

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

LEAGUE OF WOMEN VOTERS OF
MASSACHUSETTS; et al.,

Plaintiffs,

v.

DONALD J. TRUMP, *in his official capacity
as President of the United States*, et al.,

Defendants.

C.A. No. 1:26-cv-11549-IT

STATE OF CALIFORNIA; et al.,

Plaintiffs,

v.

DONALD J. TRUMP, *in his official capacity
as President of the United States*, et al.,

Defendants.

C.A. No. 1:26-cv-11581-IT

JOINT STATEMENT

As directed by the Court's order dated April 17, 2026 (ECF No. 63), the parties in *State of California, et al. v Donald J. Trump, et al.*, C.A. No. 1:26-cv-11581 ("*State of California*") and *League of Women Voters of Massachusetts, et al.*, C.A. No. 1:26-cv-11549 ("*League of Women Voters of Massachusetts*") submit this joint statement setting forth their positions regarding (1) whether the Court should consolidate the two actions and (2) any proposed modifications to the Scheduling Order entered in *State of California* (ECF No. 39) and proposed schedule submitted in *League of Women Voters of Massachusetts* (ECF No. 18) as to deadlines, page limits, and hearing dates following the plaintiffs' anticipated April 23, 2026 filings.

I. *State of California Plaintiffs*¹

The *State of California* plaintiffs (Plaintiff States) do not in principle oppose consolidation and generally are amenable to coordinating the cases to the extent practicable and for the convenience of the Court, so long as consolidation does not delay resolution of the case nor impair Plaintiff States's ability to adequately represent the 24 state-entity plaintiffs.

With respect to the Scheduling Order in *State of California* (ECF No. 39), Plaintiff States do not propose any modifications. Plaintiff States oppose any delay of the deadlines set forth in the Scheduling Order, and especially any delay of the June 2, 2026, hearing on Plaintiff States's motion for summary judgment. With respect to briefing, in light of Plaintiff States's need to present argument on behalf of 24 different state entities which are significantly differently situated from the *League of Women Voters of Massachusetts* plaintiffs, Plaintiff States oppose combined briefing with the *League of Women Voters of Massachusetts* plaintiffs. Separate briefs are necessary for Plaintiff States to adequately address their unique status and harms resulting from the EO, their claims challenging provisions of the EO not challenged by the *League of Women Voters* plaintiffs (e.g., the 5-year record preservation standard in section 5), and in light of the different procedural postures of the cases.

Plaintiff States understand that, in the event of consolidation, Defendants would request being permitted to file consolidated briefs in response to plaintiffs' briefing with page limits of 70 pages for their principal brief and 35 pages for their reply brief. Plaintiff States do not oppose affording

¹ Plaintiffs in *State of California* are the State of California; Commonwealth of Massachusetts; State of Nevada; State of Washington; State of Arizona; State of Colorado; State of Connecticut; State of Delaware; District of Columbia; State of Illinois; State of Maine; State of Maryland; State of Michigan; State of Minnesota; State of New Jersey; State of New Mexico; State of New York; State of North Carolina; State of Oregon; State of Rhode Island; State of Vermont; Commonwealth of Virginia; State of Wisconsin; and Josh Shapiro, in his official capacity as Governor of the Commonwealth of Pennsylvania.

Defendants combined briefing and the requested extended page limits in response to both sets of plaintiffs' briefing.

Plaintiff States take no position with respect to the proposed scheduling order submitted in *League of Women Voters of Massachusetts* (ECF No. 18). Plaintiff States understand that in the event of consolidation, the *League of Women Voters of Massachusetts* plaintiffs would request that their second brief opposing Defendants' Combined Motion to Dismiss, Motion for Summary Judgment, and Opposition to Motion for Preliminary Injunction, and Reply in support of their Motion for a Preliminary Injunction be moved from May 14, 2026 to May 11, 2026, and that the Court schedule a preliminary-injunction motion hearing date before the June 2, 2026 hearing. Plaintiff States take no position on this request.

Plaintiff States do not oppose holding a single hearing on motions in both cases so long as doing so would not delay Plaintiff States's June 2, 2026, summary-judgment hearing date.

II. *League of Women Voters of Massachusetts* Plaintiffs²

The *League* Plaintiffs are amenable to consolidation with the *California* matter with the understanding that each set of Plaintiffs will continue to have their own briefs and opportunity to participate in hearings throughout the proceedings. The *League* Plaintiffs do not oppose Defendants' request to file combined briefs addressing both the *League* and *California* claims, with page limits of 70 pages and 35 pages respectively, as set out below.

As to the briefing schedule, the *League* Plaintiffs continue to believe that pursuing a preliminary injunction is necessary to preserve the status quo, given that they are already facing

² Plaintiffs in *League of Women Voters of Massachusetts* are the League of Women Voters of Massachusetts; League of Women Voters Lotte E. Scharfman Memorial Education Fund; League of Women Voters of the United States; League of Women Voters Education Fund; Association of American Residents Overseas; U.S. Vote Foundation; OCA-Asian Pacific American Advocates; and Delta Sigma Theta Sorority, Inc.

irreparable harm due to the Executive Order. As such, the *League* Plaintiffs respectfully request that the Court hold an earlier hearing on its preliminary injunction motion before the June 2 hearing, while maintaining the June 2 hearing for the dispositive motions. If the Court is willing to hold a hearing on the *League* Plaintiffs' motion for preliminary injunction before June 2, then the *League* Plaintiffs would seek to expedite the briefing schedule as follows:

- April 23 by 11 pm EDT: *League* Plaintiffs file their preliminary injunction motion, with the brief limited to **30 pages**.
- May 7 by 11 pm EDT: Defendants file their combined opposition to the *League* and *California* Plaintiffs' motions and their motion to dismiss/motion for summary judgment, with the brief limited to **70 pages**.
- May 11 by 11 pm EDT: *League* Plaintiffs file their reply brief in support of their preliminary injunction motion and opposition to Defendants' motion to dismiss/motion for summary judgment, limited to **30 pages**.
- May 14, or as soon as possible thereafter: Hearing on *League* Plaintiffs' motion for preliminary injunction.
- May 22 by 11 pm EDT: Defendants' combined reply brief in support of their motion to dismiss/motion for summary judgment, limited to **35 pages**.
- June 2 at 10 am EDT: Hearing on *California* Motion for Summary Judgment and Defendants' Motions (*League* Plaintiffs would also participate to oppose Defendants' motion on their claims).

If the Court would prefer to hear argument on the *League* Plaintiffs' preliminary injunction motion at the same time as the dispositive motions on June 2, then the *League* Plaintiffs propose that the Court keep the briefing schedule reflected in *League* ECF No. 18 (reflecting Plaintiffs' opposition and reply would be due on May 14 instead of May 11).

The *League* Plaintiffs' alternative proposal for an earlier hearing does not prejudice the rights of the Plaintiff States to seek summary judgment nor the rights of Defendants to seek dismissal or summary judgment on the current schedule and for the Court to decide those motions

in due course. And Defendants' briefing deadlines would remain unchanged, as would the June 2 hearing on the dispositive motions.

III. Federal Defendants (Both Actions)³

The United States supports consolidation of the above-captioned matters. Consistent with the schedules that are already in place, *see California* ECF No. 39 (or, in *League of Women Voters*, that the parties have already proposed, *see League of Women Voters* ECF No. 18), if consolidation is granted, in light of the expected overlap among Plaintiffs' briefs, the United States requests leave to file one combined opening brief (not to exceed 70 pages) on or before 11 PM on May 7, and one combined reply brief (not to exceed 35 pages) on or before 11 PM on May 22. Defendants' understanding is that Plaintiffs do not oppose that request.

Separately, the Plaintiffs in *League of Women Voters* continue to press for a separate, earlier hearing on their motion for a preliminary injunction. The parties already addressed that issue in a prior filing, and Defendants continue to oppose it for the reasons stated in *League of Women Voters* ECF No. 18, on the grounds that it would be both inefficient and prejudicial. In addition, Defendants note that this request for a separate hearing makes even less sense now that all parties support consolidation -- as holding a second, earlier hearing on only one motion (in only one of these two cases) would wipe out much of the efficiency gains that would otherwise stem from consolidation, for both Defendants and the Court.

³ Defendants in both actions are the same, except that the Attorney General of the United States, the U.S. Department of Justice, the Secretary of Commerce and the U.S. Department of Commerce are defendants in *State of California*, but not in *League of Women Voters of Massachusetts*; and that the Postal Service Board of Governors is a defendant in *League of Women Voters of Massachusetts*, but not in *State of California*.

Accordingly, to summarize, Defendants propose the following briefing schedule (which is consistent with the existing schedule in *California* and the schedule previously set forth in the parties' joint motion in *League of Women Voters*):

- April 23 by 11 pm EDT: *League* Plaintiffs file their preliminary injunction motion, with the brief limited to **30 pages**. *California* Plaintiffs file their motion for summary judgment, with the brief limited to **30 pages**.
- May 7 by 11 pm EDT: Defendants file their combined opposition to the *League* and *California* Plaintiffs' motions and their motion to dismiss/motion for summary judgment, with the brief limited to **70 pages**.
- May 14 by 11 pm EDT: *League* Plaintiffs file their reply brief in support of their preliminary injunction motion and opposition to Defendants' motion to dismiss/motion for summary judgment, limited to **30 pages**. *California* Plaintiffs file their reply brief in support of their motion for summary judgment and opposition to Defendants' motion to dismiss/motion for summary judgment, limited to **30 pages**.
- May 22 by 11 pm EDT: Defendants' combined reply brief in support of their motion to dismiss/motion for summary judgment, limited to **35 pages**.
- June 2 at 10 am EDT: Hearing on *League* Motion for Preliminary Injunction, *California* Motion for Summary Judgment, and Defendants' Motions.

Dated: April 21, 2026

Respectfully submitted.

ROB BONTA

Attorney General of California

By: /s/ Michael S. Cohen

Michael S. Cohen*

Deputy Attorney General

Thomas S. Patterson*

Senior Assistant Attorney General

Seth E. Goldstein*

Supervising Deputy Attorney General

Anne P. Bellows*

Kevin L. Quade*

Malcolm A. Brudigam*

Robert William Setrakian*

Deputy Attorneys General

1300 I Street, P.O. Box 944255

Sacramento, CA 95814

(916) 210-6090

Michael.Cohen@doj.ca.gov

Seth.Goldstein@doj.ca.gov

Anne.Bellows@doj.ca.gov

Kevin.Quade@doj.ca.gov

Malcolm.Brudigam@doj.ca.gov

William.Setrakian@doj.ca.gov

Counsel for the State of California

AARON FORD

Attorney General of Nevada

By: /s/ K. Brunetti Ireland

K. Brunetti Ireland*

Chief of Special Litigation

1 State of Nevada Way, Suite 100
Las Vegas, NV 89119

(702) 486-9246

KIreland@ag.nv.gov

Counsel for the State of Nevada

ANDREA JOY CAMPBELL

Attorney General of Massachusetts

By: /s/ Vanessa A. Arslanian

M. Patrick Moore (BBO No. 670323)

First Assistant Attorney General

Vanessa A. Arslanian (BBO No. 688099)

State Trial Counsel

Jared B. Cohen (BBO No. 689217)

Jak Kundl (BBO No. 713951)

Assistant Attorneys General

One Ashburton Place

Boston, MA 02108

(617) 963-2107

Vanessa.Arslanian@mass.gov

Pat.Moore@mass.gov

Jared.B.Cohen@mass.gov

Jak.Kundl@mass.gov

Counsel for the Commonwealth of Massachusetts

NICHOLAS W. BROWN

Attorney General of Washington

By: /s/ Tera M. Heintz

Tera M. Heintz*

Cristina Sepe*

Karl D. Smith*

Deputy Solicitors General

1125 Washington Street SE

PO Box 40100

Olympia, WA 98504-0100

(360) 753-6200

tera.heintz@atg.wa.gov

cristina.sepe@atg.wa.gov

karl.smith@atg.wa.gov

Counsel for the State of Washington

(additional counsel on following page)

KRISTIN K. MAYES

Attorney General of the State of Arizona

By: /s/ Kara Karlson
Kara Karlson*
Karen J. Hartman-Tellez*
Joshua M. Whitaker*
Syreeta Tyrell*
Assistant Attorneys General
2005 North Central Ave.
Phoenix, AZ 85004
(602) 542-8118

Counsel for the State of Arizona

WILLIAM TONG

Attorney General of Connecticut

By: /s/ Maura Murphy
Maura Murphy*
Deputy Associate Attorney General
165 Capitol Avenue
Hartford, CT 06106
(860) 808-5020

Counsel for the State of Connecticut

KATHLEEN JENNINGS

Attorney General of the State of Delaware

By: /s/ Ian R. Liston
Ian R. Liston*
Director of Impact Litigation
Vanessa L. Kassab*
Deputy Attorney General
820 N. French Street
Wilmington, DE 19801
(302) 683-8899

PHILIP J. WEISER

Attorney General for the State of Colorado

By: /s/ Shannon Stevenson
Shannon Stevenson*
Solicitor General
Peter Baumann*
Senior Assistant Attorney General
1300 Broadway
Denver, Colorado 80203
(720) 508-6400

Counsel for the State of Colorado

ANTHONY G. BROWN

Attorney General for the State of Maryland

By: /s/ Virginia A. Williamson
Virginia A. Williamson*
Assistant Attorney General
200 Saint Paul Place
Baltimore, MD 21202
(410) 576-6584

Counsel for the State of Maryland

DANA NESSEL

Attorney General of Michigan

By: /s/ Neil Giovanatti
Neil Giovanatti*
Erik Grill*
Assistant Attorneys General
P.O. Box 30736
Lansing, MI 48909
(517) 335-7659

Counsel for the State of Michigan

Counsel for the State of Delaware

(additional counsel on following page)

BRIAL L. SCHWALB

Attorney General of the District of
Columbia

By: /s/ Eliza H. Simon

Eliza H. Simon*

Senior Counsel

400 6th St. NW

Washington, D.C. 20001

(202) 741-5221

Counsel for the District of Columbia

KEITH ELLISON

Attorney General for the State of Minnesota

By: /s/ Allen Cook Barr

Allen Cook Barr*

Assistant Attorney General

Lindsey E. Middlecamp*

Special Counsel

445 Minnesota Street, Suite 600

St. Paul, MN, 55101

(651) 300-0711

Counsel for the State of Minnesota

KWAME RAOUL

Attorney General for the State of Illinois

By: /s/ Vikas Didwania

Vikas Didwania*

Complex Litigation Counsel

Alex Hemmer*

Deputy Solicitor General

Holly F.B. Berlin*

Assistant Attorney General

115 S. LaSalle St.

Chicago, IL 60603

(312) 814-5526

Counsel for the State of Illinois

JENNIFER DAVENPORT

Attorney General of New Jersey

By: /s/ Meghan K. Musso

Meghan K. Musso*

Jonathan Mangel*

Joshua P. Bohn*

Deputy Attorneys General

124 Halsey Street, 5th Floor

Newark, NJ 07101

(609) 696-5276

Counsel for the State of New Jersey

AARON M. FREY

Attorney General for the State of Maine

By: /s/ Katherine W. Thompson

Katherine W. Thompson*

RAÚL TORREZ

Attorney General of New Mexico

By: /s/ Bailey Colfax

Bailey Colfax*

Special Counsel
6 State House Station
Augusta, ME 04333-0006
(207) 626-8800

Counsel for the State of Maine

Assistant Attorney General
408 Galisteo Street
Santa Fe, NM 87501
(505) 490-4060

Counsel for the State of New Mexico

(additional counsel on following page)

LETITIA JAMES
Attorney General of New York

By: /s/ Colleen K. Faherty
Colleen K. Faherty*
Special Trial Counsel
Rabia Muqaddam*
Chief Counsel, Federal Initiatives
28 Liberty Street
New York, NY 10005
(212) 416-6046

Counsel for the State of New York

CHARITY R. CLARK
Attorney General for the State of Vermont

By: /s/ Ryan P. Kane
Ryan P. Kane*
Deputy Solicitor General
109 State Street
Montpelier, VT 05609
(802) 828-2153

Counsel for the State of Vermont

JEFF JACKSON
Attorney General of North Carolina

Laura Howard
Chief Deputy Attorney General

By: /s/ Daniel P. Mosteller
Daniel P. Mosteller*
Associate Deputy Attorney General
114 W. Edenton Street
Raleigh, NC 27603

Counsel for the State of North Carolina

JAY JONES
Attorney General for the Commonwealth of Virginia

By: /s/ Tillman J. Breckenridge
Tillman J. Breckenridge*
Solicitor General
202 North Ninth Street
Richmond, VA 23219

Counsel for the Commonwealth of Virginia

DAN RAYFIELD

Attorney General, State of Oregon

By: /s/ Thomas H. Castelli

Thomas H. Castelli*

Special Assistant Attorney General

100 SW Market Street

Portland, OR 97201

(971) 673-1880

Counsel for the State of Oregon

PETER F. NERONHA

Attorney General of Rhode Island

By: /s/ Kyla Duffy

Kyla Duffy*

Special Assistant Attorney General

150 South Main Street

Providence, RI 02903

Tel: (401) 274-4400

Counsel for the State of Rhode Island

(additional counsel on following page)

JOSHUA L. KAUL

Attorney General for the State of
Wisconsin

By: /s/ Lynn Lodahl

Lynn Lodahl*

Assistant Attorney General

17 West Main Street

Madison, WI 53707-7857

(608) 264-6219

Counsel for the State of Wisconsin

JOSH SHAPIRO

Governor of the Commonwealth of Pennsylvania

By: /s/ Michael J. Fischer

Michael J. Fischer*

Jacob B. Boyer*

Deputy General Counsel

30 North Third Street, Suite 200

Harrisburg, PA 17101

(717) 831-2847

*Counsel for the Governor of the Commonwealth of
Pennsylvania*

Counsel for the League Plaintiffs

Sophia Lin Lakin**
Theresa J. Lee**
Davin Rosborough**
Ethan Herenstein**
Jonathan Topaz**
Ming Cheung**
William Hughes**
Clayton Pierce**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad St., 18th Floor
New York, NY 10004
(212) 549-2500
slakin@aclu.org
tlee@aclu.org
drosborough@aclu.org
eherenstein@aclu.org
jtopaz@aclu.org
mcheung@aclu.org
whughes@aclu.org
cpierce@aclu.org

Sarah Brannon**
Adriel I. Cepeda Derieux**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
915 15th St. NW
Washington, DC 20001
(740) 632-0671
sbrannon@aclu.org
acepedaderieux@aclu.org

Leah C. Aden*
Brenda Wright*
John S. Cusick*
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
40 Rector Street, 5th Floor
New York, NY 10006
(212) 965-2200
laden@naacpldf.org
bwright@naacpldf.org
jcusick@naacpldf.org

/s/ Suzanne Schlossberg
Jessie J. Rossman (BBO #670685)
Suzanne Schlossberg (BBO #703914)
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF MASSACHUSETTS,
INC.
One Center Plaza, Suite 850
Boston, MA 02108
(617) 482-3170
jrossman@aclum.org
sschlossberg@aclum.org

Eliza Sweren-Becker*
Wendy Weiser*
Andrew Garber*
BRENNAN CENTER FOR JUSTICE AT
NYU SCHOOL OF LAW
120 Broadway, Suite 1750
New York, NY 10271
(646) 292-8310
sweren-beckere@brennan.law.nyu.edu
weiserw@brennan.law.nyu.edu
garbera@brennan.law.nyu.edu

Justin Lam*
BRENNAN CENTER FOR JUSTICE AT
NYU SCHOOL OF LAW
777 6th St. NW, Ste. 1100
Washington, DC 20001
(202) 249-7190
lamju@brennan.law.nyu.edu

Niyati Shah*
Noah Baron*
Ejaz Baluch, Jr.*
ASIAN AMERICANS ADVANCING
JUSTICE-AAJC
1620 L Street NW, Suite 1050
Washington, DC 20036
(202) 296-2300
nshah@advancingjustice-aajc.org
nbaron@advancingjustice-aajc.org
ebaluch@advancingjustice-aajc.org

I. Sara Rohani*
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
700 14th Street N.W. Ste. 600
Washington, DC 20005
(202) 682-1300
srohani@naacpldf.org

Miranda Galindo*
LATINO JUSTICE PRLDEF
475 Riverside Drive, Suite 1901
New York, NY 10115
(212) 392-4752
mgalindo@latinojustice.org

**Application for admission pro hac vice
pending*

*** Admitted pro hac vice*

*Counsel for Plaintiffs League of Women
Voters of Massachusetts, League of Women
Voters Lotte E. Scharfman Memorial
Education Fund, League of Women Voters of
the United States, League of Women Voters
Education Fund, Association of Americans
Resident Overseas, U.S. Vote Foundation,
OCA-Asian Pacific American Advocates, and
Delta Sigma Theta Sorority, Inc.*

BRETT A. SHUMATE
Assistant Attorney General

ERIC J. HAMILTON
Deputy Assistant Attorney General

JOSEPH E. BORSON
Assistant Branch Director

/s/ Stephen M. Pezzi
STEPHEN M. PEZZI
Senior Trial Counsel (FL Bar No. 1041279)
ESAM K. AL-SHAREFFI
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20530
Telephone: (202) 305-8576
E-mail: stephen.pezzi@usdoj.gov

Counsel for Defendants