

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Senator RICHARD BLUMENTHAL,
Representative JOHN CONYERS, JR., *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States,

Defendant.

No. 17-cv-1154-EGS

**JOINT MOTION FOR EXTENSIONS OF TIME
AND FOR ENTRY OF SCHEDULING ORDER**

The parties, by and through undersigned counsel, hereby jointly move for entry of a scheduling order setting the deadline for Plaintiffs' filing of a First Amended Complaint and a briefing schedule for Defendant's anticipated motion to dismiss the amended complaint.

Plaintiffs, who are Members of Congress, filed this lawsuit on June 14, 2017, alleging that the President has violated the Foreign Emoluments Clause of the Constitution. U.S. Const. art. I, § 9, cl. 8. The Complaint was served on the U.S. Attorney for the District of Columbia on June 19, 2017, and the Government's answer or other response to the Complaint is currently due on August 18, 2017. *See* Fed. R. Civ. P. 12(a)(2).

Defendant anticipates moving to dismiss, but Defendant believes that more time will be needed than the time period allowed under Federal Rule of Civil Procedure 12(a)(2) for preparing its motion to dismiss because this case presents a novel constitutional question of the President's compliance with the Foreign Emoluments Clause of the Constitution and, in Defendant's view, significant questions regarding justiciability and jurisdiction. Lead counsel for Defendant also has a pre-paid, long-planned vacation from August 14 through September 4,

2017 and has other deadlines for dispositive motions in September. Because Defendant seeks additional time to file its motion to dismiss, and in order to fully address the questions regarding justiciability and jurisdiction that Defendant anticipates raising, Plaintiffs seek additional time to file their response beyond the time period allowed under Local Civil Rule 7(b). Additionally, Plaintiffs plan to file an amended complaint to add additional congressional plaintiffs and update the factual allegations in the complaint. Accordingly, the parties jointly propose the following schedule for the proceedings of this case, including deadlines for possible amicus participation:

First Amended Complaint:	August 15, 2017
Defendant's response to the Complaint:	September 15, 2017
Any amicus brief in support of Defendant:	September 22, 2017
Plaintiffs' opposition to the motion to dismiss:	October 26, 2017
Any amicus brief in support of Plaintiffs:	November 2, 2017
Defendant's reply in support of motion to dismiss:	November 21, 2017

By agreeing to file a First Amended Complaint on or before August 15, 2017, Plaintiffs do not relinquish their right to seek to file additional amendments of the complaint at a later date either with Defendant's consent or by leave of the Court, pursuant to Fed. R. Civ. P. 15(a)(2).

The parties respectfully request that the Court enter the proposed schedule described above. A proposed order is attached.

Dated: July 12, 2017

/s/ Brianne J. Gorod
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