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Attorneys for Petitioner & Plaintiffs

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
Eugene Division**

M-J-M-A-,

*Petitioner*

v.

LAURA HERMOSILLO, Seattle Field Office  
Director, Immigration and Customs Enforcement  
and Removal Operations (“ICE/ERO”); TODD  
LYONS, Acting Director of Immigration Customs  
Enforcement (“ICE”); U.S. IMMIGRATION AND  
CUSTOMS ENFORCEMENT; KRISTI NOEM,  
Secretary of the Department of Homeland Security  
(“DHS”); U.S. DEPARTMENT OF HOMELAND  
SECURITY; and PAMELA BONDI, Attorney  
General of the United States,

*Respondents.*

Case No. 25-cv-02011-MTK

**PETITIONER’S MOTION TO RESET  
THE BRIEFING SCHEDULE**

### CERTIFICATION OF COMPLIANCE WITH LR 7-1

Pursuant to LR 7-1, counsel for Petitioner certifies that they conferred with Respondents' counsel by video conference on January 9, 2026. Respondents' counsel represented that Respondents oppose this motion.

### MOTION

Petitioner respectfully requests that this Court reset the briefing schedule in part. On December 10, 2025, the Court set a briefing schedule as follows: Petitioner's Motion to Amend the Petition, Motion for Class Certification, and Closing Brief on Petitioner's Writ of Habeas Corpus (including stipulated and disputed facts) are due on January 16, 2026; Respondents' Responses to those motions are due February 20, 2026 and Petitioners' replies are due March 6, 2026.

Today, January 9, 2026, Petitioner has filed her motion to supplement, motion for class certification, and a motion for a preliminary injunction. In light of the grave harms outlined in the motion for a preliminary injunction, including the numerous counties, cities, and localities that have declared states of emergency because of the unprecedented immigration enforcement actions by DHS in Oregon, Petitioner requests the Court reset the briefing schedule as follows:

- (a) **Motion to Supplement and Motion for Preliminary Injunction.** Respondents file their response to Petitioner and putative Plaintiffs' Motion to Supplement and the Motion for a Preliminary Injunction on January 16, 2026; Petitioner and putative Plaintiffs file their replies in support of both motions on January 21, 2026; and the Court schedules a hearing on both motions as soon as practical thereafter. This expedited consideration is warranted given that "since October 2025, civil immigration arrests in Oregon soared 1,400% over prior months, and more than 7,900% over the

prior year.” See Petitioner’s Motion for a Preliminary Injunction at 6.<sup>1</sup> The need for the expedited review is purely a result of the dangerous behavior by Respondents. Throughout Oregon, jurisdiction after jurisdiction has declared a state of emergency because of the DHS warrantless arrest practices.<sup>2</sup>

- (b) **Motion for Class Certification.** Petitioner requests that the Court maintain its current briefing schedule on her class certification motion, with Respondents’ response due on February 20, 2026, and Petitioner’ reply due on March 6, 2026.
- (c) **Merits briefing on Petition.** Petitioner requests that the Court vacate the closing briefing (including stipulated and disputed facts) because the Petitioner has concurrently with this motion filed a motion to supplement to her petition with additional factual allegations, new claims, and a new party. Additionally, the parties

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<sup>1</sup> This analysis was undertaken by Emily Ryo who is the Charles L. B. Lowndes Distinguished Professor of Law and Professor of Sociology at Duke University School of Law. Professor Ryo conducted an analysis of publicly available government data regarding immigration apprehensions in Oregon made available December 1, 2025; with her analysis completed on December 14, 2025. Her declaration is filed at *Clear Clinic, Inc, et al v. Noem*, 6:25-cv-01906-AA, Dkt. 78 (D. Or. 2025) and is also available at <https://perma.cc/5HJJ-EQ9D>.

<sup>2</sup> Hillsboro City Council, Resolution No. 2906, *A Resolution of the City of Hillsboro Recognizing that a State of Emergency Exists Within the Community due to the Impacts of Federal Immigration Enforcement Actions and Setting Forth Various Actions the City Should Take to Address Such Impacts* (Nov. 18, 2025), <https://perma.cc/XJB5-7XGK>; Forest Grove City Council, Resolution No. 2025-61, *Resolution Declaring a State of Emergency to Address Community Impacts of Federal Immigration Enforcement* (Nov. 10, 2025), <https://perma.cc/7QEM-JFBJ>; Cornelius City Council, Resolution No. 2025-61, *Ratifying a State of Emergency Proclamation* (Nov. 17, 2025), <https://perma.cc/E5YX-T9ZL>; Sophia Cossette, *Woodburn declares state of emergency due to federal immigration crackdown*, Woodburn Independent (Nov. 21, 2025), <https://perma.cc/QM48-ZL7H>; Salem City Council, Resolution No. 2025-33, *A Resolution of the City of Salem Recognizing that a State of Emergency Exists within the Community due to the Impacts of Federal Immigration Enforcement Actions and Setting Forth Actions the city Should Take to Address Such Impacts* (Dec. 1, 2025), <https://perma.cc/6KDE-W6MJ>; Washington County Board of Commissioners, Resolution & Order 25-72, *In the Matter of Declaring a State of Emergency Regarding Federal Immigration Enforcement* (Nov 4, 2025), <https://perma.cc/NM89-T7CP>; Multnomah County Board of Commissioners, Executive Rule No. 432, *Declaration of Emergency Due to the Impacts of Federal Immigration Enforcement Actions* (Dec. 12, 2025), <https://perma.cc/6CW3-MKT8>.

continue to seek informal resolution of an ongoing discovery dispute, including based on the testimony of the Respondents' witness that items sought in discovery were destroyed after the case was initiated and discovery requests were filed. The facts in this case are thus still being developed. There are additional facts that should be disclosed by Respondents and, at a minimum, discovery of the facts regarding the destruction of a plainly responsive document (the so-called "target package" that directly led to Petitioner's detention). These additional facts about the destruction of the target package, disclosed during the hearing by DHS Agent J-B-, are necessary because Petitioner is entitled to seek a remedy for the spoliation of evidence, including drawing adverse inferences against Respondents' witnesses or evidence. However, the full extent of the destruction of the evidence is unknown at this point. Petitioner continues to seek to resolve the dispute informally with the Court pursuant to its preferred practice.

Dated: January 9, 2026.

Respectfully submitted,

/s/ Stephen W Manning

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