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Via CM/ECF and Federal Express

February 22, 2018

Chambers of the Honorable Marvin J. Garbis
United States District Judge
U.S. District Court for the District of Maryland
101 West Lombard Street
Chambers 5C
Baltimore, MD 21201

**Re: Case-Planning Conference in
Stone, et al. v. Trump, et al., Case 1:17-cv-02459-MJG**

Dear Judge Garbis:

During the February 6, 2018 telephone conference on Plaintiffs' Motion to Compel, and in their Amended Initial Disclosures served on February 16, 2018, Defendants referenced the implementation plan for the President's August 25, 2017 directives, to be presented to President Trump on February 21, 2018, and policies within that implementation plan. This Court's February 6 order required Plaintiffs to arrange a case-planning conference, to be held shortly after February 21, to discuss the scheduling of further proceedings.

February 21 has now passed. Counsel for Defendants failed to provide Plaintiffs with the implementation plan or any related policy documents on that date, and he has not responded to our request to forward these items. Nor are we aware of any public disclosure of the implementation plan and related policies. News reports suggest that the implementation plan and related policies will not be published at all. *See* Chris Johnson, *No Recommendation from Mattis Yet on Trans Military Service*, Washington Blade (Feb. 21, 2018, 4:28 PM EST), at <http://www.washingtonblade.com/2018/02/21/mattis-makes-unknown-recommendations-on-trans-military-service-to-trump/>.

In these circumstances, we request that a case-planning conference be set at the Court's earliest convenience. Once we receive potential dates and times when Your Honor would be available for a conference, we will coordinate with defense counsel. Among other subjects, Plaintiffs wish to discuss when Defendants will provide Plaintiffs with the implementation plan and related policy documents; supplementation of Defendants' initial disclosures; modification of discovery deadlines, including the due date for expert disclosures (currently March 2 for opening expert disclosures); and the need for prompt resolution of extensive privilege claims (primarily claims of deliberative process and presidential communications privilege) Defendants have asserted as the basis for withholding thousands of documents responsive to Plaintiffs' discovery requests.

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Sincerely,

/s/ Marianne Kies

/s/ Mitch Kamin

(signed by M. Kies,
with permission of M. Kamin)

Attorneys for Plaintiffs

cc: All Counsel of Record, via CM/ECF