

Honorable Marsha J. Pechman

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**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, et al.
Defendants.

Case No: 2:17-cv-1297

JOINT PROPOSAL TO REVISE
CASE SCHEDULE

Pursuant to the Court’s direction during the February 3, 2020, Status Conference, the parties hereby submit the following Joint Proposal for revision of the case schedule:

DESCRIPTION	CURRENT DEADLINES	PROPOSED DEADLINES
All motions related to discovery due	February 20, 2020	April 30, 2020
Deadline to Complete Discovery	March 31, 2020	May 29, 2020
Dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter pursuant to LCR 7(d)(3)	March 17, 2020	July 2, 2020
Motions <i>in Limine</i> must be filed by and noted on the motion calendar three Fridays thereafter pursuant to LCR 7(d)(4)	May 26, 2020	September 3, 2020
Joint Pretrial Order due	June 10, 2020	September 18, 2020
Trial briefs, proposed findings of fact and conclusions of law due	June 10, 2020	September 18, 2020
Pretrial Conference	June 12, 2020	September 25, 2020
Bench Trial ¹	June 22, 2020	October 19, 2020 Length: Two weeks

¹ Defendants assert that the question of whether the Department of Defense “reasonably determined the policy ‘significantly furthers’ the government’s important interests,” *Karnoski v. Trump*, 926 F.3d 1180, 1202 (9th Cir. 2019), is a matter that should be decided at summary judgment. *Id.* (citing *Rostker v. Goldberg*, 453 U.S. 57, 68 (1981)); *see also Doe v. Shanahan*, 917 F.3d 694, 728 (D.C. Cir. 2019) (Williams, J., concurring in result) (noting that the Supreme Court in “*Goldman [v. Weinberger]* dismissed plaintiff’s ‘expert testimony’ as ‘quite beside the point,’ 475 U.S. at 509, and in *Rostker* chastised the district court for ‘palpably exceed[ing] its authority’ in ‘relying on [such] testimony,’ 453 U.S. at 81.”). Accordingly, Defendants believe that setting a trial date is not necessary or appropriate. However, to the extent that the Court disagrees Defendants join Plaintiffs and Plaintiff-Intervenor in proposing the above pre-trial and trial dates.

1 Respectfully submitted, February 13, 2020.

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[PROPOSED] ORDER

This matter comes before the Court on the Parties' Joint Proposal to Revise Case Schedule. After considering the Parties' Joint Proposal, IT IS HEREBY ORDERED THAT the case schedule in this matter is hereby amended as follows:

DESCRIPTION	DEADLINES
All motions related to discovery due	April 30, 2020
Deadline to Complete Discovery	May 29, 2020
Dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter pursuant to LCR 7(d)(3)	July 2, 2020
Motions <i>in Limine</i> must be filed by and noted on the motion calendar three Fridays thereafter pursuant to LCR 7(d)(4)	September 3, 2020
Joint Pretrial Order due	September 18, 2020
Trial briefs, proposed findings of fact and conclusions of law due	September 18, 2020
Pretrial Conference	September 25, 2020
Bench Trial	October 19, 2020 Length: Two weeks

IT IS SO ORDERED.

Dated this _____ day of _____, 2020.

The Honorable Marsha J. Pechman
United States District Judge

1 PRESENTED BY:

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was electronically filed with the United States District Court using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Dated this 13th day of February 2020 in Seattle, Washington.



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