

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

BADAR KHAN SURI

Petitioner,

v.

DONALD TRUMP, *et al.*,

Respondents.

Case No. 1:25-cv-480

**STIPULATION OF SETTLEMENT AND ORDER FOR THE WITHDRAWAL OF
PETITIONER'S MOTION FOR PRELIMINARY INJUNCTION**

WHEREAS, Petitioner Badar Khan Suri filed his Second Amended Complaint on June 30, 2025, ECF 92, alleging that Respondents unlawfully terminated his J-1 exchange visitor status in the Student and Exchange Visitor Information System ("SEVIS") in violation of the Administrative Procedure Act ("APA") and the First and Fifth Amendments to the United States Constitution; and

WHEREAS, on July 7, 2025, Respondents notified Petitioner's Counsel that Dr. Khan Suri's SEVIS record and the SEVIS records of his children as derivatives had been reinstated on July 3, 2025 *nunc pro tunc* to March 18, 2025; and

WHEREAS, the parties are interested in resolving the issues raised in Petitioner's Motion for Preliminary Injunction, ECF 79, pertaining to Dr. Khan Suri's SEVIS termination and have negotiated in good faith for that purpose; and

WHEREAS, the parties intend to resolve the matters addressed in Petitioner's Motion for Preliminary Injunction, and

WHEREAS, nothing in this Stipulation shall be deemed an admission by either party and the parties further agree that this Stipulation is entered into without prejudice to the assertion of any claims, arguments, contentions and defenses whether or not otherwise alleged in the Second Amended Complaint;

IT IS HEREBY STIPULATED AND AGREED as follows:

1. Respondents agree to maintain the reinstatement of Dr. Khan Suri's J-1 exchange visitor SEVIS record and his children's J-2 SEVIS records and indicate that such reinstatement is *nunc pro tunc* to the date of their termination.

2. Respondents agree that they will not again terminate Dr. Khan Suri's SEVIS record or his children's SEVIS records for the duration of this litigation, and that they will not terminate Dr. Khan Suri's status or his children's status,¹ unless Respondents become aware of a newly discovered, independent legal ground to terminate the records and follow the procedures for termination of status established by relevant law and regulations.²

3. Respondents agree to provide at least 21 days' advance notice to Petitioner and his counsel of any intent to terminate Petitioner's or his children's SEVIS records or status based on newly discovered, independent legal grounds for the duration of this litigation. Such notice shall specify in detail the factual and legal basis for the intent to terminate Petitioner or his children's SEVIS records or status.

4. Respondents agree that this Stipulation pertains only to Dr. Badar Khan Suri's pending Motion for Preliminary Injunction, ECF 79, and that this Stipulation does not resolve any

¹ This stipulation does not seek to resolve the dispute between the parties as to whether the termination of a SEVIS record reflects a termination of status, and no party waives or concedes any argument as to that issue through agreement to this stipulation.

² This stipulation does not prohibit ICE from pursuing charges under INA 237(a)(4)(c) or any other removal charge under the INA.

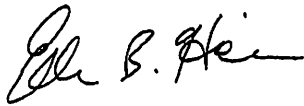
other matters raised in Petitioner's Second Amended Complaint or other motions previously filed with the Court.

5. In consideration for entering this Stipulation, Petitioner hereby agrees to withdraw his Motion for Preliminary Injunction, ECF 79. Petitioner reserves the right to refile that Motion or a similar Motion based on any change in circumstances related to his or his children's SEVIS records or status.

6. The parties agree that the Court shall have authority to enforce this Stipulation to resolve disputes that arise under it.

7. This Stipulation embodies the entire agreement of the parties as it relates to the Motion for Preliminary Injunction.

DATED: July 30, 2025



Edén B. Heilman (VSB No. 93554)
Sophia Leticia Gregg (VSB No. 91582)
Geri Greenspan (VSB No. 76786)
Vishal Agraharkar (VSB No. 93265)
AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF VIRGINIA
701 E. Franklin St., Suite 1412
Richmond, VA 23219
(804) 644-8022
cheilman@acluva.org
sgregg@acluva.org
vagraharkar@acluva.org
ggreenspan@acluva.org

Counsel for Petitioner Dr. Badar Khan Suri

ERIK S. SIEBERT
United States Attorney

ELIZABETH SPAVINS
Assistant U.S. Attorney
CHRISTIAN COOPER
Special Assistant U.S. Attorney
2100 Jamieson Avenue
Alexandria, VA 22314
Tel: (703) 299-3785
Fax: (703) 299-3983
Lizzie.Spavins@usdoj.gov
Christian.Cooper@usdoj.gov

BRETT SHUMATE
Assistant Attorney General
Civil Division

DREW C. ENSIGN
Deputy Assistant Attorney General

WILLIAM C. PEACHEY
Director
Office of Immigration Litigation

YAMILETH G. DAVILA
Assistant Director

/s/ David J. Byerley
DAVID J. BYERLEY
Trial Attorney (DC Bar #1618599)
U.S. Department of Justice
Civil Division
Office of Immigration Litigation
P.O. Box 868
Benjamin Franklin Station
Washington, D.C. 20044
202-532-4523
David.Byerley@usdoj.gov

Counsel for Respondents

ORDER

The Court, having reviewed and fully considered the parties' stipulation, **ORDERS** the terms and conditions to which the parties have stipulated. **IT IS FURTHER ORDERED** that the Motion Hearing on Petitioner's Motion for Preliminary Injunction previously set for August 8, 2025, is **CANCELLED**.

Dated: 8/5/2025



Patricia Tolliver Giles
United States District Judge