

The Honorable James L. Robart

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

STATE OF WASHINGTON; STATE OF CALIFORNIA; STATE OF MARYLAND; COMMONWEALTH OF MASSACHUSETTS; STATE OF NEW YORK; and STATE OF OREGON,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity as President of the United States; U.S. DEPARTMENT OF HOMELAND SECURITY; ELAINE C. DUKE, in her official capacity as Acting Secretary of Homeland Security; REX W. TILLERSON, in his official capacity as Secretary of State; and the UNITED STATES OF AMERICA,

Defendants.

No. 2:17-cv-00141 (JLR)

**STIPULATION AND [PROPOSED] ORDER TO EXTEND DEADLINE FOR DEFENDANTS TO RESPOND TO THIRD AMENDED COMPLAINT**

Noted For Consideration:  
October 26, 2017

Pursuant to Local Rule 10(g), Plaintiffs and Defendants, through their respective undersigned counsel, hereby stipulate and agree as follows:

1. Plaintiffs amended their complaint on October 16, 2017 to challenge Proclamation No. 9645, *Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry Into the United States by Terrorists or Other Public-Safety Threats*, 82 Fed. Reg. 45,161 (Sept. 27, 2017). See Third Am. Compl., ECF No. 198. Absent an extension of time,

1 Defendants' response to the Third Amended Complaint is due on October 30, 2017. *See* Fed. R.  
2 Civ. P. 15(a)(3).

3           2.       On October 11, 2017, Plaintiffs filed a Motion for Temporary Restraining Order  
4 ("TRO"), asking the Court to temporarily enjoin certain provisions of the Proclamation. *See*  
5 ECF No. 195. The Court subsequently entered a schedule for briefing the motion. *See* ECF No.  
6 197. Pursuant to that schedule, Defendants filed their opposition to Plaintiffs' TRO motion on  
7 October 23, 2017. *See* ECF No. 205. Plaintiffs' reply in support of their TRO motion is due on  
8 October 26, 2017, and the Court has set a hearing on the motion for October 30, 2017. *See* ECF  
9 No. 197. Following receipt of the briefing and hearing schedule, Plaintiffs requested that the  
10 Court treat their motion for a TRO as a motion for preliminary injunction. ECF No. 200.  
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12           3.       The parties agree that Defendants' deadline to respond to the Third Amended  
13 Complaint should be extended until after the Court resolves Plaintiffs' TRO motion and any  
14 subsequent motion for preliminary injunction.  
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16           Accordingly, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs  
17 and Defendants, subject to the Court's approval, that:

18           A.       Defendants' deadline to respond to the Third Amended Complaint shall be  
19 extended until 14 days after the Court enters an order resolving both Plaintiffs' TRO motion and  
20 any subsequent preliminary injunction motion.  
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1 Dated this 26th day of October, 2017.

2 Presented by:

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4 Attorney General of Washington

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5 Attorneys for Plaintiff  
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13 **ORDER**

14 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

15 Dated \_\_\_\_\_  
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18 JAMES L. ROBERT  
United States District Judge  
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**CERTIFICATE OF SERVICE**

I hereby certify that, on October 26, 2017, a copy of the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

DATED this 26th day of October, 2017.

/s/ Michelle R. Bennett  
MICHELLE R. BENNETT

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