

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

NICHOLAS HARRISON, et al.,)
)
Plaintiffs,)
v.)
)
PATRICK M. SHANAHAN, Acting Secretary of)
Defense, et al.,)
)
Defendants.)

1:18-cv-641 (LMB/IDD) ✓

RICHARD ROE, et al.,)
)
Plaintiffs,)
v.)
)
PATRICK M. SHANAHAN, Acting Secretary of)
Defense, et al.,)
)
Defendants.)

1:18-cv-1565 (LMB/IDD)

ORDER

For the reasons stated in open court, Defendants’ Renewed Motions to Dismiss [1:18-cv-641, Dkt. No. 154; 1:18-cv-1565, Dkt. No. 118]¹ are HELD IN ABEYANCE, and it is hereby

ORDERED that the parties have until the close of business on Monday, July 1, 2019 to conduct additional discovery with respect to whether plaintiff OutServe-SLDN, Inc. has associational and/or direct standing. If the additional discovery period does not reveal any further facts that merit attention, the parties should so advise the Court. Alternatively, if any party wishes to submit additional briefing related to newly discovered evidence, it must do so no

¹ Although civil actions 1:18-cv-641 and 1:18-cv-1565 have not been consolidated, the parties have agreed to file a single set of briefs addressing the motions to dismiss in both actions.

later than Friday, July 12, 2019.² Any briefs in opposition must be filed by Friday, July 19, 2019, and no reply briefs will be permitted.

The Clerk is directed to forward copies of this Order to counsel of record. Further, the Clerk is directed to update the docket sheets in both civil actions to substitute Patrick M. Shanahan, the Acting Secretary of Defense, for James N. Mattis, the former Secretary of Defense who resigned effective February 28, 2019.

Entered this 31st day of May, 2019.

Alexandria, Virginia



Leonie M. Brinkema
United States District Judge

² During the hearing on defendants' motions to dismiss, the Court indicated that the parties would have seven days in which to file supplemental briefs. This deadline has been extended given the timing of the July 4 holiday.