

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

BROCK STONE, et al.,
Plaintiffs,

vs.

DONALD J. TRUMP, et al.,
Defendants.

Case No. 1:17-cv-02459-MJG

**CONSENT MOTION REGARDING BRIEFING SCHEDULE FOR DEFENDANTS'
MOTION FOR A PROTECTIVE ORDER (ECF 179)**

On June 18, 2018, Defendants filed a Motion for Protective Order, ECF No. 179. The parties have entered into a stipulation, attached as Exhibit A, agreeing that the Motion for a Protective Order should be held in abeyance.

WHEREFORE, the parties respectfully request that the Court VACATE the deadline for filing an opposition to the Motion for a Protective Order and ORDER that Defendants' Motion for Protective Order (ECF No. 179) be held in abeyance until the parties file a further joint stipulation agreeing to a briefing schedule.

Dated: June 29, 2018

/s/ Marianne F. Kies

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[PROPOSED] ORDER

Upon consideration of the parties' consent motion regarding briefing schedule for Defendants' Motion for Protective Order, ECF No. 179, it is ORDERED this ____ day of _____, 2018, that the motion is GRANTED. The deadline for filing an opposition to Defendants' Motion for Protective Order, ECF No. 179, is hereby VACATED and the Motion for Protective Order will be held in abeyance until the parties file a joint stipulation agreeing to a briefing schedule.

DATED:

Hon. A. David Copperthite
U.S. Magistrate Judge

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

Brock Stone, et al.,

Plaintiffs,

v.

Donald J. Trump, et al.,

Defendants.

Case No. 1:17-cv-02459-MJG

**JOINT STIPULATION REGARDING PLAINTIFFS' MOTION TO COMPEL AND
DEFENDANTS' MOTION FOR A PROTECTIVE ORDER**

Plaintiffs and Defendants, by and through the undersigned counsel, enter into the following stipulation:

1. On April 23, 2018, Plaintiffs, pursuant to Local Rule 104.8, served Plaintiffs' Motion to Compel Supplemental Interrogatory Answers and Production. Defendants served their Opposition to Plaintiffs' Motion on May 29, 2018, and Plaintiffs served their Reply on June 12, 2018.
2. On June 13, 2018, the parties met and conferred by telephone over Plaintiffs' Motion and were unable to resolve their disagreement regarding Plaintiffs' Motion. The parties also discussed Defendants' Motion for a Protective Order but were unable to resolve their disagreement regarding Defendants' Motion.
3. On June 15, 2018, Plaintiffs filed the Motion to Compel, along with Defendants' Opposition, Plaintiffs' Reply, and supporting declarations and exhibits (*see* ECF 177, *as corrected in* ECF 184). Plaintiffs' Motion seeks a judicial determination that the

deliberative process privilege does not protect three categories of documents from discovery.

4. On June 18, 2018, Defendants filed Defendants' Motion for a Protective Order (ECF 179). Defendants' Motion for a Protective Order seeks to preclude discovery of the President and of presidential communications and deliberations. Defendants contend that their Motion for Protective Order must be considered by the Court alongside Plaintiffs' Motion to Compel based on Defendants' concern that a decision on Plaintiffs' Motion to Compel might implicate materials in the custody, possession or control of the President or the Executive Office of the President, and might implicate presidential communications and deliberations.
5. Plaintiffs hereby stipulate that their pending Motion to Compel does not seek production of (a) any information and documents in the custody, possession or control of the President or the Executive Office of the President or (b) any information and documents (or portions thereof) that Defendants contend are subject to the presidential communications privilege, including any information and documents in the custody, possession, or control of the defendants other than the President that constitute or would disclose any information concerning presidential communications and deliberations, including communications to or from the President or Executive Office of the President. This stipulation is without prejudice to Plaintiffs' ability to seek to compel production of information and documents in the custody, possession, or control of the President or the Executive Office of the President and information and documents (or portions thereof) withheld or redacted by Defendants that Defendants contend are subject to the presidential communications privilege at a later date in this litigation.

6. Defendants hereby stipulate that their Motion for a Protective Order should be held in abeyance unless and until Defendants determine it is necessary to renew the Motion or Plaintiffs meet and confer with Defendants about Plaintiffs' intention to seek to compel discovery of (a) information and documents in the custody, possession, or control of the President or the Executive Office of the President or (b) information and documents withheld or redacted by Defendants that Defendants contend are subject to the presidential communications privilege. The parties stipulate that after such a meet and confer, the parties would file a joint stipulation agreeing to a briefing schedule for Defendants' Motion for a Protective Order.
7. This stipulation will be used only for purposes of this litigation, and it will not be binding on any party for any other purposes.

Dated: June 29, 2018

/s/ Marianne F. Kies

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