

DOUGLAS S. CHIN (Bar No. 6465)
Attorney General of the State of Hawai‘i
CLYDE J. WADSWORTH (Bar No. 8495)
Solicitor General of the State of Hawai‘i
DEIRDRE MARIE-IHA (Bar No. 7923)
DEPARTMENT OF THE ATTORNEY
GENERAL, STATE OF HAWAI‘I
425 Queen Street
Honolulu, HI 96813
Telephone: (808) 586-1500
Fax: (808) 586-1239
Email: deirdre.marie-iha@hawaii.gov

Attorneys for Plaintiff, State of Hawai‘i

NEAL K. KATYAL*
HOGAN LOVELLS US LLP
555 Thirteenth Street NW
Washington, DC 20004
Telephone: (202) 637-5600
Fax: (202) 637-5910
Email:
neal.katyal@hoganlovells.com

**Admitted Pro Hac Vice*

*Attorneys for Plaintiffs, State of
Hawai‘i and Ismail Elshikh*

(See Next Page For Additional Counsel)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI‘I

STATE OF HAWAI‘I and ISMAIL ELSHIKH,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States; U.S.
DEPARTMENT OF HOMELAND SECURITY;
JOHN F. KELLY, in his official capacity as
Secretary of Homeland Security; U.S.
DEPARTMENT OF STATE; REX TILLERSON,
in his official capacity as Secretary of State; and
the UNITED STATES OF AMERICA,

Defendants.

Civil Action No. 1:17-cv-
00050-DKW-KJM

JOINT MOTION FOR ENTRY OF PROPOSED BRIEFING SCHEDULE
ORDER FOR PLAINTIFFS’ FORTHCOMING MOTION FOR A
TEMPORARY RESTRAINING ORDER

ADDITIONAL COUNSEL

DONNA H. KALAMA (Bar No. 6051)
KIMBERLY T. GUIDRY (Bar No. 7813)
ROBERT T. NAKATSUJI (Bar No. 6743)
Deputy Attorneys General
DEPARTMENT OF THE ATTORNEY
GENERAL, STATE OF HAWAI'I
425 Queen Street
Honolulu, HI 96813
Telephone: (808) 586-1500
Fax: (808) 586-1239

Attorneys for Plaintiff, State of Hawai'i

COLLEEN ROH SINZDAK*
MITCHELL P. REICH*
ELIZABETH HAGERTY*
HOGAN LOVELLS US LLP
555 Thirteenth Street NW
Washington, DC 20004
Telephone: (202) 637-5600
Fax: (202) 637-5910

THOMAS P. SCHMIDT*
HOGAN LOVELLS US LLP
875 Third Avenue
New York, NY 10022
Telephone: (212) 918-3000
Fax: (212) 918-3100

SARA SOLOW*
ALEXANDER B. BOWERMAN*
HOGAN LOVELLS US LLP
1835 Market St., 29th Floor
Philadelphia, PA 19103
Telephone: (267) 675-4600
Fax: (267) 675-4601

**Admitted Pro Hac Vice*

*Attorneys for Plaintiffs, State of
Hawai'i and Ismail Elshikh*

**JOINT MOTION FOR ENTRY OF PROPOSED BRIEFING SCHEDULE
ORDER FOR PLAINTIFFS' FORTHCOMING MOTION FOR A
TEMPORARY RESTRAINING ORDER**

The parties file the instant joint motion with this Court, respectfully moving for the entry of a Proposed Briefing Schedule Order for Plaintiffs' forthcoming Motion for a Temporary Restraining Order.

On March 6, 2017, Plaintiffs conferred with counsel for the Government and informed the Government that Plaintiffs intended to file a Motion to Lift the Stay and for Leave to File a Second Amended Complaint, as well as a Second Amended Complaint and a Motion for a Temporary Restraining Order in connection with President Donald Trump's new Executive Order, signed March 6, 2017. On March 7, 2017, the Government responded that it consents to Plaintiffs' request to lift the stay of the proceedings in this case to the extent that Plaintiffs seek to challenge the new Executive Order. The Government related that it takes no position on Plaintiffs' Motion for Leave to File a Second Amended Complaint.

Upon further discussion, the parties have agreed to the following briefing and argument schedule on Plaintiffs' forthcoming Motion for a Temporary Restraining Order, if it is acceptable to this Court. Namely, the parties propose that: Plaintiffs file their Second Amended Complaint, Motion for a Temporary Restraining Order, and any declarations in support thereof on March 8, 2017; the Government files its Opposition to Plaintiffs' Motion for a Temporary Restraining

Order by 6 AM Hawaii Standard Time on March 13, 2017; Plaintiffs file a Reply by 12 Noon Hawaii Standard Time on March 14, 2017; and both parties prepare to appear at a hearing in this Court with telephonic access available on the morning of March 15, 2017. The parties have also agreed, if it is acceptable to this Court, to seek leave to allow both parties to file briefs of up to 12,000 words for Plaintiffs' Memorandum of Law in Support of their Motion for a Temporary Restraining Order and the Government's opposition thereto.

The parties respectfully move for the entry of a proposed briefing schedule with the above dates and word limits. Given that the Executive Order will become effective at 6:01 P.M. Hawaii Standard Time on March 15, 2017, the proposed briefing and argument schedule will enable the Court to consider Plaintiffs' motion for a temporary restraining order before the Executive Order is scheduled to take effect.

DATED: Honolulu, Hawai'i, March 7, 2017.

Respectfully submitted,

/s/ Brad P. Rosenberg

CHAD A. READLER
Acting Assistant Attorney General
FLORENCE T. NAKAKUNI
United States Attorney
EDRIC M. CHING
Assistant United States Attorney
JOHN R. TYLER
Assistant Branch Director

MICHELLE R. BENNETT
(Co. Bar No. 37050)
BRAD P. ROSENBERG
(D.C. Bar No. 467513)
DANIEL SCHWEI (N.Y. Bar)
Trial Attorneys
UNITED STATES DEPARTMENT
OF JUSTICE
CIVIL DIVISION, FEDERAL
PROGRAMS BRANCH
20 Massachusetts Ave, N.W.
Washington, DC 20530
Tel: (202) 514-3374
Fax: (202) 616-8460
E-mail: brad.rosenberg@usdoj.gov

Attorneys for Defendants

/s/ Neal K. Katyal

NEAL K. KATYAL*
COLLEEN ROH SINZDAK*
MITCHELL P. REICH*
ELIZABETH HAGERTY*
THOMAS P. SCHMIDT*
SARA SOLOW*
ALEXANDER B. BOWERMAN*
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*Attorneys for Plaintiffs, State of Hawai‘i
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