

The Honorable Marsha J. Pechman

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

RYAN KARNOSKI, et al.,

Plaintiffs, and

STATE OF WASHINGTON,

Plaintiff-Intervenor,

v.

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

Defendants.

Case No. 2:17-cv-01297-MJP

**JOINT STIPULATION TO
CONSOLIDATE CASES 2:17-cv-01297-
MJP AND 2:19-cv-01206-MJP FOR ALL
PURPOSES**

NOTE ON MOTION CALENDAR:
August 16, 2019

1 Plaintiffs Ryan Karnoski, Cathrine Schmid, D.L., formerly known as K.G., by his next
 2 friend and mother, Laura Garza, Lindsey Muller, Terece Lewis, Phillip Stephens, Megan
 3 Winters, Jane Doe, Human Rights Campaign, Gender Justice League, and American Military
 4 Partner Association n/k/a Modern Military Association of America (collectively, "Plaintiffs");
 5 Plaintiff-Intervenor State of Washington; Defendants Donald J. Trump, the United States of
 6 America, Mark Esper, and the United States Department of Defense (collectively,
 7 "Defendants"), and third party Dr. Paul McHugh hereby stipulate and move the Court as follows:

8 WHEREAS, Plaintiffs filed their Complaint against Defendants on August 28, 2017 in this
 9 Court. (Dkt. # 1);

10 WHEREAS, on November 27, 2017 this Court granted Plaintiff-Intervenor's request to
 11 join the matter (Dkt. # 101), and on December 14, 2017 Plaintiff-Intervenor filed their Complaint
 12 in this matter. (Dkt. # 104);

13 WHEREAS, on August 22, 2018 Plaintiffs served a subpoena on Dr. Paul McHugh (the
 14 "Subpoena");

15 WHEREAS on October 3, 2018 Plaintiffs filed a motion to compel with respect to the
 16 Subpoena in the United States District Court for the District of Maryland, Case No.: 1:18-CV-
 17 3164 (the "Subpoena Dispute") (1:18-CV-3164; Dkt. # 1);

18 WHEREAS, on July 31, 2019 the Parties in the Subpoena Dispute matter consented to
 19 transfer to this Court pursuant to Fed. R. Civ. P. 45(f) (1:18-CV-3164; Dkt. No. 21);

20 WHEREAS, on August 1, 2019 the Clerk of Court notified counsel that the Subpoena
 21 Dispute had been transferred to this Court and was assigned to the Honorable Ricardo S.
 22 Martinez, Case No.: 2:19-cv-01206-RSM. (19-CV-1206; Dkt. # 24);

23 WHEREAS, on August 2, 2019, the Subpoena Dispute was reassigned to the Honorable
 24 Marsha J. Pechman, as related to 17-CV-1297;

25 WHEREAS, on August 9, 2019, the Parties to the Subpoena Dispute, in accordance with
 26 LCR 42(b), met and agreed to consolidate matters 17-CV-1297 and 19-CV-1206, and further
 27 agreed that no changes to the current Case Schedule (Dkt. # 344) be revised;
 28

WHEREAS, Plaintiff-Intervenor is not a party to the Subpoena Dispute, but does not object to its consolidation with this matter;

NOW THEREFORE, pursuant to Fed R. Civ. P. 42(a) and LCR 42, Plaintiffs, Plaintiff-Intervenor, and Defendants, through their respective counsel of record, do hereby stipulate and agree, and respectfully request, that the Court enter an order that *Karnoski, et al. v. Trump, et al.*, Case No. 2:19-cv-01206-MJP be consolidated with *Karnoski, et al. v. Trump, et al.*, Case No. 2:17-cv-01297-MJP for all purposes pursuant to LCR 42(a).

SO STIPULATED

Respectfully submitted August 28, 2019.

NEWMAN DU WORS LLP

UNITED STATES DEPARTMENT OF JUSTICE

s/ Rachel Horvitz

s/ Andrew E. Carmichael

Derek A. Newman, WSBA No. 26967
dn@newmanlaw.com

JOSEPH H. HUNT
Assistant Attorney General
Civil Division

Jason B. Sykes, WSBA No. 44369
jason@newmanlaw.com

ALEXANDER K. HAAS
Branch Director

Rachel Horvitz, WSBA No. 52987
rachel@newmanlaw.com

ANTHONY J. COPPOLINO
Deputy Director

2101 Fourth Ave., Ste. 1500
Seattle, WA 98121
(206) 274-2800

ANDREW E. CARMICHAEL, VA Bar #
76578

**LAMDBA LEGAL DEFENSE AND
EDUCATION FUND, INC.**

Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
andrew.e.carmichael@usdoj.gov
1100 L Street NW, Suite 12108
Washington, DC 20530
(202) 514-3346

Tara Borelli, WSBA No. 36759
tborelli@lambdalegal.org

Camilla B. Taylor (admitted pro hac vice)

Peter C. Renn (admitted pro hac vice)

Sasha Buchert (admitted pro hac vice)

Kara Ingelhart (admitted pro hac vice)

Carl Charles (admitted pro hac vice)

Paul D. Castillo (admitted pro hac vice)

Counsel for Defendants

**OUTSERVE-SLDN, INC. N/K/A
MODERN MILITARY ASSOCIATION
OF AMERICA**

Peter Perkowski (admitted pro hac vice)

**OFFICE OF THE WASHINGTON
STATE ATTORNEY GENERAL**

s/ Chalia I. Stallings-Ala'ilima

Chalia I. Stallings-Ala'ilima, WSBA No.
40694

chalias@atg.wa.gov

Colleen M. Melody, WSBA No. 42275

colleenm1@atg.wa.gov

Assistant Attorney General

Wing Luke Civil Rights Division

Office of the WA Attorney General

800 Fifth Avenue, Suite 2000

Seattle, WA 98104

(206) 464-7744

Counsel for Intervenor-Plaintiff State of
Washington

s/ Gerard Bradley

Gerard Bradley

Gerard.V.Bradley.16@nd.edu

Professor of Law

University of Notre Dame

3156 Eck Hall of Law

Notre Dame, IN 46556 USA

Counsel for Dr. Paul McHugh

ORDER

This matter comes before the Court on the Parties' Joint Stipulation to Consolidate Cases 2:17-cv-01297-MJP and 2:19-cv-01206-MJP For All Purposes, and the Court having considered the Stipulation and the records and files of the case, the Court does hereby find good cause to order that the two above-captioned matters will be consolidated for all purposes before the Honorable Marsha J. Pechman, with a trial date of June 22, 2020. All future filings must be submitted in the lead case, 2:17-cv-01297-MJP.

IT IS SO ORDERED.

Dated this 28th day of August, 2019.



Marsha J. Pechman
United States District Judge

PRESENTED BY:

NEWMAN DU WORS LLP

s/ Rachel Horvitz

Derek A. Newman, WSBA No. 26967
dn@newmanlaw.com
Jason B. Sykes, WSBA No. 44369
jason@newmanlaw.com
Rachel Horvitz, WSBA No. 52987
rachel@newmanlaw.com
2101 Fourth Ave., Ste. 1500
Seattle, WA 98121
(206) 274-2800

**LAMDBA LEGAL DEFENSE AND
EDUCATION FUND, INC.**

Tara Borelli, WSBA No. 36759

**UNITED STATES DEPARTMENT OF
JUSTICE**

s/ Andrew E. Carmichael

JOSEPH H. HUNT
Assistant Attorney General
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ANTHONY J. COPPOLINO
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ANDREW E. CARMICHAEL, VA Bar #
76578
Trial Attorney
United States Department of Justice
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tborelli@lambdalegal.org

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**OUTSERVE-SLDN, INC. N/K/A
MODERN MILITARY ASSOCIATION
OF AMERICA**

Peter Perkowski (admitted pro hac vice)

KIRKLAND & ELLIS LLP

James F. Hurst, P.C. (admitted pro hac vice)

Steve Patton (admitted pro hac vice)

Jordan M. Heinz (admitted pro hac vice)

Vanessa Barsanti (admitted pro hac vice)

Daniel I. Siegfried (admitted pro hac vice)

Joseph B. Tyson (admitted pro hac vice)

Counsel for Plaintiffs

s/ Gerard Bradley

Gerard Bradley

Gerard.V.Bradley.16@nd.edu

Professor of Law

University of Notre Dame

3156 Eck Hall of Law

Notre Dame, IN 46556 USA

Counsel for Dr. Paul McHugh

andrew.e.carmichael@usdoj.gov

1100 L Street NW, Suite 12108

Washington, DC 20530

(202) 514-3346

Counsel for Defendants

OFFICE OF THE WASHINGTON

STATE ATTORNEY GENERAL

s/ Chalia I. Stallings-Ala'ilima

Chalia I. Stallings-Ala'ilima, WSBA No.

40694

chalias@atg.wa.gov

Colleen M. Melody, WSBA No. 42275

colleenm1@atg.wa.gov

Assistant Attorney General

Wing Luke Civil Rights Division

Office of the WA Attorney General

800 Fifth Avenue, Suite 2000

Seattle, WA 98104

(206) 464-7744

Counsel for Intervenor-Plaintiff State of
Washington

CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury under the laws of the United States of America and the laws of the State of Washington that all participants in the case are registered CM/ECF users and that service of the foregoing documents will be accomplished by the CM/ECF system on August 28, 2019.

s/ Rachel Horvitz

Rachel Horvitz, WSBA No. 52987

rachel@newmanlaw.com

2101 Fourth Ave., Ste. 1500

Seattle, WA 98121

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