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 8 *Attorneys for Defendants*

9  
 10 **UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF WASHINGTON**  
 11 **AT RICHLAND**

12 STATE OF WASHINGTON, *et al.*,

13 Plaintiffs,

14 v.

15 UNITED STATES DEPARTMENT OF  
 16 HOMELAND SECURITY, *et al.*,

17 Defendants

No. 4:19-cv-5210-RMP

MOTION TO EXPEDITE  
 DEFENDANTS' MOTION FOR  
 STAY OF INJUNCTION PENDING  
 APPEAL

11/8/2019  
 Without Oral Argument

20  
 21  
 22 MOTION TO EXPEDITE

1 Defendants respectfully move under Local Civil Rule 7(i)(2)(C) for an expedited  
2 hearing on Defendants' Motion for Stay of Injunction Pending Appeal in this case  
3 challenging a proposed Department of Homeland Security regulation. That motion  
4 requests the Court to stay the Court's October 11, 2019 Order Granting Plaintiff States'  
5 Motion for Section 705 Stay and Preliminary Injunction pending an appeal to the Ninth  
6 Circuit Court of Appeals. As discussed in the motion for stay, the federal government  
7 will suffer irreparable harm in the absence of a stay and therefore it is important that  
8 Defendants obtain a stay of the Court's Order as soon as reasonably possible.  
9 Accordingly, Defendants respectfully request the Court to advance the hearing on the  
10 motion to November 8, 2019. Under that schedule, Plaintiffs' opposition would be due  
11 on November 7, 2019, *see* Local Civil Rule 7(i)(2)(C), which is only one day before it is  
12 currently due under Local Civil Rule 7(c)(2)(B). Accordingly, an expedited schedule  
13 would cause no prejudice to Plaintiffs. Defendants' counsel conferred with Plaintiffs'  
14 counsel about this motion and Plaintiffs' counsel stated that Plaintiffs oppose the relief  
15 sought herein.

16  
17 Dated: October 30, 2019

Respectfully submitted,

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19 JOSEPH H. HUNT  
Assistant Attorney General

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21 ALEXANDER K. HAAS  
Branch Director

22 *s/ Joshua M. Kolsky*

MOTION TO EXPEDITE

U.S. DEPARTMENT OF JUSTICE  
1100 L St. NW, Washington, DC, 20003  
(202) 305-7664

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MOTION TO EXPEDITE

U.S. DEPARTMENT OF JUSTICE  
1100 L St. NW, Washington, DC, 20003  
(202) 305-7664

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on October 30, 2019, I electronically filed the foregoing with  
3 the Clerk of the Court using the CM/ECF system, which will send notification of such  
4 filing to all users receiving ECF notices for this case.

5 /s/ Joshua M. Kolsky

6 United States Department of Justice  
7 Civil Division, Federal Programs Branch  
8 1100 L Street, NW  
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10 Attorney for Defendants  
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15 UNITED STATES DEPARTMENT OF  
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17 Defendants

No. 4:19-cv-5210-RMP

[PROPOSED] ORDER GRANTING  
 MOTION TO EXPEDITE  
 DEFENDANTS' MOTION FOR  
 STAY OF INJUNCTION PENDING  
 APPEAL

20  
 21  
 22 [PROPOSED] ORDER  
 GRANTING MOTION TO  
 EXPEDITE

U.S. DEPARTMENT OF JUSTICE  
 1100 L St. NW, Washington, DC, 20003  
 (202) 305-7664

1 The Court, having considered Defendants' Motion to Expedite Defendants'  
2 Motion for Stay of Injunction Pending Appeal and the entire record, hereby **ORDERS** as  
3 follows:

4 (1) Defendants' Motion is **GRANTED**.

5 (2) The hearing on Defendants' Motion for Stay of Injunction Pending Appeal  
6 is advanced to November 8, 2019, and Plaintiffs' opposition, if any, is due on November  
7 7, 2019.

8 IT IS SO ORDERED.

9 Dated:

10 \_\_\_\_\_  
United States District Judge