

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

THE NATIONAL ASSOCIATION FOR
THE ADVANCEMENT OF COLORED
PEOPLE (NAACP), AMERICAN
FEDERATION OF TEACHERS, AFL-
CIO, AND THE UNITED FOOD AND
COMMERCIAL WORKERS
INTERNATIONAL UNION, AFL-CIO,
CLC,

Plaintiffs,

vs.

DONALD J. TRUMP, in his official
capacity as President of the United States,
JEFFERSON BEAUREGARD SESSIONS
III, in his official capacity as the Attorney
General of the United States, ELAINE C.
DUKE, in her official capacity as acting
Secretary of Homeland Security, U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION AND
CUSTOMS ENFORCEMENT;
DEPARTMENT OF HOMELAND
SECURITY; AND THE UNITED STATES
OF AMERICA,

Defendants.

Case No.1:17-cv-01907

**REPLY IN SUPPORT OF PLAINTIFFS' MOTION FOR STATUS
CONFERENCE AND ADOPTION OF A CASE MANAGEMENT ORDER**

Plaintiffs the National Association for the Advancement of Colored People, the American Federation of Teachers, and the United Food and Commercial Workers International Union (collectively, "Plaintiffs") respectfully submit this reply in support of their Motion for a Status Conference and Adoption of a Case Management Order. ECF No. 9. In their October 30, 2017

Opposition to Plaintiffs' motion, Defendants represented that they intend to file a motion to dismiss Plaintiffs' complaint on November 8, 2017. ECF No. 13 at 2, 7. As Defendants are prepared to file their dispositive motion on an accelerated schedule, Plaintiffs see no need to commence discovery before that motion is filed. However, Plaintiffs wish to emphasize the importance of the Court adopting a schedule in this action that will permit adjudication on the merits of the claims before March 5, 2018—the date on which the rescission of the DACA program is scheduled to become effective.

The Plaintiffs also wish to note that earlier today, the Trustees of Princeton University, the Microsoft Corporation, and an individual DACA enrollee filed a complaint in this District setting forth allegations very similar to those set forth in this action. *Trustees of Princeton Univ. v. United States*, 1:17-cv-2325 (D.D.C. filed Nov. 3, 2017). The plaintiffs in the *Princeton* case also designated that action as related to this one, pursuant to Local Civil Rule 40.5. *See id.* Given the similarities between the cases, Plaintiffs respectfully suggest that, should this action proceed beyond the motion to dismiss stage, the schedule adopted to govern the briefing on the merits of this case should also govern the proceedings in the *Princeton* action.

November 3, 2017

Respectfully submitted,

/s/ Joseph M. Sellers

Joseph M. Sellers (DC # 318410)
Douglas J. McNamara (DC # 494567)
Julia A. Horwitz (DC # 1018561)
Cohen Milstein Sellers & Toll PLLC
1100 New York Ave. NW • Fifth Floor
Washington, DC 20005
Telephone: (202) 408-4600
Fax: (202) 408-4699
Email: jsellers@cohenmilstein.com
dmcnamara@cohenmilstein.com
jhorwitz@cohenmilstein.com

Bradford Berry (DC # 426326)
Janette Louard
NAACP National Headquarters
4805 Mount Hope Drive
Baltimore, MD 21215
Telephone: (410) 580-5787
Email: bberry@naacpnet.org
jlouard@naacpnet.org

Attorneys for Plaintiff, NAACP

David J. Strom (DC # 376233)
Channing Cooper
Jessica Rutter
American Federation of Teachers
555 New Jersey Ave. NW
Washington, DC 20001
Telephone: 202-879-4400
Email: dstrom@aft.org
ccooper@aft.org
jrutter@aft.org

Attorneys for Plaintiff, AFT

Nicholas W. Clark, General Counsel
Renee L. Bowser, Assistant General Counsel
United Food & Commercial Workers
International Union, AFL-CIO, CLC
1775 K Street, NW
Washington, DC 20006
Telephone: (202) 466-1522
Email: nclark@ufcw.org
rbowser@ufcw.org

Attorneys for Plaintiff, UFCW

CERTIFICATE OF SERVICE

I hereby certify that on November 3, 2017, I electronically filed the foregoing with the Clerk of the Court using ECF, which in turn sent notice to all parties of record.

Dated: November 3, 2017

/s/ Julia A. Horwitz

Julia A. Horwitz