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(See Next Page For Additional Counsel)

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF HAWAI‘I**

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STATE OF HAWAI‘I and ISMAIL ELSHIKH,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as  
 President of the United States; U.S.  
 DEPARTMENT OF HOMELAND SECURITY;  
 JOHN F. KELLY, in his official capacity as  
 Secretary of Homeland Security; U.S.  
 DEPARTMENT OF STATE; REX TILLERSON,  
 in his official capacity as Secretary of State; and  
 the UNITED STATES OF AMERICA,

Defendants.

Civil Action No. 1:17-cv-  
 00050-DKW-KSC

**JOINT MOTION FOR  
 ENTRY OF PROPOSED  
 BRIEFING SCHEDULE  
 ORDER FOR PLAINTIFFS’  
 FORTHCOMING MOTION  
 TO CONVERT  
 TEMPORARY  
 RESTRAINING ORDER TO  
 A PRELIMINARY  
 INJUNCTION**

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**JOINT MOTION FOR ENTRY OF PROPOSED BRIEFING SCHEDULE  
ORDER FOR PLAINTIFFS' FORTHCOMING MOTION TO CONVERT  
TEMPORARY RESTRAINING ORDER TO A PRELIMINARY  
INJUNCTION**

The parties file the instant joint motion with this Court, respectfully moving for the entry of a Proposed Briefing Schedule Order for Plaintiffs' forthcoming Motion to Convert Temporary Restraining Order to a Preliminary Injunction.

Since this Court issued its Order of March 15, 2017, Plaintiffs and the Government have been conferring through counsel to try to agree to a proposed stipulated briefing and argument schedule on the issue of whether this Court's Temporary Restraining Order should be extended or converted to a Preliminary Injunction. In the evening of March 20, 2017, Eastern Standard Time, Plaintiffs and the Government agreed to the following briefing and argument schedule on Plaintiffs' forthcoming Motion to Convert Temporary Restraining Order to a Preliminary Injunction, if it is acceptable to this Court. Specifically, the parties propose that:

1. Plaintiffs file their Motion to Convert Temporary Restraining Order to a Preliminary Injunction by 11:59 PM Hawaii Standard Time (H.S.T.) on Monday, March 20, 2017;

2. The Government files its Opposition to Plaintiffs' Motion by 11:59 PM H.S.T. on Thursday, March 23, 2017<sup>1</sup>;
3. Plaintiffs file their Reply by 11:59 PM H.S.T. on Friday, March 24, 2017.
4. Both parties prepare to appear at a hearing in this Court with telephonic access available on the morning of Monday, March 27, 2017, or as soon thereafter as counsel may be heard. Plaintiffs note that they do not believe that such a hearing is necessary. Defendants believe that a hearing would be appropriate in light of the nature of relief that Plaintiffs are seeking, as well as to answer any questions that the Court may have regarding the scope of any relief that the Court may grant. Defendants also note that the Court's TRO requested a stipulated briefing and hearing schedule. ECF No. 219.

If the Court does not issue an Order on this proposed briefing schedule by 5:59 H.S.T. (11:59 P.M. E.S.T.) on Monday, March 20, 2017, the above dates shall be modified such that: Plaintiffs shall file their Motion to Convert Temporary Restraining Order to a Preliminary Injunction by 9:30 A.M. H.S.T. on Tuesday, March 21, 2017; the Government shall file its Opposition by 9:30 A.M. H.S.T. on Friday, March 24, 2017; and Plaintiffs shall file their Reply by 9:30 A.M. H.S.T. on Saturday, March 25, 2017.

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<sup>1</sup> Defendants reserve their rights to request additional time to file their opposition brief to the extent that they determine that Plaintiffs' motion raises substantial new factual or legal issues that would necessitate additional time to respond.

Additionally, the parties have agreed to jointly stipulate to an extension of this Court's Temporary Restraining Order of March 15, 2017, until this Court has had an opportunity to rule on whether the TRO should be converted to a preliminary injunction or extended.

The parties respectfully move for the entry of a proposed briefing schedule with the above dates.

DATED: Washington, D.C., March 20, 2017.

Respectfully submitted,

/s/ Neal K. Katyal

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