

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

LA UNIÓN DEL PUEBLO ENTERO, *et al.*,

*Plaintiffs-
Appellees/Cross-
Appellants*

v.

WILBUR L. ROSS, sued in his official
capacity as U.S. Secretary of Commerce, *et
al.*,

*Defendants-
Appellants/Cross-
Appellees.*

Nos. 19-1382 (L), 19-1425

ROBYN KRAVITZ, *et al.*,

Plaintiffs-Appellees

v.

U.S. DEPARTMENT OF COMMERCE, *et.
al.*,

Defendants-Appellants.

No. 19-1387

**KRAVITZ ET AL. PLAINTIFFS-APPELLEES RESPONSE
REGARDING BRIEFING SCHEDULE**

Plaintiffs-Appellees in *Kravitz, et al. v. U.S. Department of Commerce, et al.*, No. 19-1387 (*Kravitz* Appellees) hereby submit this response to Defendants-Appellants' motion to hold these appeals in abeyance (Dkt. 22).

The *Kravitz* Appellees do not oppose the *LUPE* Appellees' motion for an expedited briefing schedule (Dkt. 18). At a minimum, the Court should adopt a briefing schedule that will enable the Court to resolve all outstanding issues prior to October 31, 2019, at which point, according to the deposition testimony of Census Bureau officials, the Census Bureau will still be

in a position to modify the 2020 Census questionnaire. *See* Abowd 30(b)(6) Dep. Vol. II Tr. 436:13-437:8, Dkt. 103-9, *Kravitz v. U.S. Dep't of Commerce*, No. 18-cv-1041 (D. Md. filed Jan. 14, 2019). If the Court denies the *LUPE* Appellees' motion and decides to hold the appeals in abeyance pending the Supreme Court's decision in *Department of Commerce v. New York*, the *Kravitz* Appellees respectfully request that the Court set the following expedited briefing schedule with deadlines to run from the date of the Supreme Court's decision in *Department of Commerce v. New York*:

- **Joint Appendix and Appellants' Opening Brief:** 14 days following Supreme Court decision.
- **Plaintiff-Appellees' Response/Opening Brief:** 14 days following Appellants' Opening Brief.
- **Appellants' Reply/Response Brief:** 7 days following Plaintiff-Appellees' Response/Opening Brief.
- **Plaintiff-Appellees' Reply Brief:** 7 days following Appellants' Reply/Response Brief.
- **Oral Argument:** 7 days following the conclusion of briefing.

Dated: May 23, 2019

Respectfully Submitted,

/s/
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CERTIFICATE OF SERVICE

I certify that on this 23rd day of May 2019, I electronically filed the foregoing with the Clerk of the Court by using the appellate CM/ECF system. Participants in the case are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

By: /s/ Daniel Grant

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