

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

RYAN KARNOSKI, *et al.*,

Plaintiffs,

v.

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

Defendants.

No. 2:17-cv-1297-MJP

WESTERN DISTRICT OF WASHINGTON

No. 1:18-cv-3164

Hon. Ellen L. Hollander

[JOINT PROPOSED] ORDER

On October 15, 2018, this Court held a teleconference at which counsel for the plaintiffs, counsel for Dr. McHugh, and counsel for the government defendants appeared.

Upon consideration of the arguments presented, and for good cause shown, the court hereby ORDERS:

1. That this action is held in abeyance pending the Ninth Circuit's decision on the interlocutory appeal, *see Karnoski v. Trump*, No. 18-35347 (9th Cir.), and petition for a writ of mandamus, *see In re Trump*, No. 18-72159 (9th Cir.), currently pending in the underlying litigation.
2. That Dr. McHugh produce a privilege log in compliance with Federal Rule of Civil Procedure 26(b)(5)(A) for any documents or communications between himself and the Department of Defense. Dr. McHugh is not required to produce a privilege log for any other documents or communications that may be responsive to the subpoena.

3. Once the Ninth Circuit rules in *Karnoski v. Trump*, No. 18-35347 (9th Cir.), and *In re Trump*, No. 18-72159 (9th Cir.), the parties shall, within ten (10) calendar days, meet and confer and file a joint status report proposing any necessary further proceedings in this Court.

Dated: _____

Ellen L. Hollander
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on October 17, 2018, I electronically filed the foregoing joint proposed order using the Court's CM/ECF system, causing a notice of filing to be served upon all counsel of record. I also emailed copies of the filed joint proposed order to the following counsel:

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Dated: October 17, 2018

/s/ Matthew Skurnik
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