UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

FENG WANG, et al.,)
Plaintiffs,)
v.) Civil Action No. 18-cv-1732 (TSC)
MICHAEL R. POMPEO, et al.,))))
Defendants.)))

ORDER

Upon consideration of Plaintiffs' Motion for Class Certification (ECF No. 6),

Defendants' Response (ECF No. 10), Plaintiffs' reply (ECF No. 11), and the entire record herein,
it is this 17th day of October, 2018,

ORDERED that Plaintiffs' Motion for Class Certification is **GRANTED** on a provisional basis for the sole purpose of resolving Plaintiffs' Motion for Preliminary Injunction; and it is

FURTHER ORDERED that for the sole purpose of ruling on Plaintiffs' Motion for Preliminary Injunction, the court provisionally certifies: (1) a class that includes investors with approved or pending I-526 petitions (and their spouses and children), whose ability to obtain an immigrant visa or adjustment of status is or will be adversely affected by Defendants' Counting Policy; (2) a subclass that includes children of investors who have or will age-out of eligibility to immigrate to the United States with their investor parent as a result of Defendants' counting

Case 1:18-cv-01732-TSC Document 29 Filed 10/22/18 Page 2 of 2

policy, along with the investor parents of such children; and (3) a subclass of Plaintiffs and their

derivatives who have suffered substantial loss of income, education, and educational

opportunities as a result of the inability to obtain current priority dates due to the Defendants'

counting policy; and it is

FURTHER ORDERED that Plaintiffs' counsel are appointed to represent the

provisional class; and it is

FURTHER ORDERED that because subsequent motions practice may render any

further class certification issues moot, the court stays any further briefing on class certification

until after Plaintiffs' motion for preliminary injunction and any other dispositive motions are

resolved.

SO ORDERED.

Date: October 17, 2018

Tanya S. Chutkan TANYA S. CHUTKAN United States District Judge

Page 2 of 2