U.S. Department of Justice

Antitrust Division

Liberty Square Building

450 5th Street, N.W.
Washington, DC 20530

Via ECF

The Honorable John G. Koeltl
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl St., Courtroom 14A
New York, NY 10007

October 1, 2025

Re: *United States v. Visa, Inc., et al.*, Case No. 1:24-cv-07214 (JGK-SLC)

MOTION FOR STAY OF PROCEEDINGS
DUE TO LAPSE OF APPROPRIATIONS

Dear Judge Koeltl:

Pursuant to this Court's Individual Rules I (A) and (E), the United States hereby moves for a temporary stay of the above-captioned case until appropriations for the Department of Justice are restored and Department of Justice attorneys are permitted to resume their usual civil litigation functions.

At the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. The Department does not know when such funding will be restored by Congress.

Absent an appropriation, Department of Justice attorneys and employees are generally prohibited from working, even on a voluntary basis, except in very limited circumstances such as "emergencies involving the safety of human life or the protection of property." 31 U.S.C. § 1342.

If this motion is granted, the United States will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations—i.e., each deadline would be extended by the total number of days of the lapse in appropriations. As the Court is aware, the parties are currently engaged in fact discovery (*see* ECF No. 100 dated August 1, 2025).

Visa has authorized the United States to represent that Visa does not oppose the

government's motion to the extent it seeks to stay court-imposed deadlines, but requests that any stay imposed by the Court not cover negotiations and obligations related to third-party document subpoenas issued by Visa.

Under these exigent circumstances, and in the absence of any party objection, the United States respectfully requests that the Court grant the motion to stay without a formal motion and without a conference with the Court. Of course, we stand ready to appear or answer any questions the Court may have as needed.

We greatly regret any disruption caused by these circumstances and appreciate the Court's consideration of this request.

Respectfully submitted,

/s/ Craig W. Conrath
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