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11  
 12 UNITED STATES DISTRICT COURT  
 13 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
 14 WESTERN DIVISION  
 15

16 ANDREW MASON DVASH-  
 17 BANKS and ETHAN JACOB  
 DVASH-BANKS

18 Plaintiffs,

19 v.

21 THE UNITED STATES  
 22 DEPARTMENT OF STATE, and  
 23 THE HONORABLE MICHAEL R.  
 POMPEO, Secretary of State,

24 Defendants.  
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No. CV 18-523-JFW-JC

JOINT STIPULATION TO EXTEND  
 THE MOTION HEARING CUT-OFF  
 DATE

Honorable John F. Walter

Current Motion	
Hearing Deadline:	Jan. 28, 2019
Proposed Motion	
Hearing Deadline:	Feb. 4, 2019

1 Defendants the United States Department of State and the Honorable Michael  
2 R. Pompeo, Secretary of State (“Defendants” or “the Government”) and Plaintiffs  
3 Andrew Mason Dvash-Banks and E.J. Dvash-Banks (“Plaintiffs”) (collectively, “the  
4 Parties”), stipulate and request that the Court extend the motion hearing deadline in  
5 this case for 7 calendar days. The Parties are not seeking to extend any other  
6 deadlines in this case.

7 In support of this joint request, the Parties state the following:

8 (1) The parties have substantially completed discovery in this case and intend  
9 to complete all remaining discovery in this case, as necessary, by the  
10 current discovery cut-off date of January 2, 2019. Defendants have  
11 substantially completed their production of documents in response to  
12 Plaintiffs’ requests for documents, and the parties believe they can come  
13 to agreement on the few issues remaining with respect to Defendants’  
14 responses. In addition, the parties have completed all depositions in this  
15 case, including a 30(b)(6) deposition, save one deposition tentatively  
16 noticed for the afternoon of January 2, 2019.

17 (2) Given the current motion hearing deadline of January 28, 2019, the parties  
18 would be required under the local rules to complete briefing on any motion  
19 for summary judgment by January 14, 2019, with the parties’ opening  
20 briefs due by Monday, December 31, 2018. Having devoted significant  
21 resources to completing discovery in this case, including by holding  
22 simultaneous depositions on December 20, 2018, and given the impending  
23 holidays, the Parties currently have only about four business days in which  
24 to prepare an opening brief.

25 (3) This is the Parties’ fourth joint filing to extend any deadlines in this case.  
26 The Court denied the Parties’ third joint motion to extend deadlines in this  
27 case. Order, ECF No. 45 (Jul. 12, 2018). As set forth above, since that  
28 time, Defendants have filed an Answer and the Parties have been engaged

1 in active discovery, including substantially completing all document  
2 production in this case, as well as nearly all of the depositions in this case.  
3 (4) Defendants and DOJ counsel are also currently preparing for a possible  
4 anticipated lapse in appropriations that may further impact their ability to  
5 file their opening brief by December 31.

6 (5) The Parties submit that this extension request is not for the purpose of  
7 undue delay, and agree that the continuance will not prejudice the conduct  
8 of the litigation.

9 Good cause, therefore, exists for the Parties' joint request. Accordingly, the  
10 Parties request the Court extend the hearing deadline in this case by 7 days, or until  
11 February 4, 2019.

12  
13  
14 Dated: December 21, 2018

Respectfully submitted,

Attorneys for Plaintiffs

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-and-

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By: /s Aaron C. Morris

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LISA ZEIDNER MARCUS

Senior Counsel

**CERTIFICATE OF SERVICE**

Case No. CV 18-523-JFW-JC

I hereby certify that I am over the age of 18 and not a party to the above-titled action. I am employed as a Trial Attorney at the United States Department of Justice, Civil Division, Federal Programs Branch. My business address is 20 Massachusetts Ave., N.W., Washington, DC 20530.

On December 21, 2018, I served this JOINT STIPULATION REQUESTING STAY OF CASE DEADLINES on each person or entity named below by uploading an electronic version of this document to the Court’s ECF system:

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I declare under penalty of perjury under the laws of the United States of America that the following is true and correct.

Executed on December 21, 2018, at Washington, DC.

By: s/Vinita B. Andrapalliyal

VINITA B. ANDRAPALLIYAL  
Trial Attorney  
United States Department of Justice  
Civil Division

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24 Defendants.

No. CV 18-523-JFW-JC

[Proposed] Order Extending Case  
Deadlines

Honorable John F. Walter  
United States District Judge

1 The Court has received and considered the Parties' stipulation to extend  
2 the motion hearing cut-off. The Parties have demonstrated good cause for their  
3 request.

4 It is hereby ordered that:

5 The motion hearing cut-off date is extended by 7 days, from January 28, 2019, to  
6 February 4, 2019.

7 Dated \_\_\_\_\_, 2018

8 \_\_\_\_\_  
HONORABLE JOHN F. WALTER  
UNITED STATES DISTRICT JUDGE

9 Presented by:

10  
11 Attorneys for Plaintiffs

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