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14 **IN THE UNITED STATES DISTRICT COURT**
15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

16 _____)
17 U.S. WECHAT USERS ALLIANCE, *et al.*,)

18 Plaintiffs,)

19 v.)

20 DONALD J. TRUMP, President of the United)
21 States, and WILBUR ROSS, Secretary of)
22 Commerce,)

23 Defendants.)
24 _____)

Case No. 3:20-cv-05910-LB

**STIPULATION AND
PROPOSED ORDER TO
EXTEND DEADLINE AND
SET BRIEFING SCHEDULE**

1 **STIPULATION**

2 Pursuant to United States District Court, Northern District of California Local Rules 6-1,
3 6-2, 7-11, and 7-12, Plaintiffs U.S. WeChat Users Alliance (“USWUA”), Chihuo, Inc., Brent
4 Coulter, Fangyi Duan, Jinneng Bao, Elaine Peng, and Xiao Zhang (collectively, “Plaintiffs”), and
5 Defendants President Donald Trump and Secretary Wilbur Ross (collectively “Defendants”),
6 hereby file this Stipulation to extend Defendants’ deadline to respond to the Amended
7 Complaint, to set a briefing schedule for the anticipated motion, and to amend the page limits.

8 WHEREAS, the first Complaint in this matter, *see* ECF No. 1, was served on the U.S.
9 Attorney’s Office on August 24, 2020, making Defendants’ response to the complaint due on or
10 before October 23, 2020, *see* ECF No. 82;

11 WHEREAS, Defendants currently anticipate filing a motion to dismiss, or in the
12 alternative for summary judgment, on the basis of an administrative record;

13 WHEREAS, under L.R. 7-3, memoranda in support of or opposition to motions are
14 typically limited to 25 pages, and reply memoranda are typically limited to 15 pages under

15 WHEREAS, the parties anticipate the numerous, novel and complex issues presented
16 merit lengthier briefing than that normally permitted under the local rules, and additional pages
17 beyond the pages normally permitted under the local rules;

18 WHEREAS, counsel for the parties have conferred and agree that this stipulation is
19 supported by good cause and not for purposes of delay;

20 THE PARTIES HEREBY STIPULATE AS FOLLOWS:

- 21 1. Defendants will produce the unclassified, non-privileged portions of the certified
22 administrative record to counsel for the Plaintiffs on or before November 2, 2020. To
23 the extent information covered by a protective order is included in the record, it will
24 be included in the production.
- 25 2. Defendants’ deadline to respond to the Amended Complaint is extended such that
26 Defendants will file a motion in response to the Complaint on or before November
27 16, 2020;

3. Defendants' memorandum will not exceed forty pages;
4. Plaintiffs will file their opposition to this motion on or before December 14, 2020;
5. Plaintiffs' memorandum will not exceed 40 pages;
6. If Plaintiffs elect to file a cross-motion, counsel for the parties will confer about the effect on the briefing schedule, and attempt to reach agreement;
7. Defendants will file a reply in support of their motion on or before January 18, 2021.
8. Defendants' reply memorandum will not exceed 20 pages.

The parties further respectfully request that the Court set the proposed motion for argument on a date thereafter convenient for the Court.

Dated: October 21, 2020

Respectfully submitted,

JEFFREY BOSSERT CLARK
Acting Assistant Attorney General

JOHN V. COGHLAN
Deputy Assistant Attorney General

ALEXANDER K. HAAS
Branch Director

DIANE KELLEHER
Assistant Branch Director

/s/ Amy E. Powell

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Counsel for Defendants

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5 DATED: October 21, 2020

Respectfully submitted,

6 ROSEN BIEN GALVAN & GRUNFELD LLP

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8 By: */s/ Michael W. Bien*

9 Michael W. Bien

10 Attorneys for Plaintiffs

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.

October 21, 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 Defendants shall produce the unclassified, non-privileged portions of the administrative record to Plaintiffs on or before November 2, 2020.

IT IS FURTHER ORDERED that Defendants' anticipated Motion to Dismiss, not to exceed 40 pages, shall be filed on or before November 16, 2020; Plaintiffs' opposition, not to exceed 40 pages, shall be filed on or before December 14, 2020; and Defendants' reply memorandum, not to exceed 20 pages, will be filed on or before January 18, 2021.

IT IS FURTHER ORDERED that Defendants' motion will be heard on _____, 2021.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

Honorable Laurel Beeler
United States Magistrate Judge