

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

JOHN DOE, *et al.*,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity as
President of the United States, *et al.*,

Defendants.

No. 2:17-cv-00178 (JLR)

**STIPULATION AND [PROPOSED]
ORDER REGARDING AMENDING
COMPLAINT AND DEADLINES**

Noted For Consideration:
April 26, 2017

Pursuant to Local Civil Rule 7(d)(1), Plaintiffs and Defendants, through their respective undersigned counsel, hereby stipulate and agree as follows:

1. Plaintiffs challenge Executive Order 13,780, titled "Protecting the Nation from Foreign Terrorist Entry into the United States." *See* Fed. Reg. 13,209 (Mar. 9, 2017). Plaintiffs filed a First Amended Class Action Complaint for Declaratory and Injunctive Relief on March 14, 2017. *See* ECF No. 10. Pursuant to the April 11, 2017 Stipulation and Order to Extend Deadlines, Defendants' response to the First Amended Complaint is currently due on April 28, 2017. *See* ECF No. 18.

2. Plaintiffs intend to file a Second Amended Complaint. The parties stipulate that Plaintiffs may file a Second Amended Complaint on or before May 8, 2017. Because Plaintiffs

1 will be filing a Second Amended Complaint, the parties agree that Defendants need not respond
2 to the First Amended Complaint.

3 3. The parties have been conferring about how to proceed in this case in light of
4 Defendants' appeal of a preliminary injunction in a similar case, *Hawaii v. Trump*, No. CV 17-
5 00050 (D. Haw.), as well as stay motions Defendants have filed in similar cases in this District,
6 *see Washington v. Trump*, No. 2:17-cv-00141-JRL, ECF No. 175 (W.D. Wash. Mar. 30, 2017);
7 *Ali v. Trump*, No. 2:17-cv-00135-JLR, ECF No. 85 (W.D. Wash. Mar. 30, 2017). In *Washington*,
8 the Court extended the deadline for Defendants to respond to the complaint in that case until
9 seven (7) days after the Court resolves Defendants' pending motion to stay that case. *See*
10 *Washington*, ECF No. 183 (Apr. 13, 2017).

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13 4. To permit the parties here to benefit from the Court's rulings on the stay motions
14 filed in *Washington* and *Ali*, and to consult further before Defendants are required to respond to
15 Plaintiffs' forthcoming Second Amended Complaint, the parties stipulate that Defendants'
16 deadline to respond to Plaintiffs' Second Amended Complaint shall be May 22, 2017, or ten (10)
17 days after the Court resolves Defendants' pending stay motions in *Washington* and *Ali*,
18 whichever is later.

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20 5. Depending on how the Court resolves the stay motions in *Washington* and *Ali*, the
21 parties may request further modification of the deadlines herein.

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23 Accordingly, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs
24 and Defendants, subject to the Court's approval, that:

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1. Defendants need not respond to Plaintiffs' First Amended Complaint;
2. Plaintiffs shall file a Second Amended Complaint on or before May 8, 2017; and
3. Defendants shall respond to Plaintiffs' Second Amended Complaint on May 22, 2017, or ten (10) days after the Court resolves Defendants' pending stay motions in *Washington* and *Ali*, whichever is later.

1 DATED: APRIL 26, 2017

2 **Presented by:**

3 KELLER ROHRBACK L.L.P.

CHAD A. READLER
Acting Assistant Attorney General

4
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6 By: /s/ Tana Lin
7 By: /s/ Amy Williams-Derry
By: /s/ Derek W. Loeser
By: /s/ Alison S. Gaffney

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3 By: /s/ Emily Chiang

4 By: /s/ La Rond Baker

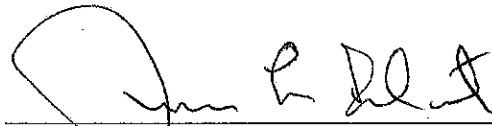
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12 *Attorney for Plaintiffs*

13 **ORDER**

14 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

15 Dated 26 April 2016

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17 JAMES L. ROBART
18 United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2017, I electronically filed the foregoing Stipulation and [Proposed] Order Regarding Amending Complaint and Deadlines using the Court's CM/ECF system, causing a notice of filing to be served upon all counsel of record.

/s/ Michelle R. Bennett
MICHELLE R. BENNETT

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