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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

COMMUNITY LEGAL SERVICES IN EAST PALO ALTO Plaintiffs, v. UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, *ET AL.*, Defendants.	Case No. 3:25-cv-02847-AMO **STIPULATION TO POSTPONE SUBMISSION OF JOINT PROPOSED BRIEFING SCHEDULE FOR DISPOSITIVE MOTIONS**

The Parties submit this stipulation pursuant to Local Rules 6-2 and 7-12 and jointly request that the Court allow the Parties to postpone the submission of a joint proposed briefing schedule for dispositive motions, as described below.

On August 1, 2025, this Court ordered that the Parties "meet and confer and, within 14 days following service of the administrative record, jointly submit a proposed briefing schedule on the anticipated dispositive motions." *See* Order, ECF No. 131. On August 18, 2025, Defendants served Plaintiffs' counsel with the administrative record. *See* ECF No. 132. The Parties have met and conferred by zoom and by email several times and now submit this proposal to the Court.

Because the Ninth Circuit is still considering (1) Defendants' request for en banc review of Defendants' Motion to Stay this Court's preliminary injunction and (2) Defendants' appeal on the merits of this Court's preliminary injunction, the Parties propose waiting to set a briefing schedule. Any dispositive motions, and any need for discovery, will be better informed after the Ninth Circuit decides one or both of these pending requests. The Parties respectfully request to jointly revisit, within 14 days of a decision from the Ninth Circuit, whether they will propose a briefing schedule at that time. Parties also note that further appeal could be taken to the U.S. Supreme Court, which might further justify a delayed briefing schedule or discovery decision before this Court.

Defendants join the position above except as to the need for discovery. Defendants' position is that the Court can decide this matter based on the certified administrative record.

The Parties reserve their rights as to any position on further delay of a briefing schedule beyond that requested here (14 days from a Ninth Circuit decision on one or both of pending requests), but agree to jointly revisit the issue if and when circumstances change due to a Supreme Court appeal, a lift of the current preliminary injunction, a change in the Parties' contract status, or other relevant development.

A proposed order is included herewith.

Dated: September 2, 2025

Respectfully submitted,

By: */s/ Laura M. Sturges**

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**In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests under penalty of perjury that, as authorized by attorneys for Plaintiffs, all signatories have concurred in the filing of this document.*

~~[PROPOSED]~~ ORDER

Upon consideration of the parties' Stipulation, it is hereby ORDERED that, within 14 days of a decision from the Ninth Circuit, disposing of (1) Defendants' request for en banc review of Defendants' Motion to Stay this Court's preliminary injunction or (2) Defendants' appeal on the merits of this Court's preliminary injunction, the Parties will jointly revisit whether they will propose a briefing schedule to govern dispositive motions and submit a joint status report to the Court.

IT IS SO ORDERED.

Dated: September 3, 2025

Hon. Araceli Martínez-Olguín
UNITED STATES DISTRICT JUDGE