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7
8 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
9 **AT SPOKANE**

10 STATE OF WASHINGTON, et al.,

11 Plaintiffs,

12 v.

13 UNITED STATES DEPARTMENT
14 OF HOMELAND SECURITY, a
federal agency, et al.,

15 Defendants.

NO. 4:19-cv-05210-RMP

PARTIES' JOINT PROPOSED
TIMELINE FOR DHS TO
PROVIDE DISCOVERY
RELATED TO THE STATES'
EQUAL PROTECTION CLAIM
AND FILE A RESPONSIVE
PLEADING, AND FOR
DISPOSITIVE MOTIONS

16 Pursuant to the Court's April 17, 2020 Order Granting Plaintiffs' Motion
17 to Compel (ECF #210) (the Order), counsel for the Plaintiff States and
18 Defendants¹ conferred telephonically on April 30, 2020. In light of the Order,

19 _____
20 ¹ The Federal Defendants are the United States Department of Homeland Security, Chad Wolf,
21 who is the successor to and is substituted pursuant to Fed. R. Civ. P. 25(d) for named defendant
22 Kevin K. McAleenan, the United States Citizenship and Immigration Services, and Kenneth
T. Cuccinelli, II.

1 and having considered the Court’s October 16, 2019 Notice Setting Telephone
2 Scheduling Conference (ECF #163), the parties’ Joint Certificate of Rule 26(f)
3 Conference and Proposed Discovery Plan (ECF #188), and their Joint Status
4 Report filed on December 16, 2020 (ECF #193), the parties submit this joint
5 proposed timeline required by Paragraph 3 of the Order.

6 1. **Timing of discovery on Fifth Amendment equal protection**
7 **claim.** Plaintiffs intend to initiate discovery on Count IV of their First Amended
8 Complaint (ECF #31), alleging a violation of equal protection of the laws
9 guaranteed by the Fifth Amendment Due Process Clause, by no later than May 8,
10 2020. Plaintiffs propose a discovery cut-off date of October 1, 2021. Defendants
11 believe that discovery should be stayed pending a ruling on Defendants’
12 upcoming motion to dismiss, for the reasons explained in Defendants’ Motion to
13 Stay the Court’s April 17, 2020 Order, which Defendants intend to file by May 4,
14 2020.

15 2. **Date for Defendants’ responsive pleading.** The parties propose
16 that Defendants will file their responsive pleading on or before May 22, 2020.

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3. **Dispositive motions deadline.** The parties propose a deadline for dispositive motions of 30 days after the close of discovery.

RESPECTFULLY SUBMITTED this 1st day of May 2020.

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DECLARATION OF SERVICE

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court’s CM/ECF System which will serve a copy of this document upon all counsel of record.

DATED this 1st day of May 2020, at Seattle, Washington.

/s/ Jeffrey T. Sprung
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