

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

WOODHULL FREEDOM FOUNDATION, )  
HUMAN RIGHTS WATCH, ERIC KOSZYK, )  
JESSE MALEY, a/k/a ALEX ANDREWS, and )  
THE INTERNET ARCHIVE, )

Plaintiffs, )

v. )

THE UNITED STATES OF AMERICA )  
and JEFFERSON B. SESSIONS, in his )  
official capacity as ATTORNEY GENERAL )  
OF THE UNITED STATES, )

Defendants. )

Case No. 1:18-cv-1552

---

**MOTION TO EXCLUDE PLAINTIFFS FROM LOCAL RULE 7(m)**

Plaintiffs have this day filed a Complaint for Declaratory and Injunctive Relief and a Motion for Preliminary Injunction challenging the constitutionality of the Allow States and Victims to Fight Online Sex Trafficking Act of 2017, Pub. L. No. 115-164, 132 Stat. 1253 (2018) (“FOSTA” or “the Act”). Pursuant to Local Rule 7(m), prior to filing any nondispositive motion in a civil action, counsel for Plaintiffs are required to discuss the anticipated motion with opposing counsel to determine whether there is any opposition to the relief sought, and to include in the motion a statement that the required discussion took place and whether the motion is opposed. Because the motion for preliminary injunction is being filed simultaneously with the Complaint commencing this action, there has been no opportunity for an attorney at the Department of Justice to file a notice of appearance on behalf of the government.

Accordingly, Plaintiffs request that the Motion for Preliminary Injunction be excluded from the duty to confer set forth in Rule 7(m). Given that the Motion for Preliminary Injunction

seeks to forestall enforcement of FOSTA entirely during the pendency of this action, it is highly likely the government opposes the motion. The Motion for Preliminary Injunction will be served concurrently with service of the Complaint such that Defendants will have full, timely notice of the motion's filing. Neither any party nor the Court's procedures would thus be harmed by forgoing the conferral requirement on this occasion.

A proposed order granting Plaintiffs' requested exclusion is attached hereto.

DATED: June 28, 2018

Respectfully submitted,

/s/ Robert Corn-Revere

ROBERT CORN-REVERE

D.C. Bar No. 375415

RONALD G. LONDON

D.C. Bar No. 456284

**Davis Wright Tremaine LLP**

1919 Pennsylvania Ave. NW, Suite 800

Washington, D.C. 20006

Telephone: (202) 973-4200

Facsimile: (202) 973-4499

Email: bobcornrevere@dwt.com

ronnielondon@dwt.com

LAWRENCE G. WALTERS

Florida Bar No.: 0776599

*Pro Hac Vice* Admission Pending

**Walters Law Group**

195 W. Pine Ave.

Longwood, FL 32750-4104

Telephone: (407) 975-9150

Facsimile: (408) 774-6151

Email: Larry@FirstAmendment.com

Paralegal@FirstAmendment.com

AARON MACKEY  
D.C. Bar No. 1017004  
DAVID GREENE  
(admitted in California)  
*Pro Hac Vice* Admission Pending  
CORYNNE MCSHERRY  
(admitted in California)  
**Electronic Frontier Foundation**  
815 Eddy Street  
San Francisco, CA 94109  
(415) 436-9333  
Email: amackey@eff.org  
davidg@eff.org

DAPHNE KELLER  
Cal. Bar No. 226614  
**Stanford Law School Center  
for Internet and Society**  
559 Nathan Abbott Way  
Stanford, CA 94305-8610  
(650) 723-1417  
Email: daphnek@law.stanford.edu

Attorneys for Plaintiffs