

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

JANE DOE 1 *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP *et al.*,

Defendants.

Civil Action No. 17-cv-1597 (CKK)

**DEFENDANTS' UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO
RESPOND TO PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION AND
FOR ENTRY OF A BRIEFING SCHEDULE**

Plaintiffs filed this action regarding military service by transgender individuals on August 8, 2017, ECF No. 1, and moved for a preliminary injunction on August 31, 2017, ECF No. 13. After an initial telephone conference, the Court entered a Minute Order on September 1, 2017, directing Defendants to file their opposition to Plaintiffs' motion for a preliminary injunction by no later than September 22, 2017, and Plaintiffs to file their reply no later than September 29, 2017.

Defendants now respectfully request a two-week extension, until October 6, to respond to Plaintiffs' motion for a preliminary injunction. Defendants have good cause for this motion. After reviewing Plaintiffs' motion for a preliminary injunction and the supporting material and in light of Interim Guidance regarding military service by transgender individuals that was issued by the Secretary of Defense on September 14, 2017, Defendants intend to file a cross-motion to dismiss raising jurisdictional issues with their opposition to Plaintiffs' motion for a preliminary injunction. Defendants need an additional two weeks to prepare their cross-motion to dismiss and to address the implication of the recently-issued Interim Guidance.

Accordingly, Defendants request that the Court enter the following scheduling for briefing Plaintiffs' motion for a preliminary injunction and Defendants' cross-motion to dismiss:

- Defendants will file their opposition to Plaintiffs' motion for a preliminary injunction and their cross-motion to dismiss by October 6, 2017;
- Plaintiffs will file their reply in support of their motion for a preliminary injunction and their opposition to Defendants' motion to dismiss by October 20, 2017; and
- Defendants will file their reply in support of their motion to dismiss by October 27, 2017.

Defense counsel has conferred with Plaintiffs' counsel regarding this motion and the proposed briefing schedule, and Plaintiff does not oppose the relief requested.

Dated: September 20, 2017

Respectfully submitted,

CHAD A. READLER
Acting Assistant Attorney General,
Civil Division

ANTHONY J. COPPOLINO
Deputy Director,
Federal Programs Branch

/s/ Ryan B. Parker
RYAN B. PARKER
(Utah Bar # 11724)
Senior Trial Counsel
United States Department of Justice
Civil Division,
Federal Programs Branch
Tel: (202) 514-4336
Fax: (202) 616-8202
ryan.parker@usdoj.gov

Counsel for Defendants

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**[PROPOSED] ORDER GRANTING DEFENDANTS' UNOPPOSED MOTION FOR AN
EXTENSION OF TIME TO RESPOND TO PLAINTIFFS' MOTION FOR A
PRELIMINARY INJUNCTION AND FOR ENTRY OF A BRIEFING SCHEDULE**

For the reasons set forth in their unopposed motion, the Court hereby GRANTS Defendants' unopposed motion for an extension of time to respond to Plaintiffs' motion for a preliminary injunction and for entry of a briefing schedule. It is, hereby, ordered that:

- Defendants shall file their opposition to Plaintiffs' motion for a preliminary injunction and their cross-motion to dismiss by October 6, 2017;
- Plaintiffs will file their reply in support of their motion for a preliminary injunction and their opposition to Defendants' motion to dismiss by October 20, 2017; and
- Defendants will file their reply in support of their motion to dismiss by October 27, 2017.

Date: _____

District Court Judge