

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

**U.S. Pastor Council**, et al.

Plaintiffs,

v.

**Equal Employment Opportunity  
Commission**, et al.,

Defendants.

Case No. 4:18-cv-00824-O

**PLAINTIFFS' EMERGENCY UNOPPOSED MOTION TO RESET  
TIME OF STATUS HEARING CURRENTLY SCHEDULED FOR  
APRIL 9, 2019, AT 9:00 A.M.**

The plaintiffs respectfully ask the Court to reset the time of the status hearing currently scheduled for April 9, 2019, because their counsel has a scheduling conflict with the 9:00 A.M. start time.

Plaintiffs' counsel Jonathan F. Mitchell has a pre-motion conference scheduled for April 9, 2019, at 9:30 A.M. central time in *FASORP v. New York University Law Review*, No. 1:18-cv-09184-ER (S.D.N.Y.). *See* Exhibit 1. This conference was scheduled by Judge Ramos on March 21, 2019. *See id.* Earlier today, Judge Ramos granted Mr. Mitchell's request to participate in the pre-motion conference by telephone, so it will not be necessary for Mr. Mitchell to travel to New York for this conference on April 9. *See* Exhibit 2.

Mr. Mitchell can therefore travel to Fort Worth to attend the status conference on April 9, 2019, but he needs to participate by phone in the *FASORP* pre-motion hearing at 9:30 A.M. central time. The plaintiffs therefore ask the Court to reset the hearing time for the early afternoon. We have conferred with counsel for the defendants and they are unopposed to this motion.

## CONCLUSION

The emergency motion to reset the time of the status hearing scheduled for April 9, 2019, should be granted.

Respectfully submitted.

CHARLES W. FILLMORE  
H. DUSTIN FILLMORE  
The Fillmore Law Firm, L.L.P.  
1200 Summit Avenue, Suite 860  
Fort Worth, Texas 76102  
(817) 332-2351 (phone)  
(817) 870-1859 (fax)  
chad@fillmorefirm.com  
dusty@fillmorefirm.com

Dated: April 5, 2019

/s/ Jonathan F. Mitchell  
JONATHAN F. MITCHELL  
Texas Bar No. 24075463  
Mitchell Law PLLC  
106 East Sixth Street, Suite 900  
Austin, Texas 78701  
(512) 686-3940 (phone)  
(512) 686-3941 (fax)  
jonathan@mitchell.law

*Counsel for Plaintiffs and  
the Proposed Classes*

### CERTIFICATE OF CONFERENCE

I certify that on April 5, 2019, I conferred with Eric J. Soskin, counsel for the defendants, and he informed me that the defendants are unopposed to this motion.

/s/ Jonathan F. Mitchell  
JONATHAN F. MITCHELL  
*Counsel for Plaintiffs and  
the Proposed Classes*

### CERTIFICATE OF SERVICE

I certify that on April 5, 2019, I served this document through CM/ECF upon:

ERIC J. SOSKIN  
Senior Trial Counsel  
Federal Programs Branch  
U.S. Department of Justice, Civil Division  
1100 L Street, NW, Room 12002  
Washington, DC 20530  
(202) 353-0533 (phone)  
(202) 616-8470 (fax)  
eric.soskin@usdoj.gov

*Counsel for Defendants*

/s/ Jonathan F. Mitchell  
JONATHAN F. MITCHELL  
*Counsel for Plaintiffs and  
the Proposed Classes*

**From:** NYSD\_ECF\_Pool@nysd.uscourts.gov  
**Subject:** Activity in Case 1:18-cv-09184-ER Faculty, Alumni, and Students Opposed to Racial Preferences v. New York University Law Review et al Order on Motion for Conference  
**Date:** March 21, 2019 at 2:13 PM  
**To:** CourtMail@nysd.uscourts.gov



**This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.**

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

**U.S. District Court  
Southern District of New York**

**Notice of Electronic Filing**

The following transaction was entered on 3/21/2019 at 5:13 PM EDT and filed on 3/21/2019

**Case Name:** Faculty, Alumni, and Students Opposed to Racial Preferences v. New York University Law Review et al  
**Case Number:** [1:18-cv-09184-ER](#)  
**Filer:**  
**Document Number:** 44(No document attached)

**Docket Text:**

**ORDER granting [40] Letter Motion for Conference. A pre-motion conference will be held on April 9, 2019, at 10:30 a.m. Plaintiff is directed to respond to the government's letter by April 2, 2019. (Pre-Motion Conference set for 4/9/2019 at 10:30 AM before Judge Edgardo Ramos.) (HEREBY ORDERED by Judge Edgardo Ramos)(Text Only Order) (jar)**

**1:18-cv-09184-ER Notice has been electronically mailed to:**

Jacob W Buchdahl [jbuchdahl@susmangodfrey.com](mailto:jbuchdahl@susmangodfrey.com), [ecf-05deff9001d2@ecf.pacerpro.com](mailto:ecf-05deff9001d2@ecf.pacerpro.com), [ecf-67c2cc05d65a@ecf.pacerpro.com](mailto:ecf-67c2cc05d65a@ecf.pacerpro.com), [ecf-f312c4d27621@ecf.pacerpro.com](mailto:ecf-f312c4d27621@ecf.pacerpro.com), [lnand@susmangodfrey.com](mailto:lnand@susmangodfrey.com)

Stephen D. Susman [ssusman@susmangodfrey.com](mailto:ssusman@susmangodfrey.com), [ecf-5237371b17db@ecf.pacerpro.com](mailto:ecf-5237371b17db@ecf.pacerpro.com), [ecf-67c2cc05d65a@ecf.pacerpro.com](mailto:ecf-67c2cc05d65a@ecf.pacerpro.com), [ecf-ded269da9912@ecf.pacerpro.com](mailto:ecf-ded269da9912@ecf.pacerpro.com), [jmccrary@susmangodfrey.com](mailto:jmccrary@susmangodfrey.com), [lnand@susmangodfrey.com](mailto:lnand@susmangodfrey.com)

Paul Robert Niehaus [paul.niehaus@kirschniehaus.com](mailto:paul.niehaus@kirschniehaus.com), [pniehaus@niehausllp.com](mailto:pniehaus@niehausllp.com), [prniehaus@aol.com](mailto:prniehaus@aol.com)

Arun Srinivas Subramanian [asubramanian@susmangodfrey.com](mailto:asubramanian@susmangodfrey.com), [caroline-dacosta-susman-godfrey-0848@ecf.pacerpro.com](mailto:caroline-dacosta-susman-godfrey-0848@ecf.pacerpro.com), [cdacosta@susmangodfrey.com](mailto:cdacosta@susmangodfrey.com), [ecf-60f11c0298ad@ecf.pacerpro.com](mailto:ecf-60f11c0298ad@ecf.pacerpro.com)

Robert Rivera [rrivera@susmangodfrey.com](mailto:rrivera@susmangodfrey.com), [ecf-ce5079acbb25@ecf.pacerpro.com](mailto:ecf-ce5079acbb25@ecf.pacerpro.com), [tmcginnis@susmangodfrey.com](mailto:tmcginnis@susmangodfrey.com)

Arastu Kabeer Chaudhury [arastu.chaudhury@usdoj.gov](mailto:arastu.chaudhury@usdoj.gov), [USANYS.ECF@USDOJ.GOV](mailto:USANYS.ECF@USDOJ.GOV)

Tamar Lusztig [tlusztig@susmangodfrey.com](mailto:tlusztig@susmangodfrey.com), [ecf-623ba3504b7c@ecf.pacerpro.com](mailto:ecf-623ba3504b7c@ecf.pacerpro.com)

William Daniel O'Connell [boconnell@susmangodfrey.com](mailto:boconnell@susmangodfrey.com), [mpalloy@susmangodfrey.com](mailto:mpalloy@susmangodfrey.com)

Jonathan F. Mitchell [jonathan@mitchell.law](mailto:jonathan@mitchell.law)

Jillian S. Hewitt [jhewitt@susmangodfrey.com](mailto:jhewitt@susmangodfrey.com), [garias@susmangodfrey.com](mailto:garias@susmangodfrey.com)

**1:18-cv-09184-ER Notice has been delivered by other means to:**



MITCHELL LAW

MEMO ENDORSED

JONATHAN F. MITCHELL  
Mitchell Law PLLC  
106 East Sixth Street, Suite 900  
Austin, Texas 78701  
(512) 686-3940 TEL  
(512) 686-3941 FAX  
jonathan@mitchell.law

April 2, 2019

The Honorable Edgardo Ramos  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square, Courtroom 619  
New York, New York 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC # \_\_\_\_\_  
DATE FILED: 4/5/2019

Re: *EASORP v. New York University Law Review, et al.*, No. 1:18-cv-09184-ER

Dear Judge Ramos:

The Court has scheduled a pre-motion conference for April 9, 2019, at 10:30 A.M. Counsel for the plaintiff respectfully asks the Court to participate in this hearing by telephone.

Counsel does not reside or practice in the New York area and has numerous commitments and briefing deadlines during the week of April 9, 2019, that would make traveling to New York difficult. We have conferred with counsel for the defendants, and neither the university nor the United States objects to this request.

Thank you for considering this.

Respectfully submitted.

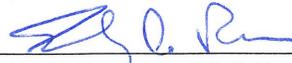


JONATHAN F. MITCHELL \*  
Mitchell Law PLLC  
\* admitted *pro hac vice*

cc: All counsel (via ECF)

Mr. Mitchell is directed to call the Court at (212) 805-0169.

The application is X granted  
\_\_\_\_\_ denied

  
\_\_\_\_\_  
Edgardo Ramos, U.S.D.J

Dated: 4/5/2019

New York, New York

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

**U.S. Pastor Council**, et al.

Plaintiffs,

v.

Case No. 4:18-cv-00824-O

**Equal Employment Opportunity  
Commission**, et al.,

Defendants.

**[PROPOSED] ORDER GRANTING MOTION TO RESET TIME  
OF STATUS HEARING**

The plaintiffs' motion to reset the time of the status hearing currently scheduled for April 9, 2019, at 9:00 A.M. is granted.

The Court sets this matter for a status conference hearing on Tuesday, April 9, 2019, at \_\_\_\_:\_\_\_\_ P.M. in the Second Floor Courtroom of the Eldon B. Mahon United States Courthouse, located at 501 W. 10th Street, Fort Worth, Texas.

Dated: \_\_\_\_\_, 2019

---

REED O'CONNOR  
UNITED STATES DISTRICT JUDGE