between the parties, and no statement, representation, promise, or agreement, oral or otherwise, between the parties or their counsel that is not included herein shall have any force or effect.

6. This Stipulation and Order may be executed in counterparts. Facsimile or pdf signatures shall constitute originals.

Dated: New York, New York
April 1, 2025

PROJECT SOUTH
CENTER FOR
CONSTITUTIONAL RIGHTS



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SO ORDERED:



THE HONORABLE ANDREW L. CARTER
United States District Judge

Date: April 1, 2025