

The Honorable Robert S. Lasnik

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

AMERICAN CIVIL LIBERTIES UNION OF
WASHINGTON; AMERICAN CIVIL
LIBERTIES UNION OF MONTANA; and
AMERICAN CIVIL LIBERTIES UNION OF
NORTH DAKOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY and U.S. CUSTOMS AND
BORDER PROTECTION,

Defendants.

Case No. C17-0562RSL

**STIPULATION AND PROPOSED
ORDER FOR EXTENSION OF
DEADLINE TO RESPOND TO
COMPLAINT**

(Note for consideration:
May 10, 2017)

Defendants the United States Department of Homeland Security (“DHS”) and United States Customs and Border Protection (“CBP”) respectfully request a 45-day extension of their deadline to respond to the Complaint, until June 29, 2017 and request that the Court extend the deadline for the parties to submit a Joint Status Report and Discovery Plan. Plaintiffs do not oppose this request.

Accordingly, the parties, by and through their counsel of record, hereby STIPULATE AND AGREE to an extension of the following deadlines:

<u>Description</u>	<u>Old Deadline</u>	<u>New Deadline</u>
Deadline to respond to Complaint	May 15, 2017	June 29, 2017
Deadline for Joint Status Report	May 26, 2017	July 20, 2017

Good cause exists for this extension. Plaintiffs filed the Complaint in this action under the Freedom of Information Act on April 12, 2017. (See ECF No. 1.) Plaintiffs served the Summons and Complaint in this action upon the United States Attorney for the Western District of Washington on April 14, 2017. Pursuant to 5 U.S.C. § 544(a)(4)(C), Defendants' response to the Complaint is due by May 15, 2017, provided Plaintiffs have perfected service in accordance with Federal Rule of Civil Procedure 4(i). On May 8, 2017, Defendants filed with the Judicial Panel on Multidistrict Litigation ("JPML") a Motion for Transfer Actions Pursuant to 28 U.S.C. § 1407 for Coordinated and Consolidated Pretrial Proceedings, seeking transfer of this and twelve other actions pending in other federal district courts to the United States District Court for the District of Columbia. Defendants intend to file a motion to stay the proceedings in this action pending a decision by the JPML on Defendants' motion to transfer, and Defendants have been advised that their motion for a temporary stay will be opposed. The extension will ensure that Defendants' motion to stay may be submitted to this Court before pre-trial proceedings in this action commence, and that Defendants will have the time they require to respond to the Complaint in the event that their stay motion is denied.

Dated: May 10, 2017

Respectfully submitted,

(signatures on following page)

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*Attorneys for Plaintiffs American
Civil Liberties Union*

~~PROPOSED~~ ORDER

The parties having so stipulated and agreed, it is hereby SO ORDERED. The Clerk is directed to send copies of this Order to all counsel of record.

DATED this 11th day of May, 2017.



Hon. Robert S. Lasnik
United States District Judge

Presented by:

/s/ Matthew J. Berns
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