

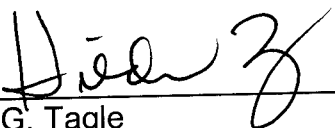
In its response, Defendant states that it will respond to the Plaintiff's Motion for Preliminary Injunction on January 20, 2009, the deadline by which Defendant must file an answer. Dkt. No. 12, at 1-2 n.1. Defendant asserts that as the issues in the preliminary injunction are the same as those alleged in the complaint, "it is inequitable for the government to address the merits on an expedited basis." *Id.* at 2. Defendant also explains that an expedited procedure is impracticable with the "complicated legal issues involving multiple plaintiffs with distinct claims," upcoming holidays, and "multi-step federal rule-making process." *Id.* at 2-3.

Plaintiffs, in their reply, assert that Defendant's response to the motion for a preliminary injunction was due on December 11, 2008 and that Defendant should not be afforded more time to respond. Dkt. No. 13, at 2. Plaintiffs state that a delayed hearing or resolution of the motion for a preliminary injunction harms Plaintiffs, as some "live in homes that are exposed, unsanitary, and unsafe" and others have been displaced from their homes. *Id.* at 3.

Given the nature of the relief sought and Defendant's response is do in less than thirty five (35) days, the Court denies Plaintiffs' Opposed Motion for Expedited Hearing of Pending Motion for Preliminary Injunction, Dkt. No. 8. The Court further holds that Defendant may file its response to the Motion for a Preliminary Injunction, Dkt. No. 2, no later than January 20, 2009 as the motion and complaint are almost identical and request the same relief. *Compare* Dkt. No. 1 (seeking public disclosure of Defendant's standards for awarding housing repair assistance and fair and equitable application of those standards), *with* Dkt. No. 2 (seeking identical relief).

WHEREFORE, the Court **DENIES** Plaintiffs' Opposed Motion for Expedited Hearing of Pending Motion for Preliminary Injunction, Dkt. No. 8.

DONE at Brownsville, Texas, on December 17, 2008.



Hilda G. Tagle
United States District Judge