

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 SUPPLEMENTAL AUTHORITY**

Defendants respectfully provide notice that on June 14, 2019, the United States Court of Appeals for the Ninth Circuit in the related cases *Karnoski v. Trump*, Nos. 18-35347 and *In re Donald J. Trump*, No. 18-72159, vacated the district court's order that struck Defendants' motion to dissolve the preliminary injunction as well as issued a writ of mandamus and "vacate[d] the district court's discovery order"—that directed, among other things, disclosure of all of Defendants' deliberative documents—"so that the district court may reconsider Plaintiffs' discovery requests giving full consideration to the Executive's Article II prerogatives." Op. at 56, *Karnoski v. Trump*, No. 18-35347 (9th Cir. June 14, 2019) (per curiam). The decision supports Defendants' arguments regarding the dissolution of the preliminary injunction, which were raised in Defendants' Motion to Dissolve the Preliminary Injunction, Dkt. 120, as well as Defendants' arguments regarding dismissal of Plaintiffs' Second Amended Complaint or the entry of summary judgment in Defendants' favor, which were raised in Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint, or, in the Alternative, Defendants' Motion for Summary Judgment, Dkt. 158.

In addition, the Ninth Circuit's opinion provides a basis for the Court to reconsider its Order overruling Defendants' objections to the Magistrate Judge's memorandum opinion and order

concerning discovery and privilege issues. *See* Mem. Op., Dkt. 227; Order, Dkt. 228. Therefore, Defendants anticipate filing a motion for reconsideration and a motion to continue to stay compliance with the Magistrate Judge's memorandum opinion and order.

A copy of the Ninth Circuit's opinion is attached.

Dated: June 18, 2019

Respectfully submitted,

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*/s/ Courtney D. Enlow*

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