

BRETT A. SHUMATE
Assistant Attorney General
ERIC J. HAMILTON (CA Bar No. 296283)
Deputy Assistant Attorney General
ALEXANDER K. HAAS (CA Bar No. 220932)
Branch Director
JEAN LIN (NY Bar No. 4074530)
Special Litigation Counsel
CHRISTOPHER D. EDELMAN (DC Bar No. 1033486)
Senior Counsel
BENJAMIN S. KURLAND (DC Bar No. 1617521)
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20005
Telephone: (202) 305-8659
christopher.edelman@usdoj.gov
Attorneys for Defendants

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

GAVIN NEWSOM, in his official capacity as
Governor of the State of California, et al.,

Plaintiffs,

v.

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

Defendants.

Case No. 3:25-cv-04870-CRB

**DEFENDANTS' NOTICE REGARDING
PLAINTIFFS' RESPONSE TO STAY
ORDER AND REQUEST FOR SUMMARY
JUDGMENT BRIEFING SCHEDULE**

1 This afternoon, nearly two weeks after this Court stayed proceedings on Plaintiffs' motion
2 for a preliminary injunction, ECF No. 192, Plaintiffs filed what they styled as a "response" to the
3 Court's Order, asking the Court to set a highly expedited briefing schedule for partial summary
4 judgment. In the alternative, Plaintiffs ask the Court to lift the stay on Plaintiffs' preliminary
5 injunction motion and issue an indicative ruling under Federal Rule of Civil Procedure 62.1. And
6 if the Court agrees to lift the stay, Plaintiffs further request that the Court set a similarly expedited
7 schedule for yet another preliminary injunction motion. Plaintiffs did not confer with Defendants
8 in any way before filing their "Response," which is effectively a motion, notwithstanding
9 Plaintiffs' attempt to characterize it as a response to a court order that did not invite a response.

10 Absent further order from the Court, Defendants intend to respond to Plaintiffs'
11 "Response" by Thursday, September 25 at 12 pm Pacific Time—a timetable that is particularly
12 reasonable given Plaintiffs' near two-week delay in submitting the filing to which Defendants are
13 responding. Defendants respectfully request that this Court take no action on Plaintiffs' latest
14 filing until Defendants have had an opportunity to respond.

15
16 Dated: September 22, 2025

Respectfully submitted,

17
18 BRETT A. SHUMATE
Assistant Attorney General
Civil Division

19
20 ERIC J. HAMILTON
Deputy Assistant Attorney General
Federal Programs Branch
(CA Bar No. 296283)

21
22
23 JEAN LIN
(NY Bar No. 4074530)
Special Litigation Counsel
Federal Programs Branch
24
25
26
27
28

/s/ Christopher D. Edelman

CHRISTOPHER D. EDELMAN

(DC Bar No. 1033486)

Senior Counsel

BENJAMIN S. KURLAND

(DC Bar No. 1617521)

Trial Attorney

U.S. Department of Justice

Civil Division, Federal Programs Branch

1100 L Street, N.W.

Washington, DC 20005

Tel.: (202) 305-8659

Email: christopher.edelman@usdoj.gov

Counsel for Defendants