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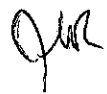
THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JEWISH FAMILY SERVICE, et al.,  
  
  Plaintiffs,  
  
                        v.  
  
DONALD TRUMP, et al.,  
  
  Defendants.

Civil Action No. 2:17-cv-01707 JLR

**STIPULATION AND ~~PROPOSED~~**  
**ORDER REGARDING**  
**CONSOLIDATION AND SCHEDULING**  
**FOR FURTHER PROCEEDINGS**



On November 21, 2017, the Court directed the parties in *Jewish Family Service of Seattle v. Trump*, No. 2:17-cv-01707JLR (W.D. Wash.), and *Doe v. Trump*, No. 2:17-cv-00178 (W.D. Wash.), to show cause why the actions should not be consolidated pursuant to Federal Rule of Civil Procedure 42(a). The parties have met and conferred and now agree and stipulate to the following:

1. The cases may be consolidated for further proceedings, provided that (1) the actions retain their separate character, (2) parties to one action will not be designated as parties to the other, (3) parties may continue to file separate briefing so long as it is not duplicative, and (4) consolidation will not affect the page limits to which parties are entitled under the Local Rules, except as

STIPULATION AND [PROPOSED] ORDER REGARDING CONSOLIDATION AND SCHEDULING FOR FURTHER PROCEEDINGS (No. 2:17-cv-01707 JLR)-1

1 provided in this stipulation or by subsequent Court order.<sup>1</sup> Because *Doe* was  
2 filed first, it shall be the lead case for all future filings.

3 2. The preliminary injunction hearing in *Doe* presently scheduled for December  
4 11, 2017, at 1:30 p.m. PST should be vacated, and a new consolidated hearing  
5 to address the issues raised in the preliminary injunction motions filed in both  
6 *Doe* and *Jewish Family Service* should be set at a date and time convenient for  
7 the Court following the completion of briefing in *Jewish Family Service*. The  
8 parties respectfully propose a consolidated hearing during the week of  
9 December 18, 2017, preferably during the early part of that week in view of the  
10 approaching federal holidays.

11 3. Each set of Plaintiffs may file a short notice joining the motion of the other  
12 Plaintiffs and addressing issues raised in the opening preliminary injunction  
13 brief filed by the other set of Plaintiffs, provided that Plaintiffs will not use these  
14 short notices to raise new claims or merits arguments not previously raised by  
15 one set or the other. Thus, the parties agree that, on or before November 29,  
16 2017, the *Doe* Plaintiffs and the *Jewish Family Service* Plaintiffs may each file  
17 a notice no longer than three pages addressing relevant issues raised in the  
18 other set of Plaintiffs' opening brief. The Government may respond to these  
19 supplemental arguments in its response in opposition to the *Jewish Family*  
20 *Service* Plaintiffs' motion for preliminary injunction, and may file an over-  
21 length brief in order to do so. Specifically, the Government's response brief in  
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24 <sup>1</sup> Plaintiffs believe that *JFS* and *Doe* should maintain their separate characters in light of the overlapping but differing  
25 legal claims and classes (e.g., the *JFS* Plaintiffs' complaint seeks nationwide relief for refugees whereas the *Doe*  
26 Plaintiffs' complaint focuses on Washington State and challenges additional policies). See 9A Charles Alan Wright,  
et al., *Federal Practice & Procedure Civ.* § 2382 (3d ed. 2017) (describing consolidation that "does not merge the  
suits into a single action"). As consolidated but not merged actions, parties in *JFS* and *Doe* would maintain separate  
pleadings, but Plaintiffs in each action would endeavor to avoid duplication wherever possible.

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*Jewish Family Service* may exceed the twenty-four pages allowable under the Local Rules by five pages.

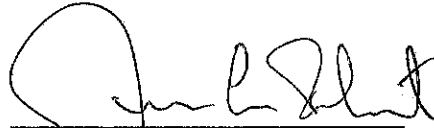
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**ORDER**

Upon consideration of the above stipulation and the record in this matter, the Court approves the stipulation and all dates, page limits, and deadlines specified therein. A hearing to address issues raised in both *Jewish Family Service* and *Doe* is set for December 21, 2017 at 9:00 a.m. JLR

**IT IS SO ORDERED**

DATED this 29<sup>th</sup> day of Nov., 2017.



JAMES L. ROBART  
UNITED STATES DISTRICT JUDGE

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<p><b>So stipulated and presented by:</b></p> <p><u>/s/ David Burman</u>  David Burman, WSBA No. 10611  Lauren Watts Staniar, WSBA No. 48741  Tyler Roberts, WSBA No. 52688  Perkins Coie LLP  1201 Third Avenue, Suite 4900  Seattle, WA 98101-3099  Telephone: 206.359.8000  Facsimile: 206.359.9000  dburman@perkinscoie.com  lstaniar@perkinscoie.com  troberts@perkinscoie.com</p> <p>Mariko Hirose, <i>Pro Hac Vice</i>  Deepa Alagesan, <i>Pro Hac Vice</i>  Linda Evarts, <i>Pro Hac Vice</i>  Kathryn C. Meyer, <i>Pro Hac Vice</i>  International Refugee Assistance Project  40 Rector Street, 9th Floor  New York, NY 10006  Tel: (646) 459-3044  mhirose@refugeerights.org  dalagesan@refugeerights.org  levarts@refugeerights.org  kmeyer@refugeerights.org</p> <p>Elizabeth Sweet, <i>Pro Hac Vice</i>  Mark Hetfield, <i>Pro Hac Vice</i>  HIAS, Inc.  1300 Spring Street, Suite 500  Silver Spring, MD 20910  Tel: 301-844-7300  liz.sweet@hias.org  mark.hetfield@hias.org</p> <p>Justin B. Cox, <i>Pro Hac Vice</i>  National Immigration Law Center  PO Box 170208  Atlanta, GA 30317  Tel: (678) 279-5441  Fax: (213) 639-3911  cox@nilc.org</p>	<p>DATED: November 29, 2017</p> <p>CHAD A. READLER  Principal Deputy Assistant Attorney  General</p> <p>JENNIFER D. RICKETTS  Director, Federal Programs Branch</p> <p>JOHN R. TYLER  Assistant Director, Federal Programs  Branch</p> <p><u>/s/ Kevin Snell</u>  MICHELLE R. BENNETT  DANIEL SCHWEI  KEVIN SNELL  JOSEPH C. DUGAN  Senior Trial Counsel / Trial Attorneys  U.S. Department of Justice  Civil Division, Federal Programs Branch  20 Massachusetts Avenue, NW  Washington, DC 20530  Tel: (202) 305-0924  Fax: (202) 616-8460  Email: Kevin.Snell@usdoj.gov</p> <p><i>Attorneys for Defendants</i></p>
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<p>Karen C. Tumlin, <i>Pro Hac Vice</i> Melissa S. Keaney, <i>Pro Hac Vice</i> Esther H. Sung, <i>Pro Hac Vice</i> National Immigration Law Center 3450 Wilshire Blvd, #108-62 Los Angeles, CA 90010 Tel: (213) 639-3900 Fax: (213) 639-3911 tumlin@nilc.org keaney@nilc.org sung@nilc.org</p> <p>Lauren E. Aguiar, <i>Pro Hac Vice</i> Mollie M. Kornreich, <i>Pro Hac Vice</i> Abigail E. Davis, <i>Pro Hac Vice</i> Four Times Square New York, NY 10036 Tel: (212) 735-3000 Fax: (212) 735-2000 lauren.aguiar@probonolaw.com mollie.kornreich@probonolaw.com abigail.sheehan@probonolaw.com</p> <p><i>Attorneys for Plaintiffs</i></p>	
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