

ORAL ARGUMENT SCHEDULED FOR NOVEMBER 3, 2021**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 DIVIDE ORAL ARGUMENT TIME

Appellees the National Association of Manufacturers, the Chamber of Commerce of the United States of America, and the Information Technology Industry Council (the Association Appellees) respectfully request that the Court divide the oral argument time currently allotted to all Appellees in

this case, so that they and the government may argue separately. The government consents to divided argument.

1. On August 24, 2021, the Court originally scheduled oral argument in this case for October 18, 2021. On unopposed motion of the Association Appellees, the Court rescheduled oral argument for November 3, 2021, so that undersigned counsel (who had a conflict with another oral argument on October 18), could participate in the argument. Doc. 1911837, at 1; *see generally* Doc. 1911396 (motion).

2. Yesterday, the Court issued an order allocating argument time, with 15 minutes allocated to Appellees as a whole, and “[o]ne counsel per side to argue.” Doc. 1918824, at 1.

3. On the understanding that the current order does not permit them to argue separately from the government, the Association Appellees therefore respectfully request divided argument in this case.

4. Specifically, the Association Appellees and the government have agreed to the following division of their collective 15-minute argument time.

Government Appellees: 10 minutes

Association Appellees: 5 minutes

For the foregoing reasons, the Association Appellees respectfully request that the Court permit divided argument in this case.

Dated: October 20, 2021

Respectfully submitted,

/s/ Paul W. Hughes

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 225 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: October 20, 2021

/s/ Paul W. Hughes

CERTIFICATE OF SERVICE

I hereby certify that that on October 20, 2021, I filed the foregoing motion via the Court's CM/ECF system, which effected service on all registered parties to this case.

Dated: October 20, 2021

/s/ Paul W. Hughes