

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

INTERNATIONAL REFUGEE  
ASSISTANCE PROJECT, et al.,

Plaintiffs-Cross-Appellants,

v.

DONALD TRUMP, et al.,

Defendants-Appellants.

Nos. 17-2231 (L), 17-2232, 17-2233

***IRAP* PLAINTIFFS-CROSS-  
APPELLANTS' RESPONSE TO  
MOTION TO EXPEDITE  
MERITS BRIEFING SCHEDULE**

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IRANIAN ALLIANCES  
ACROSS BORDERS, et al.,

Plaintiffs-Appellees,

v.

DONALD TRUMP, et al.,

Defendants-Appellants.

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EBLAL ZAKZOK, et al.,

Plaintiffs-Appellees,

v.

DONALD TRUMP, et al.,

Defendants-Appellants.

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The plaintiffs' proposed schedule differs by a single week from the government's. Specifically, the plaintiffs respectfully request that they be afforded three weeks to respond to the government's opening brief, while the government has proposed that plaintiffs have only two. The plaintiffs' proposed schedule—including plaintiffs' proposed due date for their initial brief—is already highly expedited. *Cf.* F.R.A.P. 28.1(f). And in the previous appeal in this case, this Court provided plaintiffs the same amount of time to file their principal brief that they are currently requesting. Shortening that time could unnecessarily compromise plaintiffs' ability to fully respond to the government's brief, particularly in light of the requirement that plaintiffs in three separate cases, each represented by separate groups of counsel, coordinate their response, *see* L.R. 28(a), (d).

The government has not identified any concrete harm that will result if the briefing on this appeal takes a total of seven weeks rather than six, and none exists. Nor has the government demonstrated that providing the additional week would prevent the Supreme Court from hearing a subsequent appeal this Term—or explained why the plaintiffs' time to respond should be shortened in order to accommodate the government's

preference regarding the scheduling of a subsequent appeal, even if that were the case.<sup>1</sup>

In any event, even under plaintiffs' proposed schedule, the appeal will be fully briefed before the end of the Court's scheduled December sitting. And if an earlier cross-appeal reply deadline would facilitate the Court's consideration of the appeal, the plaintiffs could file their cross-appeal reply brief on Monday, December 4.

For these reasons, plaintiffs respectfully request that the Court set the plaintiffs' proposed schedule, which will expedite the appeal while allowing plaintiffs a full and fair opportunity to respond:

Appellants' brief: November 1, 2017

Response/Cross-Appellants' brief: November 22, 2017

Reply/Cross-Appellees' brief: November 29, 2017

Cross-Appellants' reply brief: December 6, 2107

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<sup>1</sup> That is especially true given that earlier in this litigation, the government was content to allow the Supreme Court's merits review to occur in a subsequent Term, *see* App. Stay, No. 16A1190 at 40 (U.S. filed June 1, 2017).

Dated: October 25, 2017

Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

I hereby certify that on this 25th day of October, 2017, I caused a PDF version of the foregoing document to be electronically transmitted to the Clerk of the Court, using the CM/ECF System for filing and for transmittal of a Notice of Electronic Filing to all CM/ECF registrants.

Dated: October 25, 2017

Respectfully submitted,

/s/ Omar Jadwat  
Omar C. Jadwat

## CERTIFICATE OF COMPLIANCE

Pursuant to FRAP 32(g)(1), I hereby certify that the foregoing corrected motion complies with the type-volume limitation in FRAP 27(d)(2)(A). According to Microsoft Word, the motion contains 349 words and has been prepared in a proportionally spaced typeface using Times New Roman in 14 point size.

Dated: October 25, 2017

Respectfully submitted,

/s/ Omar Jadwat  
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