

The Honorable Marsha J. Pechman

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5 **UNITED STATES DISTRICT COURT**
6 **WESTERN DISTRICT OF WASHINGTON**
7 **AT SEATTLE**

8 STATE OF WASHINGTON, *et al.*,

9 Plaintiffs,

10 v.

11 UNITED STATES OF AMERICA, *et al.*,

12 Defendants.

No. 2:18-cv-0939 (MJP)

**Defendants' Partially Opposed Motion to
Extend Time to File Answer**

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14 Defendants, the United States of America, et al., by and through undersigned counsel,
15 move to extend by 30-days the deadline for filing an Answer to the Plaintiffs' Complaint. *See*
16 *Fed. R. Civ. P. 12(a)(2)*; Dkt. No. 1. The requested 30-day extension would make Defendants'
17 Answer due on Wednesday, September 26, 2018, and would not require the Court to adjust any
18 other previously established deadlines. On August 21, 2018, Defendants contacted Plaintiffs'
19 counsel via email to ascertain their position on Defendants' motion, and Plaintiffs indicated that
20 they consent to a 14-day extension of the deadline, but opposed Defendants' request for a longer
21 30-day extension.

22 On August 8, 2018, the Court granted Defendants' Motion to Transfer Venue. Dkt. No.
23 88. The Court transferred this case to the Southern District of California, finding that there "is
24 substantial overlap between the States' claims and those being litigated in [*Ms. L v. U.S. ICE*,
25 No. 18-428 (S.D. Cal.)]." Dkt. No. 88. The Court noted that the case was to be assigned to Judge
26 Sabraw in the Southern District of California, 15-days following the Court's order, or on August
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23, 2018. *Id.* Explaining the rationale for granting the Defendants’ motion to transfer, the Court noted that “the government must turn all of its efforts to locating and reuniting parents and children who have been separated and potentially harmed by this Policy.” Dkt. No. 88. The government is actively engaged in the reunification process and compliance with and administration of the *Ms. L* injunction. As the Court noted, “the primary of import of the States’ case is to reunite families as expeditiously as possible,” dkt. no. 88, and as such, the Defendants’ request for an extension of time to answer does not harm Plaintiffs. Therefore, in the interests of proceeding with this litigation in the most orderly and efficient manner possible, the Court should grant Defendants’ motion to extend the time period for Defendants to answer Plaintiffs’ complaint.

For the reasons stated above, the Defendants respectfully request that the Court extend the deadline for their Answer to the Complaint by 30-days, through September 26, 2018.

DATED: August 23, 2018

CHAD A. READLER
Acting Assistant Attorney General

WILLIAM C. PEACHEY
Director

EREZ REUVENI
Assistant Director

NICOLE N. MURLEY
Trial Attorney

/s/ Nicole N. Murley
NICOLE N. MURLEY
Trial Attorney
JOSHUA PRESS
Trial Attorney
United States Department of Justice
Civil Division
Office of Immigration Litigation

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District Court Section
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Phone: (202) 616-0473
Nicole.Murley@usdoj.gov

*Attorneys for the United States of America
and the Federal Defendants*

CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2018, I electronically transmitted the foregoing document to the Clerk’s Office using the U.S. District Court for the Western District of Washington’s Electronic Document Filing System (ECF), which will serve a copy of this document upon all counsel of record.

By: /s/ Nicole N. Murley
NICOLE N. MURLEY

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Presented by:

CHAD A. READLER
Acting Assistant Attorney General

WILLIAM C. PEACHEY
Director

EREZ REUVENI
Assistant Director

NICOLE N. MURLEY
Trial Attorney

JOSHUA S. PRESS
Trial Attorney

United States Department of Justice
Civil Division
Office of Immigration Litigation
District Court Section
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Phone: (202) 305-0106
joshua.press@usdoj.gov

*Attorneys for the United States of America
and the Federal Defendants*

[PROPOSED] ORDER GRANTING
DEFENDANTS' MOTION TO RENOTE
Case No. 2:18-cv-0939 (MJP)

U.S. DEPARTMENT OF JUSTICE
CIVIL DIVISION, OIL-DCS
P.O. BOX 868 BEN FRANKLIN
STATION
WASHINGTON, DC 20044
TELEPHONE: (202) 616-0473
FACSIMILE: (202) 305-7000