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10
 11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
 12 **AT SPOKANE**

13 STATE OF WASHINGTON, *et al.*,

14 Plaintiffs,

15 v.

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

18 Defendants

No. 4:19-cv-5210-RMP

JOINT STATUS REPORT

1 The parties respectfully submit this Joint Status Report pursuant to the Court's
2 April 14, 2021 Order. In the Joint Status Report filed March 11, 2021, the parties agreed
3 to stay all claims in this case while the Ninth Circuit considered a motion to intervene
4 filed by the State of Arizona. *See* ECF No. 297; *see also* Mot. to Intervene, *Washington*
5 *v. U.S. Dep't of Homeland Sec.*, No. 19-35914 (9th Cir. Mar. 10, 2021). While the case
6 was stayed, fourteen states filed an Application for Leave to Intervene and for a Stay of
7 the Judgment Issued by the United States District Court for the Northern District of
8 Illinois in the Supreme Court in another action challenging the 2019 Rule. *See*
9 Application (20A150), No. 20-3150, *Texas v. Cook County, Ill.* (U.S. Mar. 19, 2021). On
10 April 8, 2021, the Ninth Circuit denied Arizona's motion to intervene. *See* ECF No. 296.

11 In their last Joint Status Report filed on April 12, 2021, the parties requested that
12 the stay in this case be extended for ten days to allow Plaintiffs sufficient time to decide
13 how to proceed in light of the Ninth Circuit's ruling. ECF No. 297. At this juncture, with
14 the pending Application for Leave to Intervene in the Supreme Court, and time remaining
15 for Arizona to seek review of the Ninth Circuit's ruling on its motion to intervene,
16 Plaintiffs oppose dismissal of any of their claims. Thus, the parties agree to request that
17 all remaining claims in this case be stayed or held in abeyance until (1) the Supreme Court
18 rules on the pending Application (20A15)), and (2) Arizona's time to seek review of the
19 Ninth Circuit's denial of the motion to intervene elapses, or the Supreme Court rules on
20 any such appeal. The parties propose to file a further status report in 90 days and in 90-
21 day increments thereafter until these conditions are satisfied.

1 Dated: April 22, 2021

Respectfully submitted,

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on April 22, 2021 I electronically filed the foregoing with the
3 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.

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