

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

AMERICAN CIVIL LIBERTIES UNION OF VIRGINIA, AMERICAN CIVIL LIBERTIES UNION OF MARYLAND, AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA, and AMERICAN CIVIL LIBERTIES UNION OF DELAWARE,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, and U.S. CUSTOMS AND BORDER PROTECTION,

Defendants.

Case No.: 1:17-cv-00441-LMB-IDD

**DEFENDANTS' CONSENT MOTION TO
REINSTATE ADMINISTRATIVELY CLOSED CASE**

Defendants the U.S. Department of Homeland Security and U.S. Customs and Border Protection, by and through their undersigned counsel, hereby respectfully move this Court to reinstate this administratively closed case.

In support of this Motion, Defendants state the following:

1. On June 26, 2017, this Court entered an Order Staying this case pending a decision by the Judicial Panel on Multidistrict Litigation on Defendants' motion to transfer this and other related actions for consolidated or coordinated proceedings pursuant to 28 U.S.C. § 1407 ("Defendants' Motion to Transfer"), and administratively closed the case until further order of the Court.
2. Defendants' Motion to Transfer was denied on August 2, 2017.
3. Defendants now request that this case be returned to the active docket.

4. Defendants request that they be given until August 29, 2017, to respond to the Complaint (ECF No. 1).

5. Defendants have conferred with counsel for the Plaintiffs who advises that there is no objection to this motion.

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

Dated: August 25, 2017

Respectfully submitted,

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Acting Assistant Attorney General

DANA J. BOENTE
Acting United States Attorney

ELIZABETH J. SHAPIRO
Deputy Director, Federal Programs Branch

MATTHEW J. BERNIS
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/s/

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*Attorneys for Defendants U.S. Department of Homeland
Security and U.S. Customs and Border Protection*

CERTIFICATE OF SERVICE

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

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Date: August 25, 2017

/s/
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[Proposed] ORDER

Upon consideration of Defendants' Consent Motion to Reinstate Administratively Closed Case, it is hereby

ORDERED that Defendants' consent motion is GRANTED; and it is further

ORDERED that, on or before August 29, 2017, Defendants shall answer or otherwise respond to Plaintiffs' complaint in the above-captioned action.

Date: _____

LEONIE M. BRINKEMA
UNITED STATES DISTRICT JUDGE