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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

State of Arizona,

Plaintiff,

v.

Janet Yellen, in her official capacity as Secretary of the Treasury, *et al.*,

Defendants.

Case No. 2:21-cv-00514-DJH

JOINT MOTION TO SET BRIEFING SCHEDULE

Under the Court's order, the parties have conferred about "the manner in which they would like to proceed in this matter in light of the Ninth Circuit Mandate and Memorandum Order." ECF No. 77. Plaintiff has filed a renewed preliminary-injunction motion and a motion to consolidate its motion with a trial on the merits under Fed. R. Civ. P. 65(a)(2). ECF Nos. 78 & 79. Defendants believe that the merits of this case can be adjudicated on the previous briefing and argument, with supplemental briefing as the Court deems necessary. *See* ECF Nos. 11, 31, 32-1, 47, 48, 59, 60. Plaintiff believes the briefing schedule below is necessary, particularly in light of recent case law discussed in Plaintiff's renewed motion, which has emerged since the filing of Plaintiff's original preliminary-injunction motion.

If the parties are to litigate Plaintiff's preliminary-injunction motion, Defendants agree that this motion may be consolidated with a trial on the merits under Fed. R. Civ. P. 65(a)(2), and the parties further agree on the following briefing schedule:

Brief	Due Date	Page Limit
Plaintiff's renewed motion for preliminary and permanent injunction	October 7, 2022 (already filed)	17 pages
Defendants' combined opposition to Plaintiff's motion and cross motion to dismiss	November 4, 2022	17 pages
Plaintiff's combined reply in support of its motion and opposition to Defendants' motion	November 25, 2022	17 pages
Defendants' reply in support of their motion	December 16, 2022	11 pages

The parties therefore request that the Court enter the above-referenced schedule; a proposed order is attached. If the Court would like to proceed with the October 18, 2022 status conference, the parties request that this conference be held telephonically or by videoconference.

DATED: October 7, 2022

MARK BRNOVICH
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By: /s/*Linley Wilson*
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