

No. 21-5028

In the
United States Court of Appeals
for the
District of Columbia Circuit

WASHINGTON ASSOCIATION OF TECHNOLOGY WORKERS,
Plaintiff-Appellant,

– v. –

U.S. DEPARTMENT OF HOMELAND SECURITY,
Defendant-Appellee,

NATIONAL ASSOCIATION OF MANUFACTURERS, et al.,
Intervenors-Appellees.

On appeal from a final judgment of the
United States District Court for the District of Columbia
No. 16-cv-01170
Hon. Reggie B. Walton

MOTION TO RESCHEDULE ORAL ARGUMENT

Appellees the National Association of Manufacturers, the Chamber of Commerce of the United States of America, and the Information Technology Industry Council respectfully request rescheduling of oral argument in this case, which the Court today scheduled for Monday, October 18, 2021.

1. Undersigned counsel, who is responsible for argument in this matter, is currently scheduled to present oral argument in the U.S. Court of Appeals for the Ninth Circuit that same day, October 18, 2021. *See American Claims Management v. Allied World Surplus Lines*, No. 20-56055 (9th Cir.).

2. Undersigned counsel will also present oral argument in this Court on October 21, 2021, in *Belmont Municipal Light Dep't v. FERC*, No. 19-1224. Counsel represents intervenor New England Power Generators Association in that matter. FERC has agreed to share argument time with counsel's client, and an appropriate motion is forthcoming.

3. In view of these earlier-scheduled arguments in the Ninth Circuit and this Court, undersigned counsel respectfully requests that the Court reschedule oral argument in this matter. (For completeness, counsel has separate arguments scheduled on September 10 and October 4, but no other arguments yet scheduled for this calendar year).

4. Counsel for both appellant and appellee the Department of Homeland Security have consented to the relief sought in this motion.

For the foregoing reasons, defendant respectfully requests that the Court reschedule oral argument in this case.

Dated: August 24, 2021

Respectfully submitted,

/s/ Paul W. Hughes

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Appellees*

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g), the undersigned counsel for intervenor certifies that this motion:

(i) complies with the type-volume limitation of Rule 27(d)(2)(A) because it contains 226 words, including footnotes and excluding the parts of the motion exempted by Rule 32(f) and Circuit Rule 32(e)(1); and

(ii) complies with the typeface requirements of Rule 32(a)(5) and the type style requirements of Rule 32(a)(6) because it has been prepared using Microsoft Office Word 2016 and is set in New Century Schoolbook font in a size equivalent to 14 points or larger.

Dated: August 24, 2021

/s/ Paul W. Hughes

CERTIFICATE OF SERVICE

I hereby certify that that on August 24, 2021, I filed the foregoing motion via the Court's CM/ECF system, which effected service on all registered parties to this case.

Dated: August 24, 2021

/s/ Paul W. Hughes