

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

BROCK STONE, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as  
President of the United States, *et al.*,

Defendants.

Case 1:17-cv-02459-GLR

Hon. George L. Russell, III

**DEFENDANTS' NOTICE OF DECISION**

Defendants respectfully provide notice that on September 17, 2018, the United States Court of Appeals for the Ninth Circuit in the related case *In re Donald J. Trump*, No. 18-72159, granted Defendants' "motion for a stay pending consideration of the petition for writ of mandamus." Order, *In re Donald J. Trump*, No. 18-72159 (9th Cir. Sept. 17, 2018), Dkt. 36. The stay precludes the disclosure of documents protected by the deliberative process privilege. Because the Magistrate Judge in this case ordered Defendants to disclose many of those same deliberative documents, a stay of the Magistrate Judge's Memorandum Opinion and Order pending further review would be consistent with the current posture of proceedings in the Ninth Circuit. *See* Defs.' Mot. 16–17, Dkt. 208. A copy of the Ninth Circuit's order is attached.

September 18, 2018

Respectfully submitted,

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Assistant Attorney General  
Civil Division

BRETT A. SHUMATE  
Deputy Assistant Attorney General

JOHN R. GRIFFITHS  
Branch Director

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*/s/ Courtney D. Enlow*

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*Counsel for Defendants*

**FILED**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

SEP 17 2018

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: DONALD J. TRUMP, in his official  
capacity as President of the United States;  
et al.,

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DONALD J. TRUMP, in his official  
capacity as President of the United States;  
et al.,

Petitioners,

v.

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF  
WASHINGTON, SEATTLE,

Respondent,

RYAN KARNOSKI; et al.,

Real Parties in Interest.

No. 18-72159

D.C. No. 2:17-cv-01297-MJP  
Western District of Washington,  
Seattle

ORDER

Petitioners' emergency motion for stay pending consideration of the petition for a writ of mandamus is GRANTED, until further order of this court, while we consider the merits of the petition for writ of mandamus.

FOR THE COURT:  
MOLLY C. DWYER

CLERK OF COURT

By: Omar Cubillos  
Deputy Clerk  
Ninth Circuit Rule 27-7