

STIPULATION

Pursuant to United States District Court, Northern District of California Local Rules 6-2, 7-11, and 7-12, Plaintiffs U.S. WeChat Users Alliance (“USWUA”), Chihuo, Inc., Brent Coulter, Fangyi Duan, Jinneng Bao, Elaine Peng, and Xiao Zhang (collectively, “Plaintiffs”), and Defendants President Donald Trump and Secretary Wilbur Ross (collectively “Defendants”), hereby file this Stipulation to extend the Rule 26(f) deadlines set by the Order dated November 10, 2020 without moving the Case Management Conference (“CMC”). *See* ECF No. 128 (“Order”).

WHEREAS, in the Order, the Court approved the parties’ stipulated dates as follows: by November 25, 2020, counsel for the parties are to meet and confer under Fed R. Civ. P. 26(f) and file an ADR certification; and by December 10, 2020, the parties are to file a Rule 26(f) report;

WHEREAS, in the Order, the Court also set an Initial CMC for January 28, 2021;

WHEREAS, the Court has now continued the CMC twice, *see* ECF Nos. 110, 128;

WHEREAS, on September 19, 2020, this Court granted Plaintiffs’ Motion for a Preliminary Injunction, ECF No. 59; on October 23, 2020, this Court denied Defendants’ Motion to Stay the Injunction, ECF Nos. 104, 105; on October 26, 2020, the Court of Appeals for the Ninth Circuit denied Defendants’ Motion to Stay the Injunction, ECF No. 106;

WHEREAS, on October 23, 2020, the Court entered a stipulated schedule for production of the unclassified, non-privileged portions of the administrative record, and briefing of Defendants’ anticipated dispositive motion (currently set to conclude January 18, 2021), ECF No. 101;

WHEREAS, the parties continue to discuss scheduling in light of the fact that Plaintiffs intend to file an amended complaint;

WHEREAS, the parties stipulate to move the Rule 26(f) report and other associated deadlines closer to the date of the currently scheduled CMC, and agree that an extension is warranted in light of the possible amended complaint, further scheduling discussions, the upcoming holidays, and the press of other business;

1 WHEREAS, counsel for the parties have conferred and agree that this stipulation is
2 supported by good cause;

3 THE PARTIES HEREBY STIPULATE AS FOLLOWS:

- 4 1. By January 7, 2021, counsel for the parties are to meet and confer under Fed. R. Civ.
5 P. 26(f);
6 2. By January 21, 2021, the parties are to file a 26(f) report and an ADR certification.
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8 Dated: November 20, 2020

Respectfully submitted,

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10 Acting Assistant Attorney General

11 JOHN V. COGHLAN
12 Deputy Assistant Attorney General

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17 /s/ Amy E. Powell

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1 DATED: November 20, 2020

Respectfully submitted,

2 ROSEN BIEN GALVAN & GRUNFELD LLP

3 By: */s/ Van Swearingen*

4 Van Swearingen

5 Attorneys for Plaintiffs

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ATTORNEY ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I, Amy Powell, hereby attest that concurrence in the filing of this document has been obtained from any other signatories indicated by a signature (/s/) within this e-filed document. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

November 20, 2020

/s/Amy E. Powell
AMY E. POWELL

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~~PROPOSED~~ ORDER APPROVING STIPULATION

Pursuant to the above Stipulation, and on good cause shown,

IT IS HEREBY ORDERED that the dates set in the Orders dated August 24, 2020 and November 10, 2020 are extended as follows: by January 7, 2020, counsel for the parties are to meet and confer under Fed. R. Civ. P. 26(f); and by January 21, 2020, the parties are to file a 26(f) report and file an ADR certification.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 20, 2020



Honorable Laurel Beeler
United States Magistrate Judge