

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

HADIL AL-MOWAFK, et al.,  
Plaintiffs,  
v.  
DONALD TRUMP, et al.,  
Defendants.

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

**ORDER CONTINUING HEARINGS**

Re: Dkt. No. 57

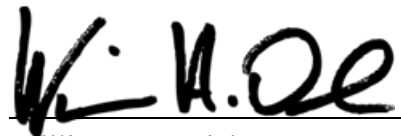
Having considered the parties' positions regarding defendants' Motion to Stay Proceedings Pending Resolution of Appeal in *Hawaii v. Trump*, I order that the hearing on plaintiffs' motion for preliminary injunction (Dkt. No. 43) is continued to **May 31, 2017 at 2:00 p.m.** This time frame should allow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

In their briefing, plaintiffs focused on their "distinct standing and merits issues" and the potential for "[t]hese differences [to] be legally determinative." Pls.' Opp'n to Defs.' Mot. to Stay at 6 (Dkt. No. 61[under seal]). They did not explain any immediate and irreparable harm that would result from a short gap between a Ninth Circuit decision vacating or narrowing the *Hawaii* 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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10 William H. Orrick  
11 United States District Judge  
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