

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

Robyn Kravitz, et al.,

Plaintiffs,

v.

U.S. Department of Commerce, et al.,

Defendants.

No. 8:18-cv-1041-GJH

La Unión del Pueblo Entero, et al.,

Plaintiffs,

v.

**Wilbur L. Ross, in his official capacity as
Secretary of Commerce, et al.,**

Defendants.

No. 8:18-cv-1570-GJH

**Motion to Stay Pre-Trial Deadlines,
Pre-Trial Conference, and
Trial in Light of Lapse of Appropriations**

Defendants move under 31 U.S.C. § 1342 for a stay of all pre-trial deadlines, the pre-trial conference scheduled for January 18, 2019, and the bench trial scheduled for January 22, 2019, in the above-captioned cases. The grounds for this motion are as follows:

1. At the end of the day on December 21, 2018, the appropriations act that had been funding the Department of Justice expired and appropriations for the Department lapsed. The same is true for Defendant U.S. Department of Commerce. It is unknown at this time when Congress will restore funding.

2. Without appropriations, Department of Justice attorneys and employees of the Department of Commerce are prohibited from working on these cases, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Although undersigned counsel are prepared to meet the current pre-trial deadlines as well as to be ready for the January 18 pre-trial conference and January 22 trial, due to the Anti-Deficiency Act, the government requests a stay of all proceedings in these cases until Congress has restored appropriations to the Departments of Justice and Commerce.

4. If this request for a stay is denied, and this Court orders the cases to continue, the government will comply with the Court’s order, notwithstanding the lapse in appropriations.

5. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Departments of Justice and Commerce. The government requests that, at that point, all current deadlines be extended commensurate with the duration of the lapse in appropriations.

Undersigned counsel regrets any disruption to the Court and other litigants.

Dated: December 27, 2018

Respectfully submitted,

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