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11 **UNITED STATES DISTRICT COURT**
 12 **CENTRAL DISTRICT OF CALIFORNIA**

13 DOE et al.,

14 Plaintiffs,

15 v.

16 U.S. DEPARTMENT OF JUSTICE et
 17 al.,

18 Defendants.
 19
 20

NO. 5:22-CV-855-JGB-SP

**STIPULATION TO CONTINUE
 AUGUST 29, 2022 HEARING**

Honorable Jesus G. Bernal
 United States District Judge

21 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs
 22 John Doe and the Alliance for Constitutional Sex Offense Laws and Defendants
 23 United States Department of Justice and Merrick Garland, United States Attorney
 24 General, in his official capacity, by and through their respective counsel, that the
 25 hearing on Plaintiffs’ Motion for Preliminary Injunction, currently scheduled for
 26 August 29, 2022, be continued until a date convenient to the Court on or after
 27 September 1, 2022. Good cause exists for the requested continuance, as set forth
 28 below:

- 1 1. Plaintiffs filed their complaint on May 24, 2022 (ECF 1).
- 2 2. On June 3, 2022, Plaintiffs filed a Motion for Preliminary Injunction (ECF
3 13). Pursuant to the parties' Stipulation (ECF 10) and the Court's Order of
4 June 7, 2022, Defendants filed a Memorandum in Opposition on June 24,
5 2022 (ECF 21), and Plaintiffs filed a Reply on July 1, 2022 (ECF 22).
- 6 3. The hearing on Plaintiffs' Motion was originally scheduled for July 18, 2022.
7 *See* Order of June 7, 2022, at 2. On July 15, 2022, the Court issued a
8 Scheduling Notice continuing the July 18, 2022 hearing to August 1, 2022.
9 (ECF 27.) Due to competing litigation obligations of undersigned counsel for
10 Defendants, the parties stipulated to, and the Court approved, a continuance
11 of the August 1, 2022 hearing to August 8, 2022. *See* Order of July 27, 2022
12 (ECF 30). On August 5, 2022, the Court issued a Scheduling Notice
13 continuing the August 8, 2022 hearing to August 15, 2022. (ECF 32.) On
14 August 12, 2022, the Court issued a Scheduling Notice continuing the August
15 15, 2022 hearing to 9:00 a.m. on August 29, 2022. (ECF 33.)
- 16 4. Undersigned counsel for Defendants has a previously-scheduled hearing in
17 another case, *Baltasar v. Cardona*, No. 5:20-cv-455 (N.D. Cal.), at 10:00 a.m.
18 on August 29, 2022. Undersigned counsel for Defendants does not believe it
19 is possible to attend both hearings under this schedule even if undersigned
20 counsel appeared remotely in both, and a request to appear remotely has not
21 yet been filed or granted in the other proceeding. Because the other hearing
22 was scheduled prior to this one, undersigned counsel for Defendants seeks to
23 continue the hearing in this case to another date.
- 24 5. Counsel for Defendants conferred with counsel for Plaintiffs, and Plaintiffs
25 indicated they do not oppose the requested continuance.
- 26 6. This Court's law and motion schedule indicates that civil matters are heard on
27 Mondays at 9:00 a.m. The next Monday after August 29, 2022 is September
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1 5, 2022, which is Labor Day, a federal holiday. Thus, the next Monday
2 available for a hearing on Plaintiffs' Motion for Preliminary Injunction is
3 September 12, 2022. Counsel for the parties have conferred and agree that
4 they are currently available to attend a hearing on Plaintiffs' Motion on any
5 date convenient to the Court on or after September 1, 2022, even if not on a
6 regular motion date.

7 7. Accordingly, the parties respectfully stipulate, and Defendants respectfully
8 request, that the hearing currently scheduled for August 29, 2022 be continued
9 to a date on or after September 1, 2022 convenient to the Court.

10 8. This Stipulation is submitted in good faith and not to unnecessarily interpose
11 delay in this action but rather to resolve a legitimate conflict with another
12 scheduled proceeding.

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Dated: August 16, 2022

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General
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Assistant Director, Federal Programs Branch

/s/ Kathryn L. Wyer
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Dated: August 16, 2022

PACIFIC LEGAL FOUNDATION
*/s/ Caleb Kruckenberg **
JEREMY BRENNAN TALCOTT
STEVEN SIMPSON
CALEB KRUCKENBERG
Attorneys for Plaintiffs

*All signatories listed, other than the filer, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.