

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

WASHINGTON ALLIANCE OF
TECHNOLOGY WORKERS,

Plaintiff,

v.

U.S. DEPARTMENT OF
HOMELAND SECURITY, et al.,

Defendants,

and

NATIONAL ASSOCIATION OF
MANUFACTURERS, et al.,

Intervenor-Defendants.

Civil Action No. 16-1170 (RBW)

ORDER

For the reasons to be set forth in the Memorandum Opinion to be issued by the Court within the next sixty days, absent extraordinary circumstances, the Court will deny the plaintiff's motion for summary judgment, grant the defendants' and the intervenor-defendants' motions for summary judgment, and deny the plaintiff's motion to strike. Accordingly, it is hereby

ORDERED that the Plaintiff's Motion for Summary Judgment, ECF No. 56, is **DENIED**. It is further

ORDERED that the Defendants' Opposition and Cross-Motion for Summary Judgment, ECF No. 69, is **GRANTED**. It is further

ORDERED that the Intervenor's Motion for Summary Judgment, ECF No. 73, is **GRANTED**. It is further

ORDERED that the Plaintiff's Motion to Strike the Brief Amici Curiae of Institutions of Higher Education and Objections to Evidence Submitted in the Brief, ECF No. 93, is **DENIED**.

It is further

ORDERED that the status conference currently scheduled for December 1, 2020, is **VACATED**. It is further

ORDERED that this Order is not a final Order subject to appeal.¹

SO ORDERED this 30th day of November, 2020.

REGGIE B. WALTON
United States District Judge

¹ To ensure that there is no confusion about the import of this Order, the Court notes for the benefit of the litigants that this Order is not a "final decision" as that term is used in 28 U.S.C. § 1291 (2018). See St. Marks Place Hous. Co. v. U.S. Dep't of Hous. & Urban Dev., 610 F.3d 75, 79 (D.C. Cir. 2010) ("[A]ppeals may be taken (with certain exceptions not relevant here) only from 'final decisions.'"); id. at 80 (concluding that "district courts can choose when to decide their cases," and when an order states that it "shall not be deemed . . . final," the Court should be "take[n] . . . at its word"). Rather, this Order reflects the Court's disposition of the motions, which was reached only after carefully and thoughtfully considering the arguments of the parties as set forth in their submissions, conducting a thorough review of the record, and drafting a Memorandum Opinion that explains the Court's rationale in appropriate detail. With only non-substantive tasks (e.g., reviewing citations to ensure conformity with the Bluebook) remaining before the Memorandum Opinion can be released to the parties and the public, this matter no longer requires this Court's "judicial attention," and therefore the Court finds it appropriate to issue this Order expressing its disposition of the matter. See id. (questioning the "propriety" of resolving a motion which "still require[s] judicial attention").