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*The Honorable Marsha J. Pechman*

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

YOLANY PADILLA, on behalf of herself and her 6-year-old son J.A.; IBIS GUZMAN, on behalf of herself and her 5-year-old son R.G.; BLANCA ORANTES, on behalf of herself and her 8-year-old son A.M.; BALTAZAR VASQUEZ, on behalf of himself;

Plaintiffs-Petitioners,

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”); U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (“HHS”); OFFICE OF REFUGEE RESETTLEMENT (“ORR”); THOMAS HOMAN, Acting Director of ICE; KIRSTJEN NIELSEN, Secretary of DHS; KEVIN K. McALEENAN, Acting Commissioner of CBP; L. FRANCIS CISSNA, Director of USCIS; ALEX M. AZAR II, Secretary of HHS; SCOTT LLOYD, Director of ORR; MARC J. MOORE, Seattle Field Office Director, ICE; JEFFERSON BEAUREGARD SESSIONS III, 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;

Defendants-Respondents.

No. 2:18-cv-928 MJP

**JOINT STIPULATION  
AND ORDER  
REGARDING MOTION  
BRIEFING SCHEDULE**

NOTE ON MOTION  
CALENDAR:  
AUGUST 20, 2018.

JOINT STIPULATION AND ORDER  
REGARDING MOTION BRIEFING  
SCHEDULE

CASE No. 2:18-cv-928 MJP

1 Pursuant to Local Civil Rules 7(d)(1) and 10(g), plaintiffs and defendants hereby  
2 stipulate and jointly move the Court for an Order setting the filing schedule for plaintiffs second  
3 amended complaint, plaintiffs' pending class certification motion, and defendants' planned  
4 dismissal motion.

5 Currently defendants' response to plaintiffs' first Amended Complaint (Dkt. # 8) is due  
6 the last week of August and their response to plaintiffs' Motion for Class Certification (Dkt. #  
7 11) is due August 20. After consultation between the parties' counsel, plaintiffs agreed to file an  
8 amended complaint that no longer pursues this suit's family separation claims (but does pursue  
9 CFI and bond hearing claims) and defendants stipulated to said amendment. Counsel also agreed  
10 to a briefing schedule for plaintiffs' pending class certification motion and defendants' planned  
11 dismissal motion. To avoid unnecessary duplication in briefing, the parties stipulate and agree to  
12 the entry of an Order that sets the following schedule:

- 13 1. Plaintiffs' second amended complaint will be filed August 22. Defendants'  
14 motion to dismiss will be due September 5 and noted for September 28. Plaintiffs'  
15 response to the motion to dismiss will be due September 24 and defendants' reply  
16 will be due September 28.
- 17 2. Plaintiffs renoted their Motion for Class Certification (Dkt. # 11) to  
18 September 28. By agreement between the parties, defendants' response is due  
19 September 17, and plaintiffs' reply is due September 28.

20 The reason for this stipulation is to avoid unnecessary duplication in the briefing  
21 schedule. The parties anticipate that the class certification and dismissal motions may have issues  
22 in common, and believe it is appropriate have those two motions considered at the same time.  
23 Additionally, having both motions noted for the same day will help consolidate any oral  
24 argument for the Court (if oral argument is granted), and simplify the Court's review of these  
25 two motions.

26  
JOINT STIPULATION AND ORDER  
REGARDING MOTION BRIEFING  
SCHEDULE - 1

CASE NO. 2:18-cv-928 MJP

1 RESPECTFULLY SUBMITTED this 20<sup>th</sup> day of August, 2018.

2  
3 s/ Matt Adams  
4 Matt Adams, WSBA No. 28287  
5 Email: matt@nwirp.org

6 s/ Glenda M. Aldana Madrid  
7 Glenda M. Aldana Madrid, WSBA No. 46987  
8 Email: glenda@nwirp.org

9 s/ Leila Kang  
10 Leila Kang, WSBA No. 48048  
11 Email: leila@nwirp.org

12 NORTHWEST IMMIGRANT  
13 RIGHTS PROJECT  
14 615 Second Avenue, Suite 400  
15 Seattle, WA 98104  
16 Telephone: (206) 957-8611  
17 Facsimile: (206) 587-4025  
18 *Attorneys for Plaintiffs-Petitioners*

19  
20 CHAD A. READLER  
21 Acting Assistant Attorney General  
22 Civil Division  
23 WILLIAM C. PEACHEY  
24 Director, District Court Section  
25 Office of Immigration Litigation  
26 EREZ REUVENI  
Assistant Director, District Court Section  
Office of Immigration Litigation

s/ Thomas F. Ahearne  
Thomas F. Ahearne, WSBA #14844  
Email: ahearne@foster.com

s/ William F. Abrams  
\*William F. Abrams, CA Bar #88805  
\*Admitted pro hac vice  
\*Email: bill.abrams@foster.com

s/ Joanna Plichta Boisen  
Joanna Plichta Boisen, WSBA #38368  
Email: Joanna.boisen@foster.com

s/ Benjamin J. Hodges  
Benjamin J. Hodges, WSBA #49301  
Email: ben.hodges@foster.com

s/ Kevin Ormiston  
Kevin Ormiston, WSBA #49835  
Email: kevin.ormiston@foster.com

FOSTER PEPPER PLLC  
1111 Third Avenue, Suite 3000  
Seattle, Washington 98101-3292  
Telephone: (206) 447-4400  
Facsimile: (206) 447-9700

*Attorneys for Plaintiffs-Petitioners*

/s/ Lauren C. Bingham  
LAUREN C. BINGHAM, Fl. Bar #105745  
Trial Attorney, District Court Section  
Office of Immigration Litigation  
Civil Division  
P.O. Box 868, Ben Franklin Station  
Washington, DC 20044  
(202) 616-4458; (202) 305-7000 (fax)  
lauren.c.bingham@usdoj.gov

*Attorneys for Defendants-Respondents*


JOINT STIPULATION AND ORDER  
REGARDING MOTION BRIEFING  
SCHEDULE - 2

CASE NO. 2:18-cv-928 MJP

**ORDER**

Based on the foregoing stipulation of the parties, IT IS SO ORDERED. After filing of the Second Amended Complaint on August 22, 2018, defendants’ motion to dismiss will be due September 5 and noted for September 28. Plaintiffs’ response to the motion to dismiss will be due September 24, and defendants’ reply will be due September 28. Defendants’ response to plaintiffs’ pending renoted Motion for Class Certification (Dkt. # 11) is due September 17, and plaintiffs’ reply is due September 28.

DATED this 28th day of August, 2018.

  
Marsha J. Pechman  
United States District Judge

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