

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

Chong Pham,

Case No.: _____

Petitioner

v.

Pamela Bondi, Attorney General; Kristi Noem, Secretary of Homeland Security; Todd M. Lyons, Acting Director of U.S. Immigration & Customs Enforcement; Marcos Charles, Acting Executive Associate Director for Enforcement and Removal Operations; Mark Siegel, Field Office Director for Enforcement and Removal Operations; U.S. Immigration & Customs Enforcement; U.S. Department of Homeland Security; Scarlet Grant, Warden of Cimarron Correctional Facility.

**MEET AND CONFER
STATEMENT**

Respondents.

The undersigned counsel submits this document to explain that he has been unable to meet and confer with counsel for the Respondents about the concurrently filed Motion to Expedite Pursuant to 28 U.S.C. § 1657 and the related Motion for Preliminary Injunctive Relief under Fed. R. Civ. P. 65(a)-(b). This document therefore acts as the attorney certification necessary for issuance of a TRO without notice under Fed. R. Civ. P. 65(b)(1)(B).

On September 30, 2025, the undersigned had reason to confer with Assistant U.S. Attorney Don Evans, who works in the Western District of Oklahoma and is the attorney

assigned (or at least believed to be assigned, based on the undersigned's conversation with Mr. Evans) to both of the other nearly identical cases filed by the undersigned in this district since September 17, 2025. *See Momennia v. Bondi*, No. 5:25-CV-1067-J (W.D. Okla. Sept. 17, 2025); *Bahadorani v. Bondi*, No. 5:25-CV-01091-PRW (W.D. Okla. Sept. 21, 2025). The undersigned did not speak to Mr. Evans about this case specifically, but was discussing whether a TRO was needed in the *Bahadorani* case and was told by Mr. Evans that there is a significant likelihood of his inability to respond or confer further if the government did in fact shut down on October 1, 2025, as appeared likely to occur.

In the *Momennia* case, the federal respondents had until October 1, 2025 to file their responsive documents and evidence, and they blew the deadline leading the undersigned to file a motion seeking action by the Court and the Court responding by ordering the Respondents to respond to the OSC no later than October 10, 2025 notwithstanding Temporary General Order 25-8. *See Momennia v. Bondi*, No. 5:25-CV-1067-J (W.D. Okla.), ECF No. 12. Similarly, in *Bahadorani*, an order was issued to respond notwithstanding Temporary General Order 25-8. *See Bahadorani v. Bondi*, No. 5:25-CV-01091-PRW (W.D. Okla.), ECF No. 13.

It is the undersigned's understanding that until an OSC is issued, and until the federal respondents are ordered to respond notwithstanding Temporary General Order 25-8, there is no ability for anyone from the U.S. Attorney's Office to confer with the undersigned about any motions while the government is shut down. Once those orders are issued, the government *might* be able to confer with the undersigned, but it is unclear if the scope of their duties permit only casework, or also settlement discussion.

Consequently, at present, it is functionally impossible for the undersigned to meet and confer. As such, issuing a TRO without notice under Fed. R. Civ. P. 65(b)(1)(B) is appropriate so long as the Court determines that the specific facts alleged in the verified habeas corpus petition clearly show immediate and irreparable injury, loss, or damage will result to Petitioner before the government reopens allowing the government to be heard in opposition.

DATED: October 5, 2025

Respectfully submitted,

RATKOWSKI LAW PLLC

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