

The Honorable Marsha J. Pechman

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

RYAN KARNOSKI, et al.,
Plaintiffs, and
STATE OF WASHINGTON,
Plaintiff-Intervenor,
v.
DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,
Defendants.

Case No. 2:17-cv-01297-MJP
**JOINT STIPULATION TO VACATE
PRELIMINARY INJUNCTION AND
ORDER**

1 Plaintiffs Ryan Karnoski, Staff Sergeant Cathrine Schmid, D.L., Chief Warrant Officer
2 Lindsey Muller, Petty Officer First Class Terece Lewis, Petty Officer Second Class Phillip
3 Stephens, Petty Officer Second Class Megan Winters, Jane Doe, Human Rights Campaign,
4 Gender Justice League, and American Military Partners Association n/k/a Modern Military
5 Association of America (collectively “Plaintiffs”), Plaintiff-Intervenor State of Washington, and
6 Defendants Donald J. Trump, Mark Esper, and the United States Department of Defense
7 (collectively “Defendants,” and together with Plaintiffs and Plaintiff-Intervenor, “Parties”)
8 hereby stipulate as follows:

9 WHEREAS, this Court granted Plaintiffs’ motion for preliminary injunction on December
10 11, 2017 (Dkt. No. 103).

11 WHEREAS, this Court struck Defendants’ motion to dissolve the preliminary injunction
12 on April 13, 2018 (Dkt. No. 233).

13 WHEREAS, the Ninth Circuit vacated and remanded this Court’s order striking
14 Defendants’ motion to dissolve and further held that “[i]f Plaintiffs no longer wish to pursue a
15 preliminary injunction, they may so advise the district court on remand” (Dkt. No. 338 at 58.)

16 WHEREAS, the Parties disagreed whether their discovery disputes should be resolved first
17 before any resolution of Defendants’ motion to dissolve (Dkt. No. 341), and this Court ordered
18 that “[i]f Plaintiffs wish to file an opposition to Defendants’ motion to dissolve, they must do so
19 on or before August 2, 2019” (Dkt. No. 344).

20 NOW THEREFORE, the Parties, through their respective counsel of record, do hereby
21 stipulate and agree as follows:

22 After the Ninth Circuit’s issuance of the mandate, the preliminary injunction should be
23 vacated based on the stipulation of the Parties, without prejudice to any renewed motion for a
24 preliminary injunction.

25 SO STIPULATED.

1 Respectfully submitted August 2, 2019.

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20 **MODERN MILITARY ASSOCIATION**
21 **OF AMERICA**

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1 **ORDER**

2 This matter comes before the Court on the Parties' Joint Stipulation to Vacate Preliminary
3 Injunction. After considering the Parties' Joint Stipulation, the preliminary injunction is hereby
4 vacated based on the stipulation of the Parties, without prejudice to any renewed motion for a
5 preliminary injunction.

6 IT IS SO ORDERED.

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8 DATED this 5th day of August, 2019.

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12 Marsha J. Pechman
13 United States District Judge

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17 PRESENTED BY:

18
19 **NEWMAN DU WORS LLP**

**UNITED STATES DEPARTMENT OF
JUSTICE**

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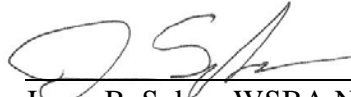
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1 **CERTIFICATE OF SERVICE**

2 The undersigned certifies under penalty of perjury under the laws of the United States of
3 America and the laws of the State of Washington that all participants in the case are registered
4 CM/ECF users and that service of the foregoing documents will be accomplished by the
5 CM/ECF system on August 2, 2019.

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