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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

East Bay Sanctuary Covenant, *et al.*,

Plaintiffs,

v.

Donald J Trump, *et al.*,

Defendants.

No. 4:18-cv-06810-JST

CONSENT MOTION TO CONTINUE CASE MANAGEMENT CONFERENCE

Conference: June 28, 2022
Time: 2:00 PM
Judge: Hon. Jon S. Tigar

East Bay Sanctuary Covenant, *et al.*,

Plaintiffs,

v.

William Barr, *et al.*,

Defendants.

No. 4:19-cv-04073-JST

CONSENT MOTION TO CONTINUE CASE MANAGEMENT CONFERENCE

Conference: June 28, 2022
Time: 2:00 PM
Judge: Hon. Jon S. Tigar

Defendants, by and through undersigned counsel, respectfully request that the Court continue the case management conference presently scheduled for June 28, 2022 at 2:00 p.m. to a future date convenient to the Court not during the week of June 27, 2022. Plaintiffs consent to this motion. In support of this motion, Defendants state as follows:

1. These cases challenge two rules, an interim final rule, "Aliens Subject to a Bar on Entry Under Certain Presidential Proclamations; Procedures for Protection Claims," 83 Fed. Reg. 55,934 (November 9, 2018) ("entry" rule), and the final rule titled "Asylum Eligibility and Procedural Modifications," 85 Fed. Reg. 82,260 (December 17, 2020) ("transit" rule).

2. As explained in the parties' joint case management statement, the two rules are presently enjoined, and are being are being modified or rescinded. The parties therefore believe that the Court should continue to hold these cases in abeyance pending the conclusion of the Departments' review of the rules, continue the case management conference, and order the parties to submit 60-day recurring status reports. *See* Case Management Statement at 1-2.

3. However, should the Court wish to proceed with litigation in these two cases, and wishes to proceed with the case management conference, undersigned Defendants' counsel is presently scheduled to take previously unscheduled leave the week of June 27, 2022, and so will not be able to attend the case management conference.

4. Undersigned counsel can be available at the Court's convenience beginning July 5, 2022.

5. Defendants nevertheless can be present at the June 28, 2022 conference if that is the only date the Court's wishes to hold the conference, but will be represented by new counsel that will need to acquaint themselves with the history and issues presented in these cases. Defendants regret and apologize for any inconvenience this may cause the Court or the parties.

Accordingly, Defendants respectfully request that should the Court not continue to hold these cases in abeyance, the Court continue the case management conference to a future date.

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Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

WILLIAM C. PEACHEY
Director

By: /s/ *Erez Reuveni*
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Attorneys for Defendants

Dated: June 23, 2022

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2022, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of for the Northern District of California by using the CM/ECF system. Counsel in the case are registered CM/ECF users and service will be accomplished by the CM/ECF system.

By: */s/ Erez Reuveni*
EREZ REUVENI
Assistant Director
United States Department of Justice
Civil Division