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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI‘I

STATE OF HAWAI‘I and ISMAIL ELSHIKH,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States; U.S.
DEPARTMENT OF HOMELAND SECURITY;
JOHN F. KELLY, in his official capacity as
Secretary of Homeland Security; U.S.
DEPARTMENT OF STATE; REX TILLERSON,
in his official capacity as Secretary of State; and
the UNITED STATES OF AMERICA,

Defendants.

Civil Action No. 1:17-cv-
00050-DKW-KJM

JOINT MOTION FOR ENTRY OF PROPOSED BRIEFING SCHEDULE
ORDER FOR PLAINTIFFS’ FORTHCOMING MOTION FOR A
TEMPORARY RESTRAINING ORDER

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The parties file the instant joint motion with this Court, respectfully moving for the entry of a Proposed Briefing Schedule Order for Plaintiffs' forthcoming Motion for a Temporary Restraining Order.

On March 6, 2017, Plaintiffs conferred with counsel for the Government and informed the Government that Plaintiffs intended to file a Motion to Lift the Stay and for Leave to File a Second Amended Complaint, as well as a Second Amended Complaint and a Motion for a Temporary Restraining Order in connection with President Donald Trump's new Executive Order, signed March 6, 2017. On March 7, 2017, the Government responded that it consents to Plaintiffs' request to lift the stay of the proceedings in this case to the extent that Plaintiffs seek to challenge the new Executive Order. The Government related that it takes no position on Plaintiffs' Motion for Leave to File a Second Amended Complaint.

Upon further discussion, the parties have agreed to the following briefing and argument schedule on Plaintiffs' forthcoming Motion for a Temporary Restraining Order, if it is acceptable to this Court. Namely, the parties propose that: Plaintiffs file their Second Amended Complaint, Motion for a Temporary Restraining Order, and any declarations in support thereof on March 8, 2017; the Government files its Opposition to Plaintiffs' Motion for a Temporary Restraining

Order by 6 AM Hawaii Standard Time on March 13, 2017; Plaintiffs file a Reply by 12 Noon Hawaii Standard Time on March 14, 2017; and both parties prepare to appear at a hearing in this Court with telephonic access available on the morning of March 15, 2017. The parties have also agreed, if it is acceptable to this Court, to seek leave to allow both parties to file briefs of up to 12,000 words for Plaintiffs' Memorandum of Law in Support of their Motion for a Temporary Restraining Order and the Government's opposition thereto.

The parties respectfully move for the entry of a proposed briefing schedule with the above dates and word limits. Given that the Executive Order will become effective at 6:01 P.M. Hawaii Standard Time on March 15, 2017, the proposed briefing and argument schedule will enable the Court to consider Plaintiffs' motion for a temporary restraining order before the Executive Order is scheduled to take effect.

DATED: Honolulu, Hawai'i, March 7, 2017.

Respectfully submitted,

/s/ Brad P. Rosenberg

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