

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

**THE JAMES MADISON PROJECT, NOAH  
SHACHTMAN, and BETSY WOODRUFF,** )

Plaintiffs, )

v. )

**DEPARTMENT OF HOMELAND  
SECURITY,** )

Defendant. )

Civil Action No. 17-1281

**JOINT MOTION TO ENTER SCHEDULING ORDER**

On December 26, 2018, this Court granted Defendant’s motion for a stay of the above-captioned case commensurate with the duration of the lapse of appropriations for the Department of Justice. As of January 25, 2019, after a 35-day lapse, funding was restored for the Department of Justice through February 15, 2019, and the Department has now resumed its usual civil litigation functions. Accordingly, the parties hereby provide an update to the Court concerning the status of this case, and respectfully request the entry of a scheduling order as set forth below.

On December 18, 2018, in accordance with this Court’s production schedule of October 19, 2018, and as set forth in the parties’ agreement, *see* ECF No. 17, Defendant completed its production efforts in this matter. Plaintiffs state that they will not raise any further substantive challenges in this case, and the parties agree that the sole remaining issue is a determination as to possible attorney costs and fees.

The parties respectfully request that the Court enter a scheduling order whereby the parties may attempt to reach agreement concerning attorney costs and fees by March 1, 2019. If

the parties are unable to reach agreement, the parties would propose a briefing schedule on this issue on or before March 15, 2019.

Dated: February 1, 2019

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General

ELIZABETH J. SHAPIRO  
Deputy Branch Director

/s/ Michael Drezner  
Michael Drezner  
Trial Attorney (Virginia Bar No. 83836)  
United States Department of Justice  
Civil Division, Federal Programs Branch  
Tel.: (202) 514-4505  
Fax: (202) 616-8470  
Email: Michael.L.Drezner@usdoj.gov

*Attorney for Defendant*

/s/ Bradley P. Moss  
Bradley P. Moss, Esq.  
D.C. Bar #975905  
Mark S. Zaid, Esq.  
D.C. Bar #440532  
Mark S. Zaid, P.C.  
1250 Connecticut Avenue, N.W.  
Suite 700  
Washington, D.C. 20036  
(202) 454-2809  
(202) 330-5610 fax  
Brad@MarkZaid.com  
Mark@MarkZaid.com

*Attorneys for Plaintiffs*

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

**THE JAMES MADISON PROJECT, NOAH  
SHACHTMAN, and BETSY WOODRUFF,** )

Plaintiffs, )

v. )

**DEPARTMENT OF HOMELAND  
SECURITY,** )

Defendant. )

Civil Action No. 17-1281

**[PROPOSED] ORDER**

Upon consideration of the Joint Motion to Enter Scheduling Order, it is hereby:

**ORDERED** that the Joint Motion is **GRANTED**, and it is further

**ORDERED** that the parties may attempt to reach agreement concerning attorney fees and costs by **March 1, 2019**. If the parties are unable to reach agreement, the parties will propose a briefing schedule on this issue on or before **March 15, 2019**.

**SO ORDERED.**

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE