

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAITIAN BRIDGE ALLIANCE *et al.*,

Plaintiffs,

v.

MARKWAYNE MULLIN¹ *et al.*,

Defendants.

Civ. A. No. 21-3317 (JMC)

ANSWER TO PLAINTIFFS' COMPLAINT

Defendants, by and through its undersigned counsel, hereby answer² the Plaintiffs' Amended Complaint (ECF No. 75). Defendants expressly deny each and every allegation in the Amended Complaint not specifically admitted or otherwise qualified herein. Defendants reserve their right to amend, alter, and supplement the defenses contained in this Answer as the facts and circumstances giving rise to the Amended Complaint become known to the Defendants through the course of the litigation. To the extent the Amended Complaint refers to or quotes from external documents, statutes, or other sources, Defendants may refer to such materials for their accurate

¹ Pursuant to Fed. R. Civ. P. Rule 25(d), Secretary of Homeland Security Markwayne Mullin is automatically substituted for Former Secretary Kristi Noem, as of March 24, 2026.

² Defendants incorporate into its Answer the Court's Memorandum Opinion and Order (ECF No. 104) dated March 6, 2026, and corrected April 7, 2026, in which the Court dismissed Counts One (Equal Protection), Two (Substantive Due Process), Three (Due Process), and Eight (APA claim related to migrant treatment at encampment) without prejudice in their entirety (ECF No. 75 at 27); dismissed Count Four (Procedural Due Process) "only insofar as it relates to the Government's denial of the opportunity to apply for asylum" (Min. Order dated Apr. 6, 2026); and dismissed Counts Five and Seven (both APA claims related to Title 42) "without prejudice insofar as they relate to the Government's denial of the opportunity to apply for asylum" (ECF No. 75 at 27). Count Six (APA claim related to Title 42) survived in its entirety. *See generally*, ECF No. 75.

and complete contents in response; but such references are not intended to be, and should not be construed to be, an admission that the cited materials are (1) correctly cited or quoted by Plaintiffs; (2) relevant to this, or any other, action; or (3) admissible in this, or any other, action.

Defendants also note that the term “Del Rio encampment” is used throughout Plaintiffs’ Amended Complaint (ECF No. 75) and the Court’s Order (ECF No. 140). While Defendants do not use the term “Del Rio encampment,” it is only used here for ease of reference, as the Court stated that Plaintiffs lack standing to challenge their treatment in Del Rio in September 2021. ECF No. 140 at 15-16 (“The Plaintiffs cannot seek an order declaring unlawful their treatment at the Del Rio encampment or an injunction barring future similar treatment based on the mere fact that the Government’s actions at the Del Rio encampment were allegedly unlawful”).

INTRODUCTION³ (as alleged)

1. This Paragraph consists of Plaintiffs’ characterization of their action, to which no response is required. The Court ruled that no Plaintiff has standing to challenge the Government’s alleged treatment of the migrants at or the conditions at the Del Rio encampment. ECF No. 21 at 10, 15. To the extent a response is required, Defendants deny the allegations contained in Paragraph 1.

2. This paragraph consists of Plaintiffs’ characterization of Defendant U.S. Department of Homeland Security (“DHS”) officials’ response to Haitian migrants’ arrival at the United States Border in the late summer of 2021, to which no response is required. The Court ruled that no Plaintiff has standing to challenge the Government’s alleged treatment of the migrants

³ Merely for ease of reference, the Defendants’ Answer replicates the headings contained in the Amended Complaint. Although Defendants believe no response is required to such headings (Fed R. Civ. P. 10(b)), to the extent a response is deemed required and to the extent those headings and titles could be construed to contain factual allegations, those allegations are denied.

at or the conditions at the Del Rio encampment. ECF No. 21 at 10, 15. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 2.

3. This paragraph consists of Plaintiffs' characterization of Defendant U.S. Customs and Border Protection's ("CBP") detention of Haitian migrants encountered in and around the Del Rio International Bridge, which Plaintiffs refer to as the "CBP Encampment," to which no response is required. The Court ruled that no Plaintiff has standing to challenge the Government's alleged treatment of the migrants at or the conditions at the Del Rio encampment. ECF No. 21 at 10, 15. Further, this paragraph consists of Plaintiffs' characterization of the now-expired public health order issued pursuant to Section 265 of Title 42 of the U.S. Code, which is referred to in the Amended Complaint as "Title 42," to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 3.

4. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore deny them. The Court ruled that no Plaintiff has standing to challenge the Government's alleged treatment of the migrants at or the conditions at the Del Rio encampment. ECF No. 21 at 10, 15.

5. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore deny them. The Court ruled that no Plaintiff has standing to challenge the Government's alleged treatment of the migrants at or the conditions at the Del Rio encampment. ECF No. 21 at 10, 15. To the extent a response is required, Defendants deny the allegations contained in Paragraph 5.

6. As to the first sentence of Paragraph 6, the sentence consists of Plaintiffs' characterization of their action and legal argument, to which no response is required. As to the second sentence of Paragraph 6, this sentence consists of legal arguments to which no response is

required. To the extent that a response is required, Defendants deny that “[b] the end of September 2021 . . . 15,000 individuals” in Del Rio had been expelled. Additionally, the Court ruled that no Plaintiff has standing to challenge the Government’s alleged treatment of the migrants at or the conditions at the Del Rio encampment. ECF No. 21 at 10, 15. Defendants deny the remaining allegations contained in Paragraph 6.

7. This paragraph consists of Plaintiffs’ legal argument, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in Paragraph 7.

8. This Paragraph consists of Plaintiffs’ characterization of their action, to which no response is required. Defendants note that the Court ruled that no Plaintiff has standing to challenge the Government’s alleged treatment of the migrants at or the conditions at the Del Rio encampment. ECF No. 21 at 10, 15. The Court dismissed Counts One (Equal Protection), Two (Substantive Due Process), Three (Due Process), and Eight (APA claim related to migrant treatment at encampment) without prejudice in their entirety (ECF No. 75 at 27); dismissed Count Four (Procedural Due Process) “only insofar as it relates to the Government’s denial of the opportunity to apply for asylum” (Min. Order dated Apr. 6, 2026); and dismissed Counts Five and Seven (both APA claims related to Title 42) “without prejudice insofar as they relate to the Government’s denial of the opportunity to apply for asylum” (ECF No. 75 at 27). To the extent a response is required, Defendants deny the allegations contained in Paragraph 8.

JURISDICTION AND VENUE (as alleged)

9. This paragraph consists of Plaintiffs’ characterization of its case, to which no response is required. Defendants note that the Court dismissed all of Plaintiffs’ claims in the Amended Complaint, except Count Six (APA claim) in its entirety, and those aspects of Counts

Four (Procedural Due Process) and Five and Seven (both APA claims related to Title 42) that do not relate “to the Government's denial of the opportunity to apply for asylum.” ECF No. 75 at 27; and Min. Order dated Apr. 6, 2026.

10. This paragraph consists of Plaintiffs’ conclusions of law, to which no response is required. To the extent a response is required, Defendants only admit that this Court has jurisdiction over the claims remaining in this case: Count Six (APA claim) in its entirety, and those aspects of Counts Four (Procedural Due Process) and Five and Seven (both APA claims related to Title 42) that do not relate “to the Government's denial of the opportunity to apply for asylum.” ECF No. 75 at 27; and Min. Order dated Apr. 6, 2026.

11. This paragraph consists of Plaintiffs’ conclusions of law, to which no response is required. To the extent a response is required, Defendants only admit that venue is proper in this judicial district for properly stated APA and constitutional claims.

PARTIES (as alleged)

I. Plaintiffs (as alleged)

12. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 12. To the extent a response is required, Defendants deny the allegations in Paragraph 12 and state that the Court determined that the Plaintiffs lack standing to challenge the Government’s alleged treatment of migrants at the Del Rio encampment and the Government’s alleged denial of the opportunity to apply for asylum.

13. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 13. To the extent a response is required, Defendants deny the allegations in Paragraph 13 and state that the Court determined that the Plaintiffs lack standing to

challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

14. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 14. To the extent a response is required, Defendants deny the allegations in Paragraph 14 and state that the Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

15. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 15. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 15.

16. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 16. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 16.

17. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 17. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs'

allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 17.

18. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 18. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 18.

19. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 19. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 19.

20. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 20. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 20.

21. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 21. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the

Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 21.

22. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 22. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 22.

II. Defendants (*as alleged*)

23. Regarding Paragraph 23, the Court dismissed the President of the United States as a defendant in this action. ECF No. 104 at 27.

24. Regarding Paragraph 24, Defendants admit that DHS is a cabinet-level department of the U.S. government and thus, an "agency" within 5 U.S.C. § 551(1) of the APA. Paragraph 24 references the powers and duties of the DHS Secretary, Under Secretary, and Attorney General, established in 8 U.S.C. § 1103, to which no response is required. Further, Defendants deny the characterization of the "Del Rio Deterrence Decision," and instead refer to the subject events as the "Del Rio Mass Migration Event."

25. Regarding Paragraph 25, Secretary of Homeland Security Markwayne Mullin is automatically substituted for Former Secretary Kristi Noem. Defendants admit that Secretary Mullin. Paragraph 25 references the powers and duties of the DHS Secretary, Under Secretary, and Attorney General, established in 8 U.S.C. § 1103, to which no response is required. Further,

Defendants deny the characterization of the “Del Rio Deterrence Decision,” and instead refer to the subject events as the “Del Rio Mass Migration Event.”

26. Defendants admit that Defendant U.S. Customs and Border Protection is a sub-agency of DHS and an “agency” within the meaning of the APA. Defendants further admit that CBP is responsible for the apprehension and processing of noncitizens present at or between U.S. ports of entry. Defendants further admit that CBP conducted expulsions of covered noncitizens during the implementation of the CDC’s *Order Suspending the Right to Introduce Certain Persons from Countries Where a Quarantinable Communicable Disease Exists*, 86 Fed. Reg. 42828 (Aug. 5, 2021) (“Title 42 Order”) in Del Rio during September 2021. Defendants deny the remainder of Paragraph 26.

27. Defendants admit that Troy A. Miller was the Acting Commissioner for CBP at the time Plaintiffs filed their complaint. However, Rodney S. Scott is the current CBP Commissioner. Defendants deny the characterization of the CBP Commissioner’s responsibilities as stated. Defendants deny the remainder of Paragraph 27.

28. Defendants admit that Diane J. Sabatino was the Acting Executive Assistant Commissioner of the CBP Office of Field Operations at the time Plaintiffs filed their complaint. However, she is now the Executive Assistant Commissioner of the CBP Office of Field Operations. Defendants deny the characterization of the Executive Assistant Commissioner’s responsibilities as stated. Defendants deny the remainder of Paragraph 28.

29. Defendants admit that Jason Owens was the U.S. Border Patrol Chief for CBP at the time Plaintiffs filed their complaint. However, the current Chief of the U.S. Border Patrol is Michael W. Banks. Defendants deny the characterization of the Chief of the U.S. Border Patrol’s responsibilities as stated. Defendants deny the remainder of Paragraph 29.

30. Defendants admit that Defendant U.S. Immigration and Customs Enforcement is a sub-agency of DHS and an “agency” within the meaning of the APA. Defendants admit that ICE is responsible for enforcement and removal operations, homeland security investigations, management and administration. Defendants deny the characterization of ICE’s responsibilities. Defendants deny the remainder of Paragraph 30.

31. Defendants admit that Patrick Lechleitner was the Acting Director of ICE at the time Plaintiffs filed their complaint. However, the current Acting Director of ICE is Caleb Vitello. Defendants deny the characterization of the Acting ICE Director’s responsibilities as stated. Defendants deny the remainder of Paragraph 31.

32. Admitted.

33. Admitted. Defendants state that Xavier Becerra was the HHS Secretary at the time Plaintiffs filed their complaint. However, the current HHS Secretary HHS is Robert F. Kennedy, Jr.

34. Admitted.

35. Admitted. Defendants state that Acting CDC Director was Mandy Cohen, M.D., M.P.H at the time Plaintiffs filed their complaint. However, the current CDC Director is Dr. Jay Bhattacharya.

FACTUAL ALLEGATIONS (as alleged)

I. The United States’ history of anti-Haitian immigration policies (as alleged)

36. Paragraph 36 summarizes, characterizes, and otherwise contains statements allegedly made in a third party’s online article, referenced in footnotes 6 and 7 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest,

Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f).

37. The allegations in Paragraph 37 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 37.

A. The United States has long supported the economic and political subjugation of Haitians (*as alleged*)

38. The allegations in Paragraph 38 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 38.

39. Paragraph 39 summarizes, characterizes, and otherwise contains statements allegedly made in a third party's online article, referenced in footnote 8 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f).

40. Paragraph 40 summarizes, characterizes, and otherwise contains statements allegedly made in a third party's online article, referenced in footnote 9 of the Amended

Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f).

41. The allegations in Paragraph 41 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 41.

42. The allegations in Paragraph 42 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 42.

43. Paragraph 43 summarizes, characterizes, and otherwise contains statements allegedly made in a third party's letter, referenced in Paragraph 43 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f).

B. The United States used its immigration policy to discriminate against Haitians and deter them from seeking protection in the United States (*as alleged*)

44. Paragraph 44 summarizes, characterizes, and otherwise contains statements allegedly made in a third party's online article, referenced in footnote 10 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f).

45. Paragraph 45 summarizes, characterizes, and otherwise contains statements allegedly made in a third party's online article, referenced in footnote 11 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f).

46. Paragraph 46 summarizes, characterizes, and otherwise contains statements allegedly made in published case law, referenced in Paragraph 46 of the Amended Complaint,

which speaks for itself and is the best evidence of its contents. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 42.

47. Paragraph 47 summarizes, characterizes, and otherwise contains statements allegedly made in a third party's online article, referenced in footnote 12 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f).

48. The allegations in Paragraph 48 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 48.

49. The allegations in Paragraph 49 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 49.

50. Paragraph 50 summarizes, characterizes, and otherwise contains statements allegedly made in published case law, referenced in Paragraph 50 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 50.

51. The allegations in Paragraph 51 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 51.

C. Through the Title 42 Process, the United States implemented another racist and exclusionary immigration policy consonant with its long-running strategy of deterring Haitian migration (*as alleged*)

52. The allegations in Paragraph 52 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 52.

53. The allegations in Paragraph 53 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 53.

54. The allegations in Paragraph 54 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants admit that on or about March 20, 2020 HHS and CDC took steps to implement the emergency public health authority under 42 U.S.C. § 265 in response to the COVID-19 pandemic; Defendants deny the remaining allegations contained in Paragraph 54.

55. The allegations in Paragraph 55 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants admit that HHS first issued an interim final rule effective March 20, 2020 implementing 42 U.S.C. § 265; Defendants deny the remaining allegations contained in Paragraph 55.

56. Paragraph 56 summarizes, characterizes, and paraphrases content from some of CDC's Title 42 orders, referenced in footnotes 13 and 14 of the Amended Complaint, which speak for themselves and are the best evidence of their contents.

57. Paragraph 57 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's operational guidance, referenced in footnote 15 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. Defendants admit that the guidance was originally issued in March 2020. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f).

58. The allegations in Paragraph 58 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 58.

59. The allegations in Paragraph 59 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 59.

II. Defendants adopted and implemented the Del Rio Deterrence Decision⁴ and violated the rights of thousands of Haitian asylum seekers in Del Rio (*as alleged*)

⁴ Defendants deny the characterization of the "Del Rio Deterrence Decision," and instead refer to the subject events as the "Del Rio Mass Migration Event."

60. The allegations in Paragraph 60 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 60 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

61. The allegations in Paragraph 61 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 61.

62. The allegations in Paragraph 62 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 62 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

63. The allegations in Paragraph 63 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 63 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

64. The allegations in Paragraph 64 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent

a response is deemed required, Defendants deny the allegations contained in Paragraph 64 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

65. The allegations in Paragraph 65 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 65 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

66. The allegations in Paragraph 66 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 66 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

67. The allegations in Paragraph 67 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 67 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

68. The allegations in Paragraph 68 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 68 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

69. The allegations in Paragraph 69 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 69 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

A. DHS Defendants took no steps to prepare for the anticipated arrival of thousands of Haitian asylum seekers in Del Rio pursuant to the Del Rio Deterrence Decision⁵ (*as alleged*)

70. The allegations in Paragraph 70 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

71. Paragraph 71 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's online content, referenced in footnote 16 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the

⁵ Defendants deny the characterization of the "Del Rio Deterrence Decision," and instead refer to the subject events as the "Del Rio Mass Migration Event."

allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f).

72. The allegations in Paragraph 72 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

73. The allegations in Paragraph 73 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

74. The allegations in Paragraph 74 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

75. The allegations in Paragraph 75 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

76. The allegations in Paragraph 76 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

77. The allegations in Paragraph 77 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Paragraph 71 includes a conclusion of law, referenced in footnote 17 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 77.

78. The allegations in Paragraph 78 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 78.

**B. Thousands of Haitian asylum seekers arrived in Del Rio in September 2021
(as alleged)**

79. The allegations in Paragraph 79 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. Defendants deny knowledge of "[d]aily encounters with arriving asylum seekers [that] great to hundreds and eventually thousands." The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 79.

80. The allegations in Paragraph 80 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 80.

81. The allegations in Paragraph 81 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the

Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 81.

82. The allegations in Paragraph 82 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 82.

83. The allegations in Paragraph 83 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 83.

84. The allegations in Paragraph 84 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to

challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 84.

C. CBP personnel abused Haitian asylum seekers in Del Rio (*as alleged*)

85. The allegations in Paragraph 85 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 85.

86. The allegations in Paragraph 86 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 86.

87. The allegations in Paragraph 87 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required.

88. The allegations in Paragraph 88 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 88.

89. The allegations in Paragraph 89 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

90. The allegations in Paragraph 90 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

91. Paragraph 91 summarizes, characterizes, and otherwise contains statements allegedly made in a third party's online article, referenced in footnote 18 of the Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in

support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f). Further, Defendants deny the allegations contained in Paragraph 91 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

1. CBP personnel deprived thousands of asylum seekers in their custody of basic human needs (*as alleged*)

92. The allegations in Paragraph 92 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 92.

(a) CBP personnel provide inadequate food and water (*as alleged*)

93. The allegations in Paragraph 93 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 93.

94. The allegations in Paragraph 94 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 94.

95. The allegations in Paragraph 95 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 21.

96. The allegations in Paragraph 96 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 96.

97. The allegations in Paragraph 97 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court

determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 97.

98. The allegations in Paragraph 98 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 98.

99. The allegations in Paragraph 99 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 99.

100. The allegations in Paragraph 100 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to

apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 100.

101. The allegations in Paragraph 101 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 101.

102. The allegations in Paragraph 102 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 102.

103. The allegations in Paragraph 103 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims,

to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 103.

104. The allegations in Paragraph 104 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 104.

105. The allegations in Paragraph 105 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 105.

106. The allegations in Paragraph 106 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 106.

107. The allegations in Paragraph 107 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 107.

(b) CBP personnel denied asylum seekers adequate shelter (*as alleged*)

108. The allegations in Paragraph 108 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 108.

109. The allegations in Paragraph 109 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 109.

110. The allegations in Paragraph 110 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 110.

111. The allegations in Paragraph 111 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 111.

112. The allegations in Paragraph 112 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 112.

2. CBP personnel refused to provide effective medical care (*as alleged*)

113. The allegations in Paragraph 113 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 113.

114. The allegations in Paragraph 114 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 114.

115. The allegations in Paragraph 115 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 115.

116. The allegations in Paragraph 116 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court

determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 116.

117. The allegations in Paragraph 117 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 117.

118. The allegations in Paragraph 118 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 118.

119. The allegations in Paragraph 119 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to

apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 119.

120. The allegations in Paragraph 120 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 120.

121. The allegations in Paragraph 121 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 121.

122. The allegations in Paragraph 122 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims,

to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 122.

3. CBP personnel physically and verbally abused asylum seekers in Del Rio (*as alleged*)

123. The allegations in Paragraph 123 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 123.

124. The allegations in Paragraph 124 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 124.

125. The allegations in Paragraph 125 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims,

to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 125.

126. The allegations in Paragraph 126 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 126.

127. The allegations in Paragraph 127 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 127.

128. The allegations in Paragraph 128 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 128.

129. The allegations in Paragraph 129 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 129.

130. The allegations in Paragraph 130 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 130.

131. The allegations in Paragraph 131 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 131.

D. DHS Defendants summarily expelled thousands of Haitian asylum seekers from Del Rio in unprecedented fashion (*as alleged*)

132. The allegations in Paragraph 132 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 132 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

133. The allegations in Paragraph 133 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 133 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

134. The allegations in Paragraph 134 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 134 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

135. The allegations in Paragraph 135 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims,

to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 135.

136. The allegations in Paragraph 136 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 136.

137. The allegations in Paragraph 137 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 137.

138. The allegations in Paragraph 138 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 138.

139. The allegations in Paragraph 139 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 139 and state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

1. DHS Defendants expelled thousands of asylum seekers from Del Rio to Haiti (*as alleged*)

140. The allegations in Paragraph 140 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 140.

141. The allegations in Paragraph 141 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 141.

142. The allegations in Paragraph 142 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court

determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 142.

143. The allegations in Paragraph 143 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 143.

144. The allegations in Paragraph 144 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 144.

145. The allegations in Paragraph 145 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to

apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 145.

146. The allegations in Paragraph 146 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 146.

147. The allegations in Paragraph 147 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 147.

148. The allegations in Paragraph 148 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims,

to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 148.

149. The allegations in Paragraph 149 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 149.

150. The allegations in Paragraph 150 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 150.

151. The allegations in Paragraph 151 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 151.

152. The allegations in Paragraph 152 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 152.

153. The allegations in Paragraph 153 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 153.

154. The allegations in Paragraph 154 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 154.

155. The allegations in Paragraph 155 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court

determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 155.

156. The allegations in Paragraph 156 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 156.

157. The allegations in Paragraph 157 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 157.

158. The allegations in Paragraph 158 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to

apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 158.

159. The allegations in Paragraph 159 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 159.

2. DHS Defendants expelled thousands of asylum seekers from Del Rio to Mexico (*as alleged*)

160. The allegations in Paragraph 160 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 160.

161. The allegations in Paragraph 161 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims,

to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 161.

162. The allegations in Paragraph 162 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 162.

163. The allegations in Paragraph 163 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 163.

164. The allegations in Paragraph 164 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 164.

E. Asylum seekers expelled from Del Rio were returned to danger in Haiti and Mexico (*as alleged*)

165. The allegations in Paragraph 165 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 165.

166. The allegations in Paragraph 166 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 166.

167. The allegations in Paragraph 167 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 167.

168. The allegations in Paragraph 168 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 168.

169. The allegations in Paragraph 169 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 169.

170. The allegations in Paragraph 170 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 170.

171. The allegations in Paragraph 171 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court

determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 171.

172. The allegations in Paragraph 172 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 172.

173. The allegations in Paragraph 173 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 173.

III. President Biden and DHS Defendants' Del Rio Deterrence Decision⁶ diverged from standard practices and was driven by discriminatory purpose (*as alleged*)

⁶ Defendants deny the characterization of the "Del Rio Deterrence Decision," and instead refer to the subject events as the "Del Rio Mass Migration Event."

174. The allegations in Paragraph 174 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 174.

A. The treatment of Haitian migrants in Del Rio diverged from standard practices Defendants applied to other asylum seekers (*as alleged*)

175. The allegations in Paragraph 175 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 175.

176. The allegations in Paragraph 176 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 176.

177. The allegations in Paragraph 177 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 177.

178. The allegations in Paragraph 178 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 178.

179. The allegations in Paragraph 179 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 179.

180. The allegations in Paragraph 180 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court

determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 180.

181. The allegations in Paragraph 181 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 181.

182. The allegations in Paragraph 182 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 182.

183. The allegations in Paragraph 183 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to

apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 183.

184. The allegations in Paragraph 184 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 184.

185. The allegations in Paragraph 185 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 185.

186. The allegations in Paragraph 186 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims,

to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 186.

B. Discriminatory intent drove the treatment of Haitian asylum seekers in Del Rio (*as alleged*)

187. Denied.

188. Denied.

189. Denied.

190. The allegations in Paragraph 190 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 190

191. The allegations in Paragraph 191 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 191.

IV. Defendants' Title 42 Process applied in Del Rio was unlawful (*as alleged*)

192. The allegations in Paragraph 192 constitute Plaintiffs' characterizations, interpretations, speculations, generalizations, and conclusions of law, to which no response is

required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 192.

A. The federal government's public health powers provide no support for the mass, summary expulsion of asylum seekers (*as alleged*)

193. The allegations in Paragraph 193 constitute Plaintiffs' characterizations, interpretations, speculations, generalizations, and conclusions of law, to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 193.

194. The allegations in this paragraph constitute legal argument and conclusions to which no response is required. To the extent a response is required, Defendants deny the allegations in this paragraph.

195. Defendants lack sufficient information to admit or deny the allegations in the first sentence of this paragraph. The second sentence of this paragraph constitutes a legal argument and conclusions to which no response is required; to the extent a response is required, Defendants deny the remaining allegations in this paragraph.

196. The allegations in this paragraph constitute legal argument and conclusions to which no response is required. To the extent a response is required, Defendants deny the allegations in this paragraph.

197. The allegations in this paragraph constitute legal argument and conclusions to which no response is required. To the extent a response is required, Defendants deny the allegations in this paragraph.

B. Defendants' Title 42 Process deprived asylum seekers of protections guaranteed under U.S. law (*as alleged*)

198. The allegations in this paragraph constitute legal argument and conclusions to which no response is required. To the extent a response is required, Defendants deny the allegations in this paragraph.

199. The allegations in Paragraph 199 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 199.

200. The allegations in Paragraph 200 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 200.

201. Paragraph 201 contains a recitation of law, to which no response is required.

202. Paragraph 202 contains a recitation of law, to which no response is required.

203. Paragraph 203 contains a summary of law, to which no response is required.

204. The allegations in Paragraph 204 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 204.

205. The allegations in Paragraph 205 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 205.

206. The allegations in Paragraph 206 constitute Plaintiffs' legal argument to which no response is required. Defendants state that the State Department is not a party to this case, and Defendants lack sufficient information to admit or deny the allegations in Paragraph 206 and therefore deny the allegations in Paragraph 206.

207. The allegations in Paragraph 207 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 207.

C. Defendants' Title 42 Process did not advance public health (*as alleged*)

208. Denied.

209. Defendants lack sufficient information to admit or deny the allegations in Paragraph 209 and therefore deny Paragraph 209.

210. Defendants admit that the congregate nature of CBP facilities and border patrol stations was one of the public health considerations in the exercise of Title 42. HHS/CDC lacks sufficient information to admit or deny the remaining allegations in this paragraph; to the extent a response is required; Defendants deny the remaining allegations in this paragraph.

211. The allegations in Paragraph 211 constitute Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in this paragraph.

212. Paragraph 212 purports to quote, paraphrase, and summarize uncited statements by Anne Schuchat and Dr. Anthony Fauci, which speak for themselves and are the best evidence of their contents.

D. Defendants continued to enforce the Title 42 Process following Del Rio (*as alleged*)

213. Defendants admit that CDC's Title 42 Order was in effect until May 11, 2023. Defendants admit that DHS assisted the CDC in the implementation of its Order until May 11, 2023. [The remainder of Paragraph 213 constitutes Plaintiffs' characterizations, interpretations, speculations, and generalizations to which no response is required. To the extent a response is required, Defendants deny the remainder of claims.

214. As to the first sentence of Paragraph 214, Defendants admit that CDC conducted a periodic reassessment in December 2021 and that Title 42 remained in place, but lack sufficient knowledge or information to admit or deny whether any announcement was made during this timeframe. As to the second sentence in Paragraph 214, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

215. Paragraph 215 summarizes, characterizes, and otherwise contains statements allegedly made in some of CDC's Title 42 orders, referenced in footnotes 20 and 21 of the Complaint, which speak for themselves and are the best evidence of their contents. To the extent a response is required, Defendants admit the allegations in this paragraph.

216. Admitted.

217. Admitted.

218. Admitted.

V. Defendants’ actions pursuant to the Del Rio Deterrence Decision⁷, including their summary expulsion of asylum seekers from the CBP Encampment under the Title 42 Process, continue to harm Individual and Organizational Plaintiffs (*as alleged*)

219. The allegations in Paragraph 219 constitute Plaintiffs’ legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. Further, Defendants state that the Court determined that Plaintiffs lack standing to challenge the Government’s alleged treatment of migrants at the Del Rio encampment and the Government’s alleged denial of the opportunity to apply for asylum.

220. The allegations in Paragraph 220 constitute Plaintiffs’ legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. Further, Defendants state that the Court determined that Plaintiffs lack standing to challenge the Government’s alleged treatment of migrants at the Del Rio encampment and the Government’s alleged denial of the opportunity to apply for asylum.

221. The allegations in Paragraph 221 constitute Plaintiffs’ legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. Further, Defendants state that the Court determined that Plaintiffs lack

⁷ Defendants deny the characterization of the “Del Rio Deterrence Decision,” and instead refer to the subject events as the “Del Rio Mass Migration Event.”

standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

222. The allegations in Paragraph 222 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. Further, Defendants state that the Court determined that Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

A. Defendants' Title 42 Process did not advance public health (*as alleged*)

223. The allegations in Paragraph 223 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 223.

224. The allegations in Paragraph 224 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 224.

225. The allegations in Paragraph 225 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 225.

226. The allegations in Paragraph 226 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 226.

B. Due to Defendants' unlawful expulsions, many Haitian asylum seekers are ineligible for Temporary Protected Status (*as alleged*)

227. The allegations in Paragraph 227 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 227.

228. Paragraph 228 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's online content, referenced in footnotes 22 and 23 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f).

229. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 229.

230. Defendants state that the allegations contained in Paragraph 230 are speculation and as such, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 230.

C. Defendants' unlawful expulsions have subjected many Haitian asylum seekers to new regulations that curtail their future ability to seek asylum (*as alleged*)

231. Defendants state that the allegations contained in Paragraph 230 are speculation and as such, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 231.

232. Paragraph 232 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's online content, referenced in footnotes 24 and 25 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f). The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 232.

233. Paragraph 233 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's online content, referenced in footnotes 26 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f). The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 233.

234. Paragraph 234 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's online content, referenced in footnotes 27 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f). The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment

and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 234.

235. The allegations in Paragraph 235 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 235.

236. The allegations in Paragraph 236 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 236.

237. The allegations in Paragraph 237 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the

Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 237.

238. Paragraph 238 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's online content, referenced in footnotes 28 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f). The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 238.

239. The allegations in Paragraph 239 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are

irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 239.

240. Paragraph 240 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's online content, referenced in footnotes 29 and 30 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f). The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 240.

241. Paragraph 241 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's online content, referenced in footnote 31 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial

and impertinent matters pursuant to Rule 12(f). The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 241.

242. Paragraph 242 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's online content, referenced in footnotes 32 and 33 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f). The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 242.

243. The allegations in Paragraph 243 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's

alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 243.

244. Paragraph 244 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's online content, referenced in footnote 34 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f). To the extent that Paragraph 244 includes legal conclusions, no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 244.

D. Defendants have continued to evade accountability for the atrocities at Del Rio (*as alleged*)

245. Paragraph 245 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's online content, referenced in footnote 35 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence

or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f). To the extent that Paragraph 244 includes legal conclusions, no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 245.

246. The allegations in Paragraph 246 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 246.

247. Paragraph 247 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's online content, referenced in footnote 36 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims

of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f). The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 247.

248. The allegations in Paragraph 248 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 248.

249. Paragraph 249 summarizes, characterizes, and otherwise contains statements allegedly made in a federal agency's online content, referenced in footnote 37 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. To the extent the allegations seek to provide background facts in support of allegations of public interest, Defendants presently lack knowledge or information sufficient to form a belief as to the existence or extent of any public interest, including as compared to any countervailing interests. To the extent the allegations in this paragraph are alleged for other purposes, they do not set forth claims of relief or aver facts in support of a claim, and thus, the Court should strike them as immaterial and impertinent matters pursuant to Rule 12(f). The Court determined that the Plaintiffs lack

standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 249.

250. The allegations in Paragraph 250 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 250.

251. The allegations in Paragraph 251 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 251.

E. Defendants' actions and policies have harmed and continue to harm Individual Plaintiffs (*as alleged*)

252. The allegations in Paragraph 252 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or

information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 252.

253. The allegations in Paragraph 253 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph.

254. The allegations in Paragraph 254 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 254.

1. Plaintiffs Mirard Joseph and Madeleine Prospere (*as alleged*)

255. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 255.

256. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 256.

257. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 257.

258. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and

as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 258.

259. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 259.

260. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 260.

261. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 261.

262. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del

Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 262.

263. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 263.

264. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 264.

265. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 265.

2. Plaintiffs Mayco ("Michael") Celon and Veronique Cassonell (*as alleged*)

266. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 266.

267. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 267.

268. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 268.

269. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and

as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 269.

270. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 270.

271. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 271.

272. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 272.

3. Plaintiff Jacques Doe (*as alleged*)

273. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that

the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 273.

274. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 274.

275. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 275.

276. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 276.

277. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 277.

278. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 278.

279. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 279.

280. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and

as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 280.

281. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 281.

282. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 281.

4. Plaintiffs Esther and Emmanuel Doe (*as alleged*)

283. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 283.

284. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the

Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 284.

285. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 285.

286. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 286.

287. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 287.

288. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 288.

289. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 289.

290. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 290.

291. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and

as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 291.

5. Plaintiffs Samuel and Samentha Doe (*as alleged*)

292. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 292.

293. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 293.

294. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 294.

295. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the

Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 295.

296. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 296.

297. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 297.

298. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 298.

299. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 299.

300. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 300.

301. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 301.

6. Plaintiff Paul Doe (*as alleged*)

302. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and

as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 302.

303. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 303.

304. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 304.

305. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 305.

306. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del

Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 306.

307. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 307.

308. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 308.

309. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 309.

7. Plaintiffs Eric and Florence Doe (*as alleged*)

310. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 310.

311. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 311.

312. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 312.

313. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and

as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 313.

314. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 314.

315. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 315.

316. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 316.

317. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del

Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 317.

318. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 318.

8. Plaintiffs Pierre and Ginette Doe (*as alleged*)

319. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 319.

320. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 320.

321. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 321.

322. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 322.

323. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 323.

324. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and

as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 324.

325. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 325.

9. Plaintiff James Doe (*as alleged*)

326. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 326.

327. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 327.

328. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the

Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 328.

329. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 329.

330. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 330.

331. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 331.

332. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 332.

333. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 333.

334. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 334m.

335. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and

as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 335.

10. Plaintiff Delgado Doe (*as alleged*)

336. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 336.

337. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 337.

338. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 338.

339. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the

Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 339.

340. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 340.

341. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 341.

342. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 342.

F. Defendants' actions and policies have harmed and continue to harm Organizational Plaintiff Haitian Bridge (*as alleged*)

343. The allegations in Paragraph 343 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants deny the allegations contained in Paragraph 343.

344. The allegations in Paragraph 344 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 344.

345. The allegations in Paragraph 345 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 345.

346. The allegations in Paragraph 346 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or

information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 346.

347. The allegations in Paragraph 347 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 347.

348. The allegations in Paragraph 348 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and

as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 348.

349. The allegations in Paragraph 349 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 349.

350. The allegations in Paragraph 350 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 350.

351. The allegations in Paragraph 351 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and

as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 351.

352. The allegations in Paragraph 352 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 352.

353. The allegations in Paragraph 353 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 353.

354. The allegations in Paragraph 354 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 354.

355. The allegations in Paragraph 355 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 355.

CLASS ALLEGATIONS (as alleged)

356. The allegations in Paragraph 356 constitute Plaintiffs' legal argument to which no response is required. Paragraph 356 includes a recitation of law, referenced in footnote 39 of the Amended Complaint, which speaks for itself and is the best evidence of its contents. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 356.

357. The allegations in Paragraph 357 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

358. The allegations in Paragraph 358 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or

information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

359. The allegations in Paragraph 359 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 359.

360. The allegations in Paragraph 360 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 360.

361. The allegations in Paragraph 361 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 361.

362. The allegations in Paragraph 362 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 362.

363. The allegations in Paragraph 363 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 363.

364. The allegations in Paragraph 364 concern Plaintiffs' legal representation to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

365. The allegations in Paragraph 365 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

366. The allegations in Paragraph 366 constitute Plaintiffs' legal argument to which no response is required. To the extent a response is deemed required, Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them.

367. The allegations in Paragraph 367 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 367. In addition, Defendants state that Plaintiffs are not entitled to the relief they seek in this action.

CLASS ALLEGATIONS (as alleged)

FIRST CLAIM FOR RELIEF (as alleged)

Violation of the Due Process Clause of the Fifth Amendment (Equal Protection)
All Plaintiffs Against President Biden and DHS Defendants

- 368. The Court dismissed Count One in its entirety.
- 369. The Court dismissed Count One in its entirety.
- 370. The Court dismissed Count One in its entirety.
- 371. The Court dismissed Count One in its entirety.
- 372. The Court dismissed Count One in its entirety.
- 373. The Court dismissed Count One in its entirety.
- 374. The Court dismissed Count One in its entirety.
- 375. The Court dismissed Count One in its entirety.

- 376. The Court dismissed Count One in its entirety.
- 377. The Court dismissed Count One in its entirety.
- 378. The Court dismissed Count One in its entirety.
- 379. The Court dismissed Count One in its entirety.
- 380. The Court dismissed Count One in its entirety.

SECOND CLAIM FOR RELIEF (as alleged)

**Violation of the Due Process Clause of the Fifth Amendment (Substantive Due Process)
*All Plaintiffs Against President Biden and DHS Defendants***

- 381. The Court dismissed Count Two in its entirety.
- 382. The Court dismissed Count Two in its entirety.
- 383. The Court dismissed Count Two in its entirety.
- 384. The Court dismissed Count Two in its entirety.
- 385. The Court dismissed Count Two in its entirety.
- 386. The Court dismissed Count Two in its entirety.
- 387. The Court dismissed Count Two in its entirety.
- 388. The Court dismissed Count Two in its entirety.
- 389. The Court dismissed Count Two in its entirety.

THIRD CLAIM FOR RELIEF (as alleged)

**Violation of the Due Process Clause of the Fifth Amendment (Special Relationship)
*All Plaintiffs Against DHS Defendants***

- 390. The Court dismissed Count Three in its entirety.
- 391. The Court dismissed Count Three in its entirety.
- 392. The Court dismissed Count Three in its entirety.
- 393. The Court dismissed Count Three in its entirety.

394. The Court dismissed Count Two in its entirety.

395. The Court dismissed Count Three in its entirety.

396. The Court dismissed Count Three in its entirety.

397. The Court dismissed Count Three in its entirety.

398. The Court dismissed Count Three in its entirety.

FOURTH CLAIM FOR RELIEF (as alleged)

**Violation of the Due Process Clause of the Fifth Amendment (Procedural Due Process)
*All Plaintiffs Against DHS Defendants***

399. Defendants incorporate by reference its responses to all preceding paragraphs.

400. Paragraph 400 includes a recitation of law which speaks for itself and no response is required.

401. Paragraph 401 includes a recitation of law which speaks for itself and no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 401.

402. The allegations in Paragraph 402 constitute Plaintiffs' legal argument to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 402.

403. The allegations in Paragraph 403 constitute Plaintiffs' legal argument to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 403.

404. The allegations in Paragraph 404 constitute Plaintiffs' legal argument to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 404.

405. The allegations in Paragraph 405 constitute Plaintiffs' legal argument to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 405.

406. Denied.

FIFTH CLAIM FOR RELIEF (as alleged)

**Violation of the Administrative Procedure Act, 5 U.S.C. § 706(2)
Not in Accordance with Law and in Excess of Statutory Authority 42 U.S.C. § 265, 8 U.S.C.
§§ 1158, 1231 (Title 42 Process)**

All Plaintiffs Against All Defendants Other Than the President

407. Defendants incorporate by reference its responses to all preceding paragraphs.

408. Paragraph 408 includes a recitation of law which speaks for itself and no response is required.

409. Paragraph 409 includes constitute Plaintiffs' legal argument to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 409.

410. Paragraph 410 includes constitute Plaintiffs' legal argument to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 410.

411. Paragraph 411 constitutes legal argument and conclusions to which no response is required.

412. Paragraph 412 constitutes legal argument and conclusions to which no response is required. To the extent a response is required, Defendants deny the allegations in this paragraph.

413. Paragraph 413 constitutes legal argument and conclusions to which no response is required. To the extent a response is required, Defendants deny the allegations in this paragraph.

414. Paragraph 414 includes a legal argument to which no response is required. To the extent a response is required, Defendants state that DHS expelled covered noncitizens under the

CDC Order, which applied to covered noncitizens in Del Rio in September 2021. The remaining allegations in Paragraph 414 are denied.

415. Paragraph 415 includes a recitation of law which speaks for itself and no response is required.

416. Paragraph 416 includes a legal argument to which no response is required. To the extent a response is required, Defendants state that DHS expelled covered noncitizens under the CDC Order, which applied to individuals in Del Rio in September 2021. The remaining allegations in Paragraph 416 are denied.

417. Paragraph 417 includes a recitation of law which speaks for itself and no response is required.

418. Paragraph 418 includes a recitation of law which speaks for itself and no response is required.

419. Denied.

420. Paragraph 420 includes a recitation of law which speaks for itself and no response is required.

421. Denied.

422. Paragraph 422 includes legal argument, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 422.

423. Paragraph 423 includes a recitation of law which speaks for itself and no response is required.

424. Denied.

425. Paragraph 425 includes a legal argument to which no response is required. To the extent a response is required, Defendants state that DHS expelled covered noncitizens under the

CDC Order, which applied to individuals in Del Rio in September 2021. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 425.

426. Paragraph 427 includes a legal argument to which no response is required. To the extent a response is required, Defendants deny the allegations.

427. Denied. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 428.

428. The allegations in Paragraph 429 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 429.

429. Denied. Plaintiffs are not entitled to the relief they seek in this action. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to

apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 430.

SIXTH CLAIM FOR RELIEF (as alleged)

**Violation of the Administrative Procedure Act, 5 U.S.C. § 706(2) Arbitrary and Capricious
Agency Action (Title 42 Process)**

All Plaintiffs Against All Defendants Other than the President

430. Defendants incorporate by reference its responses to all preceding paragraphs.

431. Paragraph 432 includes a recitation of law which speaks for itself and no response is required.

432. Paragraph 433 includes a recitation of law which speaks for itself and no response is required.

433. Denied.

434. Denied.

435. Denied.

436. Denied.

437. Denied.

438. Denied.

439. Denied.

440. Paragraph 441 includes a legal argument to which no response is required. To the extent a response is required, Defendants deny the allegations.

441. Denied. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are

irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 442.

442. The allegations in Paragraph 443 constitute Plaintiffs' legal argument to which no response is required. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies them. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 443.

443. Denied. Plaintiffs are not entitled to the relief they seek in this action. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 444.

SEVENTH CLAIM FOR RELIEF (as alleged)

Violation of the Administrative Procedure Act, 5 U.S.C. § 706(1) Unlawfully Withheld or Unreasonably Delayed Agency Action All Plaintiffs Defendants CBP and ICE

444. Defendants incorporate by reference its responses to all preceding paragraphs.

445. Paragraph 446 includes a recitation of law which speaks for itself and no response is required.

446. Denied.

447. The allegations in Paragraph 448 constitute Plaintiffs' legal recitation to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 448.

448. Denied. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 449.

449. Denied. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 450.

450. Paragraph 451 includes a recitation of law which speaks for itself and no response is required.

451. Paragraph 452 includes a recitation of law which speaks for itself and no response is required.

452. Denied.

453. Paragraph 454 includes a recitation of law which speaks for itself and no response is required.

454. Paragraph 455 includes a recitation of law which speaks for itself and no response is required.

455. Paragraph 456 includes a legal argument to which no response is required. To the extent a response is required, Defendants deny the allegations

456. Paragraph 457 includes a legal argument to which no response is required. To the extent a response is required, Defendants deny the allegations

457. Denied. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 458.

458. The allegations in Paragraph 459 constitute Plaintiffs' legal argument to which no response is required. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 459.

459. Denied. Plaintiffs are not entitled to the relief they seek in this action. The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum, and as such, Plaintiffs' allegations here are irrelevant to their remaining claims, to which no response is required. To the extent a response is required, Defendants deny the allegations in Paragraph 460.

EIGHTH CLAIM FOR RELIEF (as alleged)

**Violation of the Administrative Procedure Act, 5 U.S.C. § 706(2) Arbitrary and Capricious,
An Abuse of Discretion, Not in Accordance with Law and In Excess of Statutory Authority
8 U.S.C. §§ 1158, 1231 (Del Rio Deterrence Decision⁸)**

All Plaintiffs Against DHS Defendants

- 460. The Court dismissed Count Eight in its entirety.
- 461. The Court dismissed Count Eight in its entirety.
- 462. The Court dismissed Count Eight in its entirety.
- 463. The Court dismissed Count Eight in its entirety.
- 464. The Court dismissed Count Eight in its entirety.
- 465. The Court dismissed Count Eight in its entirety.
- 466. The Court dismissed Count Eight in its entirety.
- 467. The Court dismissed Count Eight in its entirety.
- 468. The Court dismissed Count Eight in its entirety.
- 469. The Court dismissed Count Eight in its entirety.
- 470. The Court dismissed Count Eight in its entirety.
- 471. The Court dismissed Count Eight in its entirety.
- 472. The Court dismissed Count Eight in its entirety.
- 473. The Court dismissed Count Eight in its entirety.

⁸ Defendants deny the characterization of the “Del Rio Deterrence Decision,” and instead refer to the subject events as the “Del Rio Mass Migration Event.”

PRAYER FOR RELIEF *(as alleged)*

The remainder of the Complaint contains Plaintiff's requests for relief, to which no response is required. To the extent a response is deemed required, Defendants deny that Plaintiffs are entitled to the requested relief.

Defendants deny all allegations of the Complaint not expressly admitted or denied above.

The Court determined that the Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

AFFIRMATIVE DEFENSES

In further response to the Complaint, Defendants raises the following defenses. Defendants respectfully request and reserve the right to amend, alter, and supplement the defenses in this Answer as the facts and circumstances giving rise to the Amended Complaint become known to the Defendants through the course of this litigation. Defendants do not assume the burden of proving any of these defenses or elements of them where the burden is properly placed on Plaintiffs as a matter of law.

FIRST DEFENSE

Plaintiffs lack standing to challenge the Government's alleged treatment of migrants at the Del Rio encampment and the Government's alleged denial of the opportunity to apply for asylum.

SECOND DEFENSE

The Court dismissed Plaintiffs' Counts One, Two, Three and Eight in their entirety, which is now the law of the case. Plaintiffs may not seek relief related to these counts, as such relief has been denied.

THIRD DEFENSE

Defendants' actions were not arbitrary, capricious or contrary to law.

FOURTH DEFENSE

Defendants did not deprive Plaintiffs of any due process under the Fifth Amendment.

FIFTH DEFENSE

All actions taken by Defendants with respect to Plaintiffs were rendered in accordance with law and in good faith.

SIXTH DEFENSE

Plaintiffs cannot establish class certification.

SEVENTH DEFENSE

Plaintiffs are neither eligible for nor entitled to an award of attorneys' fees or costs.

[signature block on following page]

Dated: July 27, 2026
Washington, DC

Respectfully submitted,

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