

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JAY ASHCROFT, <i>et al.</i> ,)	
)	
Plaintiff,)	
v.)	Case No. 4:24-cv-01062-SEP
)	
JOSEPH BIDEN, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Before the Court is Plaintiffs' Motion to Consolidate Cases, Doc. [3], Defendants' Motion for Extension of Time to File Answer, Doc. [46], and Plaintiffs' Motion for Expedited Preliminary Injunction, Doc. [48]. On September 27, 2024, the Court ordered: (1) Defendants to show cause why this case should not be consolidated with Case No. 4:24-cv-01063; (2) Plaintiffs to respond to Defendants' Motion for Extension to File Answer; and (3) the parties to submit a jointly proposed briefing schedule for Plaintiffs' Motion for Expedited Preliminary Injunction.

Plaintiffs have moved for consolidation of Case No. 4:24-cv-01062 and Case No. 4:24-cv-01063, Doc. [3], and Defendants do not oppose. For the reasons stated in the motion, the Court will consolidate the cases.

Because the parties could not agree on a jointly proposed briefing schedule, each party submitted its own proposal. After considering the parties' respective proposals, the Court orders the following briefing schedule:

- Defendants shall submit their Answer and respond to Plaintiffs' Motion for Preliminary Injunction, Doc. [48], no later than **October 9, 2024**. If Defendants file a motion to dismiss in conjunction with their response to the Motion for Preliminary Injunction, the combined briefing shall not exceed 35 pages.
- Plaintiffs shall submit any reply brief in Support of their Motion for Preliminary Injunction, Doc. [48], no later than **October 15, 2024**.
- If Defendants move to dismiss in conjunction with their response to the Motion for Preliminary Injunction, Plaintiffs' response to that motion will also be due no later than **October 15, 2024**, and the combined briefing shall not exceed 35 pages.

- Defendants shall submit any reply brief in Support of their Motion to Dismiss no

later than **October 21, 2024**.

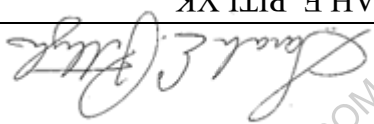
In their briefing of the preliminary injunction, the parties should address the standing issue raised by the district court in the Northern District of Texas. *See Am. First Policy Institute v. Biden*, No. 2:24-cv-152-Z, Doc. [39].

IT IS HEREBY ORDERED that Plaintiffs' Motion to Consolidate Cases, Doc. [3], is **GRANTED**. *Missouri v. Biden*, Case No. 4:24-cv-01063, shall be consolidated with *Biden v. Ashcroft*, Case No. 4:24-cv-01062.

IT IS FURTHER ORDERED that henceforth all pleadings and other documents in this matter shall be filed in *Biden v. Ashcroft*, Case No. 4:24-cv-01062. *See* E.D. Mo. L.R. 4.03

("Following consolidation, all documents shall be filed only in the lowest-numbered case[.]"). **IT IS FURTHER ORDERED** that Defendants' Motion for Extension of Time to File Answer, Doc. [46], is **GRANTED** in part. The parties shall adhere to the briefing schedule as specified in this order.

Dated this 1st day of October, 2024.



SARAH E. PITLYK

UNITED STATES DISTRICT JUDGE