

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

LEAGUE OF WOMEN VOTERS OF
MASSACHUSETTS; et al.,

Plaintiffs,

v.

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

Defendants.

C.A. No. 1:26-cv-11549-IT

STATE OF CALIFORNIA; et al.,

Plaintiffs,

v.

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

Defendants.

C.A. No. 1:26-cv-11581-IT

JOINT STATEMENT

As directed by the Court’s order dated April 17, 2026 (ECF No. 63), the parties in *State of California, et al. v Donald J. Trump, et al.*, C.A. No. 1:26-cv-11581 (“*State of California*”) and *League of Women Voters of Massachusetts, et al.*, C.A. No. 1:26-cv-11549 (“*League of Women Voters of Massachusetts*”) submit this joint statement setting forth their positions regarding (1) whether the Court should consolidate the two actions and (2) any proposed modifications to the Scheduling Order entered in *State of California* (ECF No. 39) and proposed schedule submitted in *League of Women Voters of Massachusetts* (ECF No. 18) as to deadlines, page limits, and hearing dates following the plaintiffs’ anticipated April 23, 2026 filings.

I. *State of California Plaintiffs*¹

The *State of California* plaintiffs (Plaintiff States) do not in principle oppose consolidation and generally are amenable to coordinating the cases to the extent practicable and for the convenience of the Court, so long as consolidation does not delay resolution of the case nor impair Plaintiff States's ability to adequately represent the 24 state-entity plaintiffs.

With respect to the Scheduling Order in *State of California* (ECF No. 39), Plaintiff States do not propose any modifications. Plaintiff States oppose any delay of the deadlines set forth in the Scheduling Order, and especially any delay of the June 2, 2026, hearing on Plaintiff States's motion for summary judgment. With respect to briefing, in light of Plaintiff States's need to present argument on behalf of 24 different state entities which are significantly differently situated from the *League of Women Voters of Massachusetts* plaintiffs, Plaintiff States oppose combined briefing with the *League of Women Voters of Massachusetts* plaintiffs. Separate briefs are necessary for Plaintiff States to adequately address their unique status and harms resulting from the EO, their claims challenging provisions of the EO not challenged by the *League of Women Voters* plaintiffs (e.g., the 5-year record preservation standard in section 5), and in light of the different procedural postures of the cases.

Plaintiff States understand that, in the event of consolidation, Defendants would request being permitted to file consolidated briefs in response to plaintiffs' briefing with page limits of 70 pages for their principal brief and 35 pages for their reply brief. Plaintiff States do not oppose affording

¹ Plaintiffs in *State of California* are the State of California; Commonwealth of Massachusetts; State of Nevada; State of Washington; State of Arizona; State of Colorado; State of Connecticut; State of Delaware; District of Columbia; State of Illinois; State of Maine; State of Maryland; State of Michigan; State of Minnesota; State of New Jersey; State of New Mexico; State of New York; State of North Carolina; State of Oregon; State of Rhode Island; State of Vermont; Commonwealth of Virginia; State of Wisconsin; and Josh Shapiro, in his official capacity as Governor of the Commonwealth of Pennsylvania.

Defendants combined briefing and the requested extended page limits in response to both sets of plaintiffs' briefing.

Plaintiff States take no position with respect to the proposed scheduling order submitted in *League of Women Voters of Massachusetts* (ECF No. 18). Plaintiff States understand that in the event of consolidation, the *League of Women Voters of Massachusetts* plaintiffs would request that their second brief opposing Defendants' Combined Motion to Dismiss, Motion for Summary Judgment, and Opposition to Motion for Preliminary Injunction, and Reply in support of their Motion for a Preliminary Injunction be moved from May 14, 2026 to May 11, 2026, and that the Court schedule a preliminary-injunction motion hearing date before the June 2, 2026 hearing. Plaintiff States take no position on this request.

Plaintiff States do not oppose holding a single hearing on motions in both cases so long as doing so would not delay Plaintiff States's June 2, 2026, summary-judgment hearing date.

II. *League of Women Voters of Massachusetts* Plaintiffs²

The *League* Plaintiffs are amenable to consolidation with the *California* matter with the understanding that each set of Plaintiffs will continue to have their own briefs and opportunity to participate in hearings throughout the proceedings. The *League* Plaintiffs do not oppose Defendants' request to file combined briefs addressing both the *League* and *California* claims, with page limits of 70 pages and 35 pages respectively, as set out below.

As to the briefing schedule, the *League* Plaintiffs continue to believe that pursuing a preliminary injunction is necessary to preserve the status quo, given that they are already facing

² Plaintiffs in *League of Women Voters of Massachusetts* are the League of Women Voters of Massachusetts; League of Women Voters Lotte E. Scharfman Memorial Education Fund; League of Women Voters of the United States; League of Women Voters Education Fund; Association of American Residents Overseas; U.S. Vote Foundation; OCA-Asian Pacific American Advocates; and Delta Sigma Theta Sorority, Inc.

irreparable harm due to the Executive Order. As such, the *League* Plaintiffs respectfully request that the Court hold an earlier hearing on its preliminary injunction motion before the June 2 hearing, while maintaining the June 2 hearing for the dispositive motions. If the Court is willing to hold a hearing on the *League* Plaintiffs' motion for preliminary injunction before June 2, then the *League* Plaintiffs would seek to expedite the briefing schedule as follows:

- April 23 by 11 pm EDT: *League* Plaintiffs file their preliminary injunction motion, with the brief limited to **30 pages**.
- May 7 by 11 pm EDT: Defendants file their combined opposition to the *League* and *California* Plaintiffs' motions and their motion to dismiss/motion for summary judgment, with the brief limited to **70 pages**.
- May 11 by 11 pm EDT: *League* Plaintiffs file their reply brief in support of their preliminary injunction motion and opposition to Defendants' motion to dismiss/motion for summary judgment, limited to **30 pages**.
- May 14, or as soon as possible thereafter: Hearing on *League* Plaintiffs' motion for preliminary injunction.
- May 22 by 11 pm EDT: Defendants' combined reply brief in support of their motion to dismiss/motion for summary judgment, limited to **35 pages**.
- June 2 at 10 am EDT: Hearing on *California* Motion for Summary Judgment and Defendants' Motions (*League* Plaintiffs would also participate to oppose Defendants' motion on their claims).

If the Court would prefer to hear argument on the *League* Plaintiffs' preliminary injunction motion at the same time as the dispositive motions on June 2, then the *League* Plaintiffs propose that the Court keep the briefing schedule reflected in *League* ECF No. 18 (reflecting Plaintiffs' opposition and reply would be due on May 14 instead of May 11).

The *League* Plaintiffs' alternative proposal for an earlier hearing does not prejudice the rights of the Plaintiff States to seek summary judgment nor the rights of Defendants to seek dismissal or summary judgment on the current schedule and for the Court to decide those motions

in due course. And Defendants' briefing deadlines would remain unchanged, as would the June 2 hearing on the dispositive motions.

III. Federal Defendants (Both Actions)³

The United States supports consolidation of the above-captioned matters. Consistent with the schedules that are already in place, *see California* ECF No. 39 (or, in *League of Women Voters*, that the parties have already proposed, *see League of Women Voters* ECF No. 18), if consolidation is granted, in light of the expected overlap among Plaintiffs' briefs, the United States requests leave to file one combined opening brief (not to exceed 70 pages) on or before 11 PM on May 7, and one combined reply brief (not to exceed 35 pages) on or before 11 PM on May 22. Defendants' understanding is that Plaintiffs do not oppose that request.

Separately, the Plaintiffs in *League of Women Voters* continue to press for a separate, earlier hearing on their motion for a preliminary injunction. The parties already addressed that issue in a prior filing, and Defendants continue to oppose it for the reasons stated in *League of Women Voters* ECF No. 18, on the grounds that it would be both inefficient and prejudicial. In addition, Defendants note that this request for a separate hearing makes even less sense now that all parties support consolidation -- as holding a second, earlier hearing on only one motion (in only one of these two cases) would wipe out much of the efficiency gains that would otherwise stem from consolidation, for both Defendants and the Court.

³ Defendants in both actions are the same, except that the Attorney General of the United States, the U.S. Department of Justice, the Secretary of Commerce and the U.S. Department of Commerce are defendants in *State of California*, but not in *League of Women Voters of Massachusetts*; and that the Postal Service Board of Governors is a defendant in *League of Women Voters of Massachusetts*, but not in *State of California*.

Accordingly, to summarize, Defendants propose the following briefing schedule (which is consistent with the existing schedule in *California* and the schedule previously set forth in the parties' joint motion in *League of Women Voters*):

- April 23 by 11 pm EDT: *League* Plaintiffs file their preliminary injunction motion, with the brief limited to **30 pages**. *California* Plaintiffs file their motion for summary judgment, with the brief limited to **30 pages**.
- May 7 by 11 pm EDT: Defendants file their combined opposition to the *League* and *California* Plaintiffs' motions and their motion to dismiss/motion for summary judgment, with the brief limited to **70 pages**.
- May 14 by 11 pm EDT: *League* Plaintiffs file their reply brief in support of their preliminary injunction motion and opposition to Defendants' motion to dismiss/motion for summary judgment, limited to **30 pages**. *California* Plaintiffs file their reply brief in support of their motion for summary judgment and opposition to Defendants' motion to dismiss/motion for summary judgment, limited to **30 pages**.
- May 22 by 11 pm EDT: Defendants' combined reply brief in support of their motion to dismiss/motion for summary judgment, limited to **35 pages**.
- June 2 at 10 am EDT: Hearing on *League* Motion for Preliminary Injunction, *California* Motion for Summary Judgment, and Defendants' Motions.

Dated: April 21, 2026

Respectfully submitted.

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