

The Honorable James L. Robart

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

JUWEIYA ABDIAZIZ ALI, *et al.*,

Plaintiffs,

v.

DONALD TRUMP, *et al.*,

Defendants.

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

**DEFENDANTS' OPPOSED MOTION
FOR AN EXTENSION OF TIME TO
RESPOND TO PLAINTIFFS'
AMENDED COMPLAINT AND
SECOND MOTION FOR CLASS
CERTIFICATION**

Noted For Consideration:
April 7, 2017

Defendants hereby move the Court for an extension of time to respond to Plaintiffs' Second Amended Complaint (ECF No. 52) and their Second Motion for Class Certification (ECF No. 58), which are currently due on April 3, 2017. Defendants request that these deadlines be extended until ten (10) days after the Court resolves Defendants' pending Motion to Stay District Court Proceedings Pending Resolution of Appeal in *Hawaii v. Trump* (ECF No. 85).

Defendants request an extension of time so that the Court may rule on their pending motion to stay district court proceedings before Defendants are required to respond to the complaint and the class certification motion. Defendants have moved to stay proceedings here

1 because the Ninth Circuit's decision in *Hawaii* is likely to provide substantial guidance to the
2 Court and the parties in resolving forthcoming issues in this case. Pursuant to Local Rule
3 7(d)(3), however, Defendants' motion for a stay will not be fully briefed until April 14, 2017—
4 after their current responsive deadlines. Therefore, granting the instant motion for an extension
5 of time will conserve resources by allowing the parties to obtain a ruling on the stay motion
6 before Defendants draft their responsive pleading and class certification response, which may
7 become unnecessary at this time if the stay motion is granted.
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9 Defendants also request an extension of time because their counsel are still (1)
10 consulting with their client agencies; (2) considering their responses to Plaintiffs' numerous
11 statutory and constitutional claims; (3) reviewing information concerning the named plaintiffs
12 and proposed class members in order to evaluate the typicality and commonality of their
13 claims, as well as their adequacy as class representatives; and (4) evaluating how Executive
14 Order No. 13,780 affects the unwieldy proposed class. In addition, Counsel have spent
15 considerable time this week working on the joint status report and discovery plan the parties
16 filed on March 28, 2017. *See* ECF No. 82.
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19 No prior extension of this deadline has been requested. The undersigned consulted with
20 counsel for Plaintiffs regarding this motion, and they advised that Plaintiffs oppose the motion.

21 For the foregoing reasons, Defendants respectfully request that the Court grant their
22 motion for an extension of time to respond to the Amended Complaint and Second Motion for
23 Class Certification, until ten (10) days after the Court resolves Defendants' pending Motion to
24 Stay District Court Proceedings Pending Resolution of Appeal in *Hawaii v. Trump* (ECF No.
25 85).
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1 DATED: March 30, 2017

Respectfully submitted,

2 CHAD A. READLER
3 Acting Assistant Attorney General

4 WILLIAM C. PEACHEY
5 Director
6 Office of Immigration Litigation
7 District Court Section

8 GISELA A. WESTWATER
9 Assistant Director

10 /s/ Stacey I. Young
11 Senior Litigation Counsel
12 U.S. Department of Justice
13 Civil Division
14 P.O. Box 868, Ben Franklin Station
15 Washington, DC 20044
16 Tel: (202) 305-7171
17 Fax: (202) 305-7000
18 Email: stacey.young@usdoj.gov

19 *Attorneys for Defendants*

CERTIFICATE OF SERVICE

I hereby certify that on March 30, 2017, I electronically filed the foregoing opposed Motion for an Extension of Time to Respond to Plaintiffs' Amended Complaint and Second Motion for Class Certification using the Court's CM/ECF system, causing a notice of filing to be served upon all counsel of record.

/s/ Stacey I. Young
STACEY I. YOUNG

The Honorable James L. Robart

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JUWEIYA ABDIAZIZ ALI, *et al.*,

Plaintiffs,

v.

DONALD TRUMP, President of the United
States, *et al.*,

Defendants.

Case No. 2:17-cv-00135 (JLR)

[PROPOSED] ORDER GRANTING
OPPOSED MOTION FOR AN
EXTENSION OF TIME TO RESPOND TO
PLAINTIFFS’ AMENDED COMPLAINT
AND SECOND MOTION FOR CLASS
CERTIFICATION

The Court having considered Defendants’ Opposed Motion for an Extension of Time to Respond to Plaintiffs’ Amended Complaint and Second Motion for Certify Class, and good cause having been shown, it is hereby

ORDERED that Defendants’ Motion for an Extension of Time is GRANTED; and it is

FURTHER ORDERED that Defendants are not required to respond to Plaintiffs’

Amended Complaint and Second Motion for Class Certification until ten (10) days the Court

[PROPOSED] ORDER GRANTING OPPOSED MOTION
FOR AN EXTENSION OF TIME TO RESPOND TO
PLAINTIFFS’ AMENDED COMPLAINT AND SECOND
MOTION FOR CLASS CERTIFICATION

[Case No. 2:17-cv-00135-JLR] - 1

U.S. Department of Justice
P.O. Box 868
Ben Franklin Station
Washington, D.C. 20044
(202) 305-7171

1 resolves Defendants' pending Motion to Stay District Court Proceedings Pending Resolution of
2 Appeal in *Hawaii v. Trump* (ECF No. 85).

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4 Dated this _____ day of _____, 2017.

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7 HON. JAMES L. ROBART
8 United States District Judge
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