

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

THE DISTRICT OF COLUMBIA and
THE STATE OF MARYLAND,

Plaintiffs,

v.

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

Defendant.

"APPROVED" THIS 12 DAY
of JAN, 2018.


PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

Case No. 8:17-cv-01596 (PJM)

**THE PARTIES' JOINT RESPONSE TO THE COURT'S DECEMBER 15, 2017 AND
JANUARY 2, 2018 ORDERS**

The parties submit this joint response to the Court's December 15, 2017 and January 2, 2018 orders regarding oral argument. The parties' proposed schedule of speakers and times allotted for each topic is below. The parties have not allocated any time for *amici* to present argument.

I. Preliminary remarks—40 minutes

Plaintiffs (Steven Sullivan): 20 minutes

Defendant (Brett Shumate): 20 minutes

II. Injury in fact (including zone of interests)

1. Sovereign and quasi-sovereign interests—1 hour and 50 minutes

Plaintiffs (Loren AliKhan): 50 minutes

Defendant (Brett Shumate): 55 minutes

Plaintiffs (Loren AliKhan): 5 minutes

12:30 p.m.: Break for lunch

2. Proprietary interests—1 hour

Plaintiffs (Loren AliKhan): 25 minutes

Defendant (Brett Shumate): 30 minutes

Plaintiffs (Loren AliKhan): 5 minutes

III & IV. Traceability and redressability—1 hour and 30 minutes

Plaintiffs (Steven Sullivan): 40 minutes

Defendant (Brett Shumate): 45 minutes

Plaintiffs (Steven Sullivan): 5 minutes

V. Closing remarks—30 minutes

Plaintiffs (Loren AliKhan): 10 minutes

Defendant (Brett Shumate): 15 minutes

Plaintiffs (Loren AliKhan): 5 minutes

The schedule above suggests three changes to the Court's proposed schedule for oral argument. *First*, the parties propose that the presentation regarding injury in fact be separated into two segments: the first would address Plaintiffs' sovereign and quasi-sovereign interests and the second would address Plaintiffs' proprietary interests. The parties believe that this separation will allow for a clearer presentation of the issues. *Second*, the parties suggest presenting argument on traceability and redressability at the same time. The issues of traceability and redressability are closely related and presenting argument on them together will reduce repetition. *Third*, although the Court contemplates a lunch break beginning at 1 p.m., the parties propose that the lunch break begin at 12:30 p.m. Doing so will allow argument on Plaintiffs' proprietary interests to be presented uninterrupted, and the parties would resume argument in the afternoon at the Court's convenience.

Additionally, the following attorneys will sit at counsel table:

Plaintiffs:

Loren AliKhan

Deepak Gupta

Patrick Hughes

Sonya Lebsack

Stephanie Litos

Steven Sullivan

Defendant:

Jean Lin

James Powers

Brett Shumate

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2018, I electronically filed this response with the Clerk of the Court using the CM/ECF filing system. Notice of this filing will be sent via email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF system.

/s/ Stephanie Litos
Stephanie Litos