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7 HADIL AL-MOWAFAK, et al.,  
8 Plaintiffs,  
9 v.  
10 DONALD TRUMP, et al.,  
11 Defendants.

Case No. [3:17-cv-00557-WHO](#)

**ORDER CONTINUING HEARINGS**

Re: Dkt. No. 57

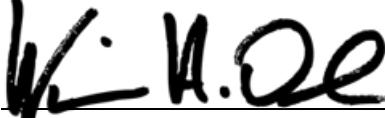
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13 Having considered the parties' positions regarding defendants' Motion to Stay Proceedings  
14 Pending Resolution of Appeal in *Hawaii v. Trump*, I order that the hearing on plaintiffs' motion  
15 for preliminary injunction (Dkt. No. 43) is continued to **May 31, 2017 at 2:00 p.m.** This time  
16 frame should allow resolution of appellate proceedings arising from *Hawaii v. Trump*, \_\_ F.  
17 Supp. 3d \_\_, 2017 WL 1167383 (D. Haw. Mar. 29, 2017), *appeal docketed*, No. 17-5589 (9th  
18 Cir. Mar. 30, 2017) prior to the hearing. If the Ninth Circuit has not ruled by May 24, 2017, the  
19 hearing may be continued again. If the Ninth Circuit affirms the district court on or before May  
20 24, 2017, the hearing on May 31 will convert to a Case Management Conference to discuss next  
21 steps in this litigation; in this event, a Joint Case Management Statement proposing next steps in  
22 this litigation is due by noon on May 30, 2017. All other existing deadlines and hearings in this  
23 matter, including with respect to class certification, are vacated until further order of the court.

24 In their briefing, plaintiffs focused on their "distinct standing and merits issues" and the  
25 potential for "[t]hese differences [to] be legally determinative." Pls.' Opp'n to Defs.' Mot. to Stay  
26 at 6 (Dkt. No. 61[under seal]). They did not explain any immediate and irreparable harm that  
27 would result from a short gap between a Ninth Circuit decision vacating or narrowing the *Hawaii*  
28 preliminary injunction and a decision in this Court. If plaintiffs, through supplemental briefing,

1 wish to attempt to demonstrate a risk of immediate and irreparable harm as a result of the schedule  
2 outlined above, then I may reconsider the timing of the hearing. Defendants would have four days  
3 to respond to any supplemental briefing filed by plaintiffs. The parties should realize that I expect  
4 the Ninth Circuit decision to have a material impact on how I approach the issues in this case; I am  
5 not inclined to render any decisions until after the Ninth Circuit has ruled.

6 **IT IS SO ORDERED.**

7 Dated: April 18, 2017

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12 William H. Orrick  
13 United States District Judge  
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