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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, et al.,

Defendants.

CASE NO. C17-0141JLR

MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable James L. Robart:

At Defendants' request, the court held a telephone conference concerning the Order Regarding the State of Washington's February 9, 2017, Letter ("Order"). (Order (Dkt. # 71).) Colleen M. Melody of the Washington State Attorney General's Office appeared on behalf of Plaintiffs. Michelle R. Bennett of the United States Department of Justice, Civil Division of Federal Programs, appeared on behalf of Defendants.

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1 During the telephone conference, Defendants asked the court for additional time to
2 respond to the court’s Order. The court heard from counsel for both Plaintiffs and
3 Defendants on this issue. The court GRANTS Defendants’ request and MODIFIES its
4 Order as follows:

5 (1) Plaintiffs and Defendants shall each file a separate memorandum no later than
6 12:00 p.m., Pacific Standard Time (“PST”) on Monday, February 13, 2017.

7 (2) Each side’s memorandum shall discuss whether the Ninth Circuit has
8 construed the court’s temporary restraining order (“TRO”) (TRO (Dkt. # 52))
9 as a preliminary injunction, such that additional briefing and possible evidence
10 on a motion for preliminary injunction is no longer required in the district
11 court, *see Washington v. Trump*, No. 17-35105, slip op. at 7-8, Dkt. # 134 (9th
12 Cir. 2017) (“[W]e believe . . . that the TRO should be considered to have the
13 qualities of a reviewable preliminary injunction.”); or whether the parties
14 should submit additional briefing and evidence in the district court concerning
15 the issue of a preliminary injunction, *see Fed. R. Civ. P. 65(b)(3)*.

16 (3) The parties shall limit the length of their memoranda to eight pages.

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1 (4) The court RESCHEDULES the telephonic hearing previously set at
2 11:00 a.m., PST, on Monday, February 13, 2017 (*see* Order at 2), to 3:00 p.m.,
3 PST, on Monday, February 13, 2017.

4 Filed and entered this 10th day of February, 2017.

5 WILLIAM M. MCCOOL
6 Clerk of Court

7 s/ Ashleigh Drecktrah
8 Deputy Clerk
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