

UNITED STATES COURT OF INTERNATIONAL TRADE

NINESTAR CORPORATION, ZHUHAI
NINESTAR INFORMATION
TECHNOLOGY CO., LTD., ZHUHAI
PANTUM ELECTRONICS CO., LTD.,
ZHUHAI APEX MICROELECTRONICS
CO., LTD., GEEHY SEMICONDUCTOR
CO., LTD., ZHUHAI G&G DIGITAL
TECHNOLOGY CO., LTD., ZHUHAI
SEINE PRINTING TECHNOLOGY CO.,
LTD., and ZHUHAI NINESTAR
MANAGEMENT CO., LTD.

Plaintiffs,

v.

UNITED STATES OF AMERICA;
DEPARTMENT OF HOMELAND
SECURITY; UNITED STATES CUSTOMS
AND BORDER PROTECTION; FORCED
LABOR ENFORCEMENT TASK FORCE;
ALEJANDRO MAYORKAS, *in his official
capacity as the Secretary of the Department
of Homeland Security*; TROY A. MILLER, *in
his official capacity as the Senior Official
Performing the Duties of the Commissioner
for U.S. Customs and Border Protection*; and
ROBERT SILVERS, *in his official capacity
as Under Secretary for Office of Strategy,
Policy, and Plans and Chair of the Forced
Labor Enforcement Task Force,*

Defendants.

Before: Gary S. Katzmann, Judge
Case No. 23-00182

JOINT STATUS REPORT AND MOTION TO MODIFY THE SCHEDULE

The parties respectfully submit this status report with respect to their progress working on a path towards a non-litigated resolution of this matter, and jointly move the Court to postpone

by a further two weeks the hearing on Plaintiffs' motion for a preliminary injunction and the due date for Plaintiffs' response to Defendants' motion to dismiss.

As discussed during the October 31, 2023 status conference, and as noted in the consent motion of November 1, the parties have been exploring the possibility of negotiating a process for the FLETf's consideration of a request for removal from the UFLPA entity list by Ninestar. *See* ECF No. 52. To facilitate those discussions, the Court postponed the hearing on Plaintiffs' motion for a preliminary injunction from November 2 to November 16, and ordered that the "parties shall file a status report regarding their efforts to reach a negotiated resolution by November 13, 2023." ECF No. 53-1.

Plaintiffs state that they have provided Defendants with a proposed settlement process that would include disclosing additional information from the administrative record to Ninestar and establishing procedures for consideration of Ninestar's request for removal. Defendants state that they are considering plaintiff's proposal in coordination with all FLETf members but require additional time to complete their deliberations with the nine FLETf agencies and return a proposal to Plaintiffs.

In view of parties' representation, the parties jointly ask the Court to further postpone the hearing on Plaintiffs' motion for a preliminary injunction by a further two weeks to on or about November 30, 2023, with a status report due to the Court on November 27, 2023. The parties also jointly request that briefing on Defendants' motion to dismiss, ECF No. 24, be extended for an additional two weeks, commensurate with the extension of time for the hearing on the preliminary-injunction motion.

Dated: November 13, 2023

Respectfully submitted,

/s/ Gordon D. Todd

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Performing the Duties of the Commissioner
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ROBERT SILVERS, *in his official capacity
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Defendants.

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ORDER

The parties' Joint Motion to Modify the Schedule, ECF No. 54, is **GRANTED**. It is
hereby:

ORDERED that the hearing on Plaintiffs' Motion for a Preliminary Injunction is rescheduled to November 30, 2023; and it is further

ORDERED that the parties shall file a status report regarding their efforts to reach a negotiated resolution by November 27, 2023; and it is further

ORDERED that briefing on the Defendants' motion to dismiss, ECF No. 24, is extended for an additional two weeks. Plaintiffs' response is now due December 5, 2023.

Issued this ____ day of _____, 2023

Gary S. Katzmann, Judge