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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
STATE OF CALIFORNIA, et al.,  
Defendants.

No. 2:18-cv-490-JAM-KJN

ORDER

Pursuant to the parties' request for the court to address issues concerning potential expedited discovery related to the pending motion for a preliminary injunction, IT IS HEREBY ORDERED that:

1. No later than March 19, 2018, at 4:00 p.m. Pacific Time, the parties shall file a joint letter brief<sup>1</sup> addressing the parties' positions with respect to: (a) the specific and narrow expedited discovery proposed to be conducted in connection with the pending motion for a preliminary injunction, including any agreements the parties may have reached regarding particular discovery; and (b) the proposed timeframe for the

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<sup>1</sup> Given the pending preliminary injunction motion and the necessarily expedited nature of these discovery proceedings, the court finds it appropriate to require a joint letter brief in lieu of a motion with opposition and reply briefs.

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contemplated expedited discovery.<sup>2</sup>

- 2. The parties' joint letter brief shall not exceed 10 pages, but may refer to previously-filed pleadings and declarations, if necessary. No further filings will be permitted or considered absent an order from the court requesting supplemental briefing.
- 3. Upon review of the parties' joint letter brief, the court may elect to entertain oral argument or may submit the matter for decision without oral argument on the record and written briefing pursuant to Local Rule 230(g). If the court elects to entertain oral argument, it will be conducted on March 21, 2018, at 3:00 p.m. Pacific Time, in Courtroom No. 25 before the undersigned. The parties shall set aside that time in the interim for a potential court appearance. Telephonic appearances will be permitted.<sup>3</sup>

IT IS SO ORDERED.

Dated: March 14, 2018

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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<sup>2</sup> In light of the pending motion for a preliminary injunction, the parties should bear in mind that, if the court permits expedited discovery, such discovery will proceed on an expedited basis over an anticipated period of approximately 10-14 days from any order by the court. It may therefore be in the parties' interest to consider and tentatively schedule the logistics of proposed discovery, even if the parties cannot presently agree on the need for such discovery.

<sup>3</sup> Once a hearing is confirmed by the court, the parties shall promptly contact the undersigned's courtroom deputy clerk at (916) 930-4187 to make arrangements for a telephonic appearance, if they wish to so appear.