

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT**

LORI CHAVEZ-DEREMER,  
SECRETARY OF LABOR, U.S.  
DEPARTMENT OF LABOR,

Plaintiff-Appellee,

v.

Case No. 25-1886

SUFFOLK ADMINISTRATIVE  
SERVICES, LLC; PROVIDENCE  
INSURANCE CO., I.I.; ALEXANDER  
RENFRO; WILLIAM BRYAN;  
ARJAN ZIEGER,

Defendants,

DATA MARKETING  
PARTNERSHIP, LP; LP  
MANAGEMENT SERVICES, LLC,

Interested Parties-Appellants.

**SECRETARY’S RESPONSE TO INTERESTED PARTIES-APPELLANTS’  
MOTION TO ABATE BRIEFING SCHEDULE PENDING MEDIATION**

Appellee Lori Chavez-DeRemer, Secretary of the U.S. Department of Labor (“Secretary”), respectfully submits this response to Interested Parties-Appellants’ Motion to Abate Briefing Schedule Pending Mediation (Doc. 00118358477). Because this matter is not suited to mediation, the motion should be denied. In support of her response, the Secretary states as follows.

On September 30, 2025, a representative for Interested Parties-Appellants

contacted the Secretary’s counsel regarding mediation. The next day, appropriated funding for the Department of Labor and its subagencies lapsed. Due to the lapse in appropriations, between October 1, 2025 and November 12, 2025, attorneys for the Department were prohibited from doing work “exceeding that authorized by law except for emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

Soon after appropriations were restored, the Secretary’s counsel responded to counsel for the Interested Parties-Appellants to inform them that she did not wish to pursue mediation of the appeal. The issue on appeal—whether or not the Interested Parties-Appellants are entitled to intervene in the Secretary’s enforcement action below—is binary, without a possible compromise. As a result, the Secretary does not believe mediation is appropriate.

Because the parties do not agree on mediation, the Secretary opposes Interested Parties-Appellants’ requested stay or sixty (60) day extension of the briefing schedule for purposes of mediation.

Accordingly, the Secretary respectfully requests that the Court deny Interested Parties-Appellants’ Motion to Abate Briefing Schedule Pending Mediation (Doc. 00118358477).

Dated: December 15, 2025

Respectfully Submitted:

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## CERTIFICATE OF COMPLIANCE

1. This document complies with the type-volume limit of Fed. R. App. P. 27(d)(2) because, excluding the parts of the document exempted by the Fed. R. App. P. 32(f), this document contains 239 words.

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/s/ Blair L. Byrum  
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