

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JOHN DOE,

Petitioner,

v.

GEN. JAMES N. MATTIS,
in his official capacity as SECRETARY OF
DEFENSE,

Respondent.

No. 17-cv-2069 (TSC)

**JOINT MOTION FOR ENTRY OF REVISED SCHEDULING ORDER AND
APPLICATION FOR A CONTINUANCE**

The parties hereby jointly move for the entry of a revised scheduling order and a continuance of the hearing scheduled for June 20, 2018, to allow for a more complete presentation of the issues. Respondent has agreed to refrain from releasing Petitioner into Syria during the pendency of Petitioner's motion for a Temporary Restraining Order/Preliminary Injunction, and the parties have agreed to hold any adjudication of the merits of the habeas petition in abeyance pending resolution of said motion. The parties have further agreed to convert the motion for a Temporary Restraining Order into a Motion for a Preliminary Injunction.

The parties respectfully request that this Court enter a revised scheduling order, as follows:

- June 22, 2018: Petitioner's motion for a preliminary injunction and response to Respondent's supplemental memorandum due.
- June 29, 2018: Respondent's opposition to Petitioner's motion for a preliminary

injunction due.

- July 3, 2018: Petitioner's reply to Respondent's opposition to Petitioner's motion for a preliminary injunction due.

The parties also request that the hearing currently scheduled for tomorrow, June 20, be rescheduled for July 9, or as soon thereafter as practicable. Counsel for Respondent is unavailable on July 11 and 12.

The parties thank the Court for its consideration of this matter. A proposed order is filed herewith.

Dated: June 19, 2018

Respectfully submitted,

Arthur B. Spitzer (D.C. Bar No. 235960)
American Civil Liberties Union
of the District of Columbia
915 15th Street, NW—2nd Floor
Washington, DC 20005
Tel: 202-457-0800
Fax: 202-457-0805
aspitzer@acludc.org

/s/ Jonathan Hafetz
Jonathan Hafetz (D.C. Bar No.
NY0251)
Brett Max Kaufman (D.C. Bar No.
NY0224)
Dror Ladin
Hina Shamsi (D.C. Bar No. MI0071)
Anna Diakun
American Civil Liberties Union
Foundation
125 Broad Street—18th Floor
New York, New York 10004
Tel: 212-549-2500
Fax: 212-549-2654
jhafetz@aclu.org
bkaufman@aclu.org
dladin@aclu.org
hshamsi@aclu.org
adiakun@aclu.org

Counsel for Petitioner

CHAD A. READLER
Acting Assistant Attorney General
JESSIE K. LIU
United States Attorney

TERRY M. HENRY
Assistant Director, Federal Programs Branch

/s/ Kathryn L. Wyer

JAMES M. BURNHAM

Senior Counsel

KATHRYN L. WYER

Senior Trial Counsel, Federal Programs

OLIVIA HUSSEY SCOTT

Trial Attorney, Federal Programs

U.S. Department of Justice, Civil Division

20 Massachusetts Avenue, N.W

Washington, DC 20530

Tel. (202) 616-8475 / Fax (202) 616-8470

kathryn.wyer@usdoj.gov

Attorneys for Respondent

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JOHN DOE,

Petitioner,

v.

GEN. JAMES N. MATTIS,
in his official capacity as SECRETARY OF
DEFENSE,

Respondent.

No. 17-cv-2069 (TSC)

[PROPOSED] ORDER

Upon consideration of the parties' Joint Motion for Entry of Revised Scheduling Order and Application for a Continuance, it is hereby:

ORDERED that Petitioner shall file by June 22, 2018, his motion for a preliminary injunction and response to Respondent's supplemental memorandum; that Respondent shall file by June 29, 2018, his opposition to Petitioner's motion for a preliminary injunction; and that Petitioner shall file by July 3, 2018, his reply to Respondent's opposition to Petitioner's motion for a preliminary injunction; and it is

FURTHER ORDERED that the hearing scheduled for June 20, 2018, is continued until _____.

SO ORDERED.

Tanya S. Chutkan
United States District Judge

DATED: June ___, 2018