

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

RILEY BENJAMIN, on behalf of himself  
and others similarly situated,

Plaintiff,

v.

NICOLE COLBERT, et al.,

Defendants.

No. 1:23-cv-02315-RCL

**NOTICE OF WITHDRAWAL OF MOTIONS**

In light of changed circumstances, Plaintiff hereby withdraws his motion for a preliminary injunction, ECF 2, and his motion for class certification, ECF 3, without prejudice to refiling them if circumstances warrant.

The D.C. Department of Corrections has informed Plaintiff that it has issued a new policy regarding approval of religious diets, and Plaintiff has begun receiving kosher meals. There are, however, some questions regarding implementation of the new policy, which the parties continue to discuss.

Plaintiff's claim for permanent injunctive relief on behalf of the putative class, and his personal claim for damages, remain pending.

August 28, 2023

Respectfully submitted,

/s/ Scott Michelman

Scott Michelman (D.C. Bar No. 1006945)

Laura K. Follansbee (D.C. Bar No. 1782046)

Arthur B. Spitzer (D.C. Bar No. 235960)

American Civil Liberties Union Foundation

of the District of Columbia

915 15th Street NW, Second Floor

Washington, D.C. 20005

202-601-4267

smichelman@acludc.org

*Counsel for Plaintiff*