



July 24, 2026

The Honorable Edgardo Ramos
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Yi Fang Chen v. Zohran Mamdani, et al.*
1:26-cv-03355-ER

Dear Judge Ramos:

Plaintiff appreciates the Court's prompt consideration of the motion for a preliminary injunction. As counsel advised the Court at the conclusion of Tuesday's hearing, Plaintiff has filed a notice of appeal and intends to seek immediate injunctive relief pending appeal.

Specifically, Plaintiff intends to ask the Second Circuit to enter an injunction pending appeal directing the New York City Department of Education (DOE) to admit M.P. to Stuyvesant High School for the 2026–27 school year. Federal Rule of Appellate Procedure 8(a)(1)(C) ordinarily requires a party seeking an injunction pending appeal to move first in the district court. *See also* Fed. R. Civ. P. 62(d). Plaintiff therefore asks the Court to treat this letter as an emergency motion for an injunction pending appeal. Because the relevant issues have already been fully briefed and argued, Plaintiff asks the Court to resolve the motion promptly, without further briefing.

For the reasons set forth in Plaintiff's preliminary-injunction papers and at oral argument, Plaintiff has made a strong showing that she is likely to succeed on appeal, that M.P. will suffer irreparable harm absent relief, and that the balance of equities and public interest favor an injunction. Plaintiff respectfully submits that the Court erred by treating its 2019 preliminary-injunction analysis as effectively controlling despite intervening Supreme Court and Second Circuit authority—most importantly *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College*, 600 U.S. 181 (2023), and *Chinese American Citizens Alliance of Greater New York v. Adams*, 116 F.4th 161 (2d Cir. 2024). Because the pending request turns on substantially the same issues the Court has just decided, additional briefing would serve little purpose. *See Nken v. Holder*, 556 U.S. 418, 434 (2009) (recognizing the substantial overlap between the factors governing relief pending appeal and the preliminary injunction factors).

Immediate consideration is necessary because M.P. is scheduled to begin ninth grade at a school he would not be attending but for the challenged Discovery Program revisions. Every day of delay compresses the time available for the Second Circuit to consider Plaintiff's request before the school year begins and increases the likelihood that M.P. will be forced to begin and establish himself at another school, making effective relief increasingly disruptive and difficult.

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Plaintiff therefore respectfully requests an injunction pending appeal directing DOE to admit M.P. to Stuyvesant High School for the 2026–27 school year. Plaintiff respectfully asks the Court to resolve this application as promptly as practicable.

Respectfully submitted,

/s/ Dean McGee

Dean McGee

*Counsel for Plaintiff Yi Fang Chen, individually
and on behalf of her minor child M.P.*

CC: All counsel of record (via ECF)