



same is true for most Executive agencies, including the Federal Defendants. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees of the Federal Defendants are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. The parties therefore request a continuance of the October 18, 2013 hearing.

4. If the Court decides to wait until Congress has restored appropriations to the Department and until Department of Justice attorneys are permitted to resume their usual civil litigation functions before setting a new hearing date, counsel for Federal Defendants will notify the Court as soon as Congress has appropriated funds for the Department.

5. A proposed order accompanies this stipulation.

Respectfully submitted this 8th day of October, 2013.

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