

**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-GLR

JOINT MOTION TO SUSPEND CERTAIN DEADLINES

Plaintiffs and Defendants hereby jointly move, pursuant to Rule 16(b)(4) of the Federal Rules of Civil Procedure and Local Rule 105.9, for a suspension of certain deadlines set forth in this Court's Amended Scheduling Order, ECF No. 170. The parties request that the Court suspend (1) the August 31, 2018 discovery deadline, (2) the August 31, 2018 deadline for filing discovery-related motions, and (3) the October 5, 2018 deadline for filing dispositive pre-trial motions. The parties further agree to meet-and-confer and file a proposed revised scheduling order within 21 calendar days after the final resolution, including any appellate proceedings, of Plaintiffs' Motion to Compel (ECF No. 177) and Defendants' Motion for Protective Order (ECF No. 179). In support thereof, the parties state as follows:

1. The parties have filed cross motions for summary judgment, which are pending. ECF Nos. 158, 163.
2. On August 14, 2018, Judge Copperthite issued a memorandum and order granting Plaintiffs' motion to compel documents withheld under the deliberative process privilege, denying Defendants' motion for a protective order, and dismissing

Plaintiff's motion for judicial determination of privilege as moot. ECF Nos. 204, 205.

3. On August 17, 2018, Defendants filed a motion to stay compliance with Judge Copperthite's order. ECF No. 208.
4. On August 28, 2018, Defendants filed their objections to Judge Copperthite's order. ECF No. 209.
5. Plaintiffs have reserved the right to move to compel the production of documents withheld under the presidential communications privilege, but assert that they are unable to determine whether such documents are necessary until all alternative sources of discovery have been exhausted, including discovery of documents withheld under the deliberative process privilege.
6. In light of the above, the parties agree that the discovery deadline, the deadline for filing discovery-related motions, and the deadline for filing dispositive pre-trial motions, should be suspended in the interest of judicial economy.
7. The parties have agreed to meet and confer within 21 days after the Defendants' objections to Judge Copperthite's orders have been ruled upon, or after any related appellate proceedings have been resolved, within which period the parties shall file a proposed revised scheduling order.

WHEREFORE, Plaintiffs and Defendants respectfully jointly request that the Court enter an order suspending (1) the August 31, 2018 discovery deadline, (2) the August 31, 2018 deadline for filing discovery-related motions, and (3) the October 5, 2018 deadline for filing dispositive pre-trial motions.

Dated: August 30, 2018

David M. Zionts*
Carolyn F. Corwin*
Mark H. Lynch (Bar No. 12560)
Augustus Golden*
Jeff Bozman*
Marianne F. Kies (Bar No. 18606)
Joshua Roselman*
Peter J. Komorowski (Bar No. 20034)
Mark Neuman-Lee*
Covington & Burling LLP
One CityCenter
850 Tenth St. NW
Washington, DC 20001
Telephone: (202) 662-6000
Fax: (202) 778-5987
dzionts@cov.com
ccorwin@cov.com
agolden@cov.com
jbozman@cov.com
mkies@cov.com
jroselman@cov.com
pkomorowski@cov.com
mneumanlee@cov.com

Mitchell A. Kamin*
Nicholas A. Lampros*
Covington & Burling LLP
1999 Avenue of the Stars, Suite 3500
Los Angeles, California 90067
Telephone: (424) 332-4800
Facsimile: (424) 332-4749
mkamin@cov.com
nlampros@cov.com

* *Admitted pro hac vice*

Respectfully submitted,

/s/ Marianne F. Kies

Marianne F. Kies

Deborah A. Jeon (Bar No. 06905)
David Rocah (Bar No. 27315)
American Civil Liberties Union Foundation of
Maryland
3600 Clipper Mill Road, #350
Baltimore, MD 21211
Telephone: (410) 889-8555
Fax: (410) 366-7838
jeon@aclu-md.org
rocah@aclu-md.org

Joshua A. Block*
Chase B. Strangio*
James Esseks*
Leslie Cooper*
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004
Telephone: 212-549-2627
Fax: 212-549-2650
jblock@aclu.org
cstrangio@aclu.org
jesseks@aclu.org
lcooper@aclu.org

Counsel for Plaintiffs

CHAD A. READLER
Acting Assistant Attorney General
Civil Division

BRETT A. SHUMATE
Deputy Assistant Attorney General

JOHN R. GRIFFITHS

Branch Director

ANTHONY J. COPPOLINO
Deputy Director

/s/ Courtney D. Enlow

COURTNEY D. ENLOW
ANDREW E. CARMICHAEL

Trial Attorneys

United States Department of Justice
Civil Division, Federal Programs Branch

Telephone: (202) 616-8467

Email: courtney.d.enlow@usdoj.gov

Counsel for Defendants

Certificate of Service

I hereby certify that, on August 30, 2018, a copy of the foregoing was served on Defendants via CM/ECF.

/s/ Marianne F. Kies
Marianne F. Kies

**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-GLR

[PROPOSED] ORDER

ORDER GRANTING JOINT MOTION TO SUSPEND CERTAIN DEADLINES

Upon consideration of the parties' Joint Motion to Suspend Certain Deadlines, it is on this ___ day of _____, 2018, hereby

ORDERED, that the motion is GRANTED; and it is further

ORDERED that the following deadlines set forth in the Court's Amended Scheduling Order, ECF No. 170, are suspended: (1) the August 31, 2018 discovery deadline, (2) the August 31, 2018 deadline for filing discovery-related motions, and (3) the October 5, 2018 deadline for filing dispositive pre-trial motions.

It is **FURTHER ORDERED** that the parties are to meet and confer and file a proposed amended schedule for these deadlines within 21 calendar days after the final resolution, including any appellate proceedings, of Plaintiffs' Motion to Compel (ECF No. 177) and Defendants' Motion for Protective Order (ECF No. 179).
