

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Southern Division**

ROBYN KRAVITZ, et al.,

Plaintiffs,

v.

**UNITED STATES DEPARTMENT OF
COMMERCE, et al.,**

Defendants.

* * * * *

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

WILBUR ROSS, et al.,

Defendants.

* * * * *

Case No.: GJH-18-1041

Case No.: GJH-18-1570

ORDER

For the reasons to be stated in a forthcoming Memorandum Opinion, it is ordered by the United States District Court for the District of Maryland that:

1. Defendants’ Motions for Summary Judgment, ECF Nos. 67 (18-1041) and 82 (18-1570), are **DENIED**;
2. The parties will be permitted to present evidence outside of the administrative record at trial; The defense will be permitted to argue at the close of trial that such evidence should not be considered in the Court’s final decision;
3. The Plaintiffs’ Motions to Consolidate, ECF Nos. 73 (18-1041) and 90 (18-1570), are **GRANTED**. The trials in *LUPE v. Ross*, Case No. 8:18-cv-01570-GJH, and *Kravitz et al. v. U.S. Dep’t of Commerce, et al.*, No. 8:18-cv-01041 are consolidated pursuant to Fed. R. Civ. P. Rule 42(a)(1).

The Court also issues the following schedule:

1. Pre-Trial Order Dates

- a. Plaintiffs to provide Defendants: (1) deposition designations, and (2) exhibit lists by December 28, 2018, with reasonable supplementation, not to exceed 50 additional exhibits, of exhibit lists permitted until submission of pre-trial order;
- b. Plaintiffs to provide Defendants proposed stipulations of fact by January 3, 2019;
- c. Plaintiffs to provide draft of all other items in the pre-trial order by January 4, 2019;
- d. Defendants to provide draft pre-trial order to Plaintiffs by January 10, 2019; and
- e. Submission of joint pre-trial order to the Court by January 14, 2019.

2. Other Pre-Trial Dates

- a. Motions in *limine* due by January 7, 2019;
- b. Responses to motions in *limine* due by January 14, 2019;
- c. Plaintiffs' witness order for the first week of trial due January 18, 2019 (all subsequent witnesses to be identified by 6:00pm EST three days in advance of testimony);
- d. Pre-trial conference on January 18, 2019 at 9:30am; and
- e. Demonstrative exhibits are to be provided 3 days before planned use by 6:00 pm EST.

The parties may contact chambers and request a conference call if there is any need to adjust the above schedule.

Dated: December 18, 2018

/s/
GEORGE J. HAZEL
United States District Judge