

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

YOLANY PADILLA, IBIS GUZMAN, BLANCA
ORANTES, BALTAZAR VASQUEZ,
Plaintiffs-Petitioners,

No. 2:18-cv-928 MJP

v.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
("ICE"); U.S. DEPARTMENT OF HOMELAND
SECURITY ("DHS"); U.S. CUSTOMS AND BORDER
PROTECTION ("CBP"); U.S. CITIZENSHIP AND
IMMIGRATION SERVICES ("USCIS"); EXECUTIVE
OFFICE FOR IMMIGRATION REVIEW ("EOIR");
THOMAS HOMAN, Acting Director of ICE; KIRSTJEN
NIELSEN, Secretary of DHS; KEVIN K. McALEENAN,
Acting Commissioner of CBP; L. FRANCIS CISSNA,
Director of USCIS; MARC J. MOORE, Seattle Field Office
Director, ICE, WILLIAM P. BARR, United States Attorney
General; LOWELL CLARK, warden of the Northwest
Detention Center in Tacoma, Washington; CHARLES
INGRAM, warden of the Federal Detention Center in
SeaTac, Washington; DAVID SHINN, warden of the Federal
Correctional Institute in Victorville, California; JAMES
JANECKA, warden of the Adelanto Detention Facility;

**JOINT STIPULATION
AND ORDER GRANTING
LEAVE TO PLAINTIFFS
TO FILE A THIRD
AMENDED COMPLAINT,
EXTENDING THE TIME
FOR IMPLEMENTING
THE PRELIMINARY
INJUNCTION ISSUED BY
THIS COURT, STAYING
DISCOVERY, AND
SETTING A BRIEFING
SCHEDULE FOR
FORTHCOMING
MOTIONS**

NOTE ON MOTION
CALENDAR: MAY 13, 2019.

Defendants-Respondents.

Pursuant to Local Civil Rules 7(d)(1) and 10(g), Plaintiffs and Defendants hereby stipulate
and jointly move the Court for an Order setting forth the following:

1. Plaintiffs' Motion for Leave to Amend the Complaint (Dkt. 116) is granted.
2. Enforcement of the preliminary injunction entered on April 5 (Dkt. 110) ("Order") is
further stayed until July 1, 2019, while the Court adjudicates Defendants' currently-

1 pending motion to vacate the Order (Dkt. 114) and Plaintiffs’ forthcoming cross-
2 motion to modify the Order.

3 3. Defendants’ deadline to file a Notice of Appeal with respect to the Order is extended
4 from June 4, 2019 to July 5, 2019, to allow the Court to adjudicate Defendants’
5 currently-pending motion to vacate the Order (Dkt. 114) and Plaintiffs’ forthcoming
6 cross-motion to modify the Order. *See* Federal Rule of Appellate Procedure 4(a)(5)(C)
7 (“The district court may extend the time to file a notice of appeal [by] 30 days after the
8 prescribed time.”).

9 4. Discovery is stayed pending consideration of the parties’ forthcoming motions.

10 5. Defendants will continue to schedule bond hearings pursuant to *Matter of X-K-* until
11 the date *Matter of M-S-* is scheduled to go into effect.¹

12 6. The following briefing schedule governs Plaintiffs’ forthcoming cross-motion to
13 modify the Order and Defendants’ motion to dismiss Plaintiffs’ Third Amended
14 Complaint:

15 a. Plaintiffs file their cross-motion to modify the Order on or before May 28, 2019.

16 b. Defendants file their opposition to Plaintiffs’ cross-motion to modify the Order on
17 or before June 10, 2019.

18 c. Plaintiffs file their reply in support of their cross-motion to modify the Order on or
19 before June 14, 2019.

20 d. Defendants file their motion to dismiss the Third Amended Complaint on or before
21 June 3, 2019.

22 e. Plaintiffs file their opposition to Defendants’ motion to dismiss the Third Amended
23 Complaint on or before June 17, 2019.

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¹ The “effective date” of *Matter of M-S-* is “90 days” from April 16—July 15, 2019. Dkt. 114-1 at 12 n.8.

1 f. Defendants file their reply in support of their motion to dismiss the Third Amended
2 Complaint on or before June 21, 2019.

3 Given the complex issues that the parties anticipate briefing, the parties also stipulate to a
4 page limit of 24 pages for both parties’ motions and oppositions, and 12 pages for both parties’
5 replies.

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RESPECTFULLY SUBMITTED this May 13, 2019.

s/ Matt Adams

Matt Adams, WSBA No. 28287

Email: matt@nwirp.org

Kristin Macleod-Ball*

Trina Realmuto*

Glenda M. Aldana Madrid, WSBA No. 46987

Email: glenda@nwirp.org

AMERICAN IMMIGRATION COUNCIL

100 Summer Street, 23rd Floor

Boston, MA 02110

(857) 305-3600

trealmuto@immcouncil.org

kmacleod-ball@immcouncil.org

Leila Kang, WSBA No. 48048

Email: leila@nwirp.org

NORTHWEST IMMIGRANT
RIGHTS PROJECT

615 Second Avenue, Suite 400

Seattle, WA 98104

Telephone: (206) 957-8611

Facsimile: (206) 587-4025

Attorneys for Plaintiffs-Petitioners

*Admitted *pro hac vice*

Attorneys for Plaintiffs-Petitioners

JOSEPH. H. HUNT

Assistant Attorney General

Civil Division

/s/ Archith Ramkumar

ARCHITH RAMKUMAR

N.Y.B. # 5269949

Trial Attorney, District Court Section

Office of Immigration Litigation

Civil Division

P.O. Box 868, Ben Franklin Station

Washington, DC 20044

(202) 598-8060; (202) 305-7000 (fax)

archith.ramkumar@usdoj.gov

WILLIAM C. PEACHEY

Director, District Court Section

Office of Immigration Litigation

EREZ REUVENI

Assistant Director, District Court Section

Attorneys for Defendants-Respondents

JOINT STIPULATION AND
ORDER

CASE No. 2:18-cv-928 MJP

ORDER

Based on the foregoing stipulation of the parties, IT IS SO ORDERED that:

1. Plaintiffs’ Motion for Leave to Amend the Complaint (Dkt. 116) is granted.
2. Enforcement of the preliminary injunction entered on April 5 (Dkt. 110) is further stayed until July 1, 2019.
3. Defendants’ deadline to file a Notice of Appeal with respect to the Order granting Plaintiffs’ motion for a preliminary injunction is extended from June 4, 2019 to July 5, 2019.
4. Discovery is stayed pending consideration of the parties’ forthcoming motions.
5. Defendants will continue to schedule bond hearings pursuant to *Matter of X-K-* until the date *Matter of M-S-* is scheduled to go into effect.
6. The following briefing schedule governs Plaintiffs’ forthcoming cross-motion to modify the Order granting Plaintiffs’ motion for a preliminary injunction and Defendants’ motion to dismiss Plaintiffs’ Third Amended Complaint:
 - a. Plaintiffs file their cross-motion to modify the Order granting Plaintiffs’ motion for a preliminary injunction on or before May 28, 2019.
 - b. Defendants file their opposition to Plaintiffs’ cross-motion to modify the Order granting Plaintiffs’ motion for a preliminary injunction on or before June 10, 2019.
 - c. Plaintiffs file their reply in support of their cross-motion to modify the Order granting Plaintiffs’ motion preliminary injunction on or before June 14, 2019.
 - d. Defendants file their motion to dismiss the Third Amended Complaint on or before June 3, 2019.
 - e. Plaintiffs file their opposition to Defendants’ motion to dismiss the Third Amended Complaint on or before June 17, 2019.

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f. Defendants file their reply in support of their motion to dismiss the Third Amended Complaint on or before June 21, 2019.

DATED this 20th day of May, 2019.



Marsha J. Pechman
United States Senior District Judge

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CERTIFICATE OF SERVICE

I hereby certify that on May 20, 2019, I had the foregoing electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

/s/ Archith Ramkumar
ARCHITH RAMKUMAR
N.Y.B. # 5269949
Trial Attorney, District Court Section
Office of Immigration Litigation
Civil Division
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
(202) 598-8060; (202) 305-7000 (fax)
archith.ramkumar@usdoj.gov

Attorney for Defendants