

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

INTERNATIONAL REFUGEE  
ASSISTANCE PROJECT, et al.,

Plaintiffs-Cross-Appellants,

v.

DONALD TRUMP, et al.,

Defendants-Appellants.

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IRANIAN ALLIANCES  
ACROSS BORDERS, et al.,

Plaintiffs-Appellees,

v.

DONALD TRUMP, et al.,

Defendants-Appellants.

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EBLAL ZAKZOK, et al.,

Plaintiffs-Appellees,

v.

DONALD TRUMP, et al.,

Defendants-Appellants.

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Nos. 17-2231 (L), 17-2232, 17-2233

***IRAP* PLAINTIFFS-CROSS-  
APPELLANTS' RESPONSE TO  
MOTION TO EXPEDITE  
MERITS BRIEFING SCHEDULE**

The plaintiffs' proposed schedule differs by a single week from the government's. Specifically, the plaintiffs respectfully request that they be afforded three weeks to respond to the government's opening brief, while the government has proposed that plaintiffs have only two. The plaintiffs' proposed schedule—including plaintiffs' proposed due date for their initial brief—is already highly expedited. *Cf.* F.R.A.P. 28.1(f). And in the previous appeal in this case, this Court provided plaintiffs the same amount of time to file their principal brief that they are currently requesting. Shortening that time could unnecessarily compromise plaintiffs' ability to fully respond to the government's brief, particularly in light of the requirement that plaintiffs in three separate cases, each represented by separate groups of counsel, coordinate their response, *see* L.R. 28(a), (d).

The government has not identified any concrete harm that will result if the briefing on this appeal takes a total of seven weeks rather than six, and none exists. Nor has the government demonstrated that providing the additional week would prevent the Supreme Court from hearing a subsequent appeal this Term—or explained why the plaintiffs' time to respond should be shortened in order to accommodate the government's

preference regarding the scheduling of a subsequent appeal, even if that were the case.<sup>1</sup>

In any event, even under plaintiffs' proposed schedule, the appeal will be fully briefed before the end of the Court's scheduled December sitting. And if an earlier cross-appeal reply deadline would facilitate the Court's consideration of the appeal, the plaintiffs could file their cross-appeal reply brief on Monday, December 4.

For these reasons, plaintiffs respectfully request that the Court set the plaintiffs' proposed schedule, which will expedite the appeal while allowing plaintiffs a full and fair opportunity to respond:

Appellants' brief: November 1, 2017

Response/Cross-Appellants' brief: November 22, 2017

Reply/Cross-Appellees' brief: November 29, 2017

Cross-Appellants' reply brief: December 6, 2107

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<sup>1</sup> That is especially true given that earlier in this litigation, the government was content to allow the Supreme Court's merits review to occur in a subsequent Term, *see* App. Stay, No. 16A1190 at 40 (U.S. filed June 1, 2017).

Dated: October 25, 2017

Respectfully submitted,

Karen C. Tumlin  
Nicholas Espiritu  
Melissa S. Keaney  
Esther Sung  
National Immigration Law Center  
3435 Wilshire Boulevard, Suite  
1600  
Los Angeles, CA 90010  
Tel: (213) 639-3900  
Fax: (213) 639-3911  
tumlin@nilc.org  
espiritu@nilc.org  
keaney@nilc.org  
sung@nilc.org  
(IRAP, et al. Plaintiffs)

Justin B. Cox  
National Immigration Law Center  
PO Box 170208  
Atlanta, GA 30317  
Tel: (678) 279-5441  
Fax: (213) 639-3911  
cox@nilc.org  
(IRAP, et al. Plaintiffs)

Kathryn Claire Meyer  
Mariko Hirose  
International Refugee Assistance  
Project  
40 Rector Street, 9th Floor  
New York, New York 10006  
Tel: (646) 459-3044  
Fax: (212) 533-4598

/s/ Omar C. Jadwat

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Omar C. Jadwat  
Lee Gelernt  
Hina Shamsi  
Hugh Handeyside  
Sarah L. Mehta  
David Hausman  
American Civil Liberties Union  
Foundation  
125 Broad Street, 18th Floor  
New York, NY 10004  
Tel: (212) 549-2600  
Fax: (212) 549-2654  
ojadwat@aclu.org  
lgelernt@aclu.org  
hshamsi@aclu.org  
hhandeyside@aclu.org  
smehta@aclu.org  
dhausman@aclu.org  
(IRAP, et al. Plaintiffs)

Cecillia D. Wang  
Cody H. Wofsy  
Spencer E. Amdur  
American Civil Liberties Union  
Foundation  
39 Drumm Street  
San Francisco, CA 94111  
Tel: (415) 343-0770  
Fax: (415) 395-0950  
cwang@aclu.org  
cwofsy@aclu.org  
samdur@aclu.org  
(IRAP, et al. Plaintiffs)

kmeyer@refugeerights.org  
mhirose@refugeerights.org  
(IRAP, et al. Plaintiffs)

David Rocah  
Deborah A. Jeon  
Sonia Kumar  
Nicholas Taichi Steiner  
American Civil Liberties Union  
Foundation of Maryland  
3600 Clipper Mill Road, Suite 350  
Baltimore, MD 21211  
Tel: (410) 889-8555  
Fax: (410) 366-7838  
jeon@aclu-md.org  
rocah@aclu-md.org  
kumar@aclu-md.org  
steiner@aclu-md.org  
(IRAP, et al. Plaintiffs)

Johnathan Smith  
Sirine Shebaya  
MUSLIM ADVOCATES  
P.O. Box 66408  
Washington, D.C. 20035  
Tel: (202) 897-2622  
Fax: (415) 765-1774  
johnathan@muslimadvocates.org  
sirine@muslimadvocates.org  
(I.A.A.B., et al. Plaintiffs)

Richard B. Katskee  
Eric Rothschild  
Andrew L. Nellis  
AMERICANS UNITED FOR  
SEPARATION OF CHURCH  
AND STATE  
1310 L St. NW, Ste. 200  
Washington, D.C. 2005

David Cole  
Daniel Mach  
Heather L. Weaver  
American Civil Liberties Union  
Foundation  
915 15<sup>th</sup> Street NW  
Washington, DC 20005  
Tel: (202) 675-2330  
Fax: (202) 457-0805  
dcole@aclu.org  
dmach@aclu.org  
hweaver@aclu.org  
(IRAP, et al. Plaintiffs)

Mark H. Lynch  
Mark W. Mosier  
Herbert L. Fenster  
Jose E. Arvelo  
John W. sorrenti  
Karun Tilak  
COVINGTON & BURLING  
LLP  
One City Center  
850 10<sup>th</sup> Street, NW  
Washington, D.C. 20001  
Tel: (202) 662-6000  
Fax: (202) 662-6302  
mlynch@cov.com  
mmosier@cov.com  
hfenster@cov.com  
jarvelo@cov.com  
jsorrenti@cov.com  
ktilak@cov.com  
(I.A.A.B., et al. Plaintiffs)

Rebecca G. Van Tassell  
COVINGTON & BURLING  
LLP  
1999 Avenue of the Stars

Tel: (202) 466-3234  
Fax: (202) 466-3353  
katskee@au.org  
rothschild@au.org  
nellis@au.org  
(I.A.A.B., et al. Plaintiffs)

Charles E. Davidow  
Robert A. Atkins  
Liza Velazquez  
Andrew J. Ehrlich  
Steven C. Herzog  
PAUL, WEISS, RIFKIND,  
WHARTON & GARRISON LLP  
1285 Avenue of the Americas  
New York, NY 10019-6064  
Tel.: (212) 373-3000  
Fax: (212) 757-3990  
ratkins@paulweiss.com  
lvelazquez@paulweiss.com  
aehrlich@paulweiss.com  
sherzog@paulweiss.com  
(Zakzok, et al. Plaintiffs)

Faiza Patel  
Michael Price  
Brennan Center for Justice  
at NYU School of Law  
120 Broadway, Suite 1750  
New York, NY 10271  
Tel.: (646) 292-8335  
Fax: (212) 463-7308  
faiza.patel@nyu.com  
michael.price@nyu.com  
(Zakzok, et al. Plaintiffs)

Los Angeles, California 90067  
Tel: (424) 332-4800  
Fax: (424) 332-4749  
RVanTassell@cov.com  
(I.A.A.B., et al. Plaintiffs)

Lena F. Masri  
Gadeir Abbas  
Council on American-Islamic  
Relations (CAIR)  
453 New Jersey Avenue SE  
Washington, D.C. 20003  
Tel.: (202) 488-8787  
Fax: (202) 488-0833  
lfmasri@cair.com  
gabbas@cair.com  
(Zakzok, et al. Plaintiffs)

Jethro Eisenstein  
Profeta & Eisenstein  
45 Broadway, Suite 2200  
New York, New York 10006  
Tel.: (212) 577-6500  
Fax: (212) 577-6702  
jethro19@gmail.com  
(Zakzok, et al. Plaintiffs)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 25th day of October, 2017, I caused a PDF version of the foregoing document to be electronically transmitted to the Clerk of the Court, using the CM/ECF System for filing and for transmittal of a Notice of Electronic Filing to all CM/ECF registrants.

Dated: October 25, 2017

Respectfully submitted,

/s/ Omar Jadwat  
Omar C. Jadwat

## CERTIFICATE OF COMPLIANCE

Pursuant to FRAP 32(g)(1), I hereby certify that the foregoing corrected motion complies with the type-volume limitation in FRAP 27(d)(2)(A). According to Microsoft Word, the motion contains 349 words and has been prepared in a proportionally spaced typeface using Times New Roman in 14 point size.

Dated: October 25, 2017

Respectfully submitted,

/s/ Omar Jadwat  
Omar C. Jadwat