

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

| | | |
|---|---|---|
| LINDA SARSOUR, <i>et al.</i> |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | Civil Action No. 1:17-cv-00120(AJT/IDD) |
| |) | |
| DONALD J. TRUMP, |) | |
| President of the United States, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |
| |) | |

DEFENDANTS’ CONSENT MOTION FOR A TWO-WEEK ENLARGEMENT OF TIME

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(B), defendants, through their undersigned counsel, hereby respectfully move – with plaintiffs’ consent – for a fourteen-day enlargement of time within which to answer or otherwise respond to the complaint in the above-captioned action. The grounds for this motion are as follows:

1. Plaintiffs’ Amended Complaint challenges Executive Order 13780 (“Executive Order”), “Protecting the Nation from Foreign Terrorist Entry into the United States,” issued on March 6, 2017.

2. On March 13, 2017, Plaintiffs moved for a Temporary Restraining Order (“TRO”) and/or a Preliminary Injunction in this matter. ECF No. 13. Defendants opposed, ECF No. 22, and after hearing argument on May 21, 2017, the Court denied Plaintiffs’ motion on March 24, 2017. ECF No. 36.

3. In *Int’l Refugee Assistance Project v. Trump*, the United States District Court for the District of Maryland enjoined Section 2(c) of the Executive Order. *See Int’l Refugee Assistance Project v. Trump*, 2017 WL 1018235 (D. Md. Mar. 16, 2017), appeal docketed, No. 17-1351 (4th Cir. Mar. 17, 2017). An appeal in that action is presently pending

before the United States Court of Appeals for the Fourth Circuit, where briefing will be complete by April 21, 2017, and oral argument is set for May 8, 2017. See Order, No. 17-1351 (4th Cir. Mar. 23, 2017), Dkt. No. 25.¹

4. In light of the above, the parties are engaged in discussions about how to proceed efficiently in this matter. Defendants believe that continuing these discussions is in the interests of judicial economy and avoiding unnecessary expenditure of the parties' and this Court's resources.

5. Defendants' motion to dismiss (or a responsive pleading) presently is due on April 10, 2017. Should this Court deny the motion, defendants respectfully request that they be permitted to file their initial response to the complaint within ten (10) days of this Court entering such a denial.

6. Plaintiffs' counsel has graciously agreed to the relief sought by this motion.

7. A proposed order has been tendered for the convenience of this Court.

April 7, 2017

Respectfully submitted,

DANA J. BOENTE
United States Attorney

CHAD READLER
Acting Assistant Attorney General
Civil Division

¹ A separate nationwide preliminary injunction of Sections 2 and 6 of the Executive Order has been entered by the United States Court for the District of Hawaii. See *Haw. v. Trump* ___ F. Supp. 3d ___, 2017 WL 1011673 (D. Haw. Mar. 15, 2017) (granting Temporary Restraining Order ("TRO")); *Haw. v. Trump*., 2017 WL 1167383 (Mar. 29, 2017) (converting TRO to preliminary injunction). The government has appealed the injunction to the Ninth Circuit, which in turn adopted an expedited briefing schedule and will hear oral argument on May 15, 2017. See Case No. 17-15589 (9th Cir.), Dkt. Nos. 14, 18. In the meantime, the District of Hawaii adopted the Hawaii parties' joint motion to stay further district court proceedings in that case pending resolution of the appeal. See No. 17-cv-50 (D. Haw. Apr. 3, 2017), Dkt. No. 279.

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will transmit a true and correct copy of the same to the following:

Gadeir Ibrahim Abbas
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Date: April 7, 2017

_____/s/_____
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ATTORNEYS FOR DEFENDANTS

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| President of the United States, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |
| |) | |

[Proposed] ORDER

Upon consideration of defendants’ consent motion for a fourteen-day enlargement of time, it is hereby

ORDERED that defendants’ consent motion is GRANTED; it is further

ORDERED that, on or before April 24, 2017, defendants shall answer or otherwise respond to plaintiff’s complaint in this action.

Date: _____

UNITED STATES MAGISTRATE JUDGE