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**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

**STIPULATED EXTENSION OF TIME
TO RESPOND TO PLAINTIFFS'
COMPLAINT : ORDER**

1 Pursuant to Local Rules 6-1(b), 6-2(a), and 7-12, defendants respectfully request a 21-day
2 extension of their deadline to respond to plaintiffs' complaint, which is currently due on October
3 10, 2025, in light of the Department of Justice's lapse in appropriations. Defendants conferred with
4 plaintiffs, and plaintiffs agreed to the relief requested herein.

5 At the end of the day on September 30, 2025, the appropriations act that had been funding
6 the Department expired and the Department's appropriations lapsed. The Department does not
7 know when Congress will restore such funding. Absent an appropriation, Department attorneys
8 and employees are prohibited from working, even on a voluntary basis, except in limited
9 circumstances, including "emergencies involving the safety of human life or the protection of
10 property." 31 U.S.C. § 1342.

11 Defendants have moved to stay all proceedings in this matter pending resolution of all
12 appellate proceedings concerning 10 U.S.C. § 12406. *See* ECF No. 197. Although that motion is
13 fully briefed, *see* ECF No. 199, and remains pending before the Court, given the imminency of
14 defendants' deadline to respond to plaintiffs' complaint, defendants respectfully request that the
15 Court extend their response deadline until October 31, 2025. The requested extension would not
16 unduly delay this matter or affect any other deadlines.

17 Defendants appreciate the Court's consideration. A proposed order is attached.

18 Dated: October 9, 2025

Respectfully submitted,

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20 Assistant Attorney General
21 Civil Division

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~~PROPOSED~~ ORDER EXTENDING
TIME TO RESPOND TO PLAINTIFFS'
COMPLAINT

Pursuant to the parties' stipulation, IT IS SO ORDERED that:

Defendants shall respond to plaintiffs' complaint on or before October 31, 2025.

SO ORDERED.

Dated: October 10, 2025


HON. CHARLES R. BREYER
United States District Judge