UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

STATE OF CALIFORNIA, *et al.*, Plaintiffs, v. UNITED STATES POSTAL SERVICE, *et al.*, Defendants.	Case No. 1:26-cv-13917-IT

JOINT MOTION FOR SCHEDULING ORDER

All parties, having conferred, jointly move for a scheduling order to govern further proceedings in the above-captioned matter. As good cause for this request, the parties jointly offer the following:

1. The complaint in this case challenges a Final Rule issued by the United States Postal Service. *See Ballot Mail for Federal Elections*, 91 Fed. Reg. 54,996 (Aug. 26, 2026).

2. That Final Rule is now enjoined in whole or in part in five different cases—two before this Court, and three in the District of Columbia. *League of Women Voters v. Massachusetts*, No. 26-cv-11549-IT, 2026 WL 2620871 (D. Mass. Sep. 4, 2026); *California v. USPS*, No. 26-cv-13917-IT, 2026 WL 2620871 (D. Mass. Sep. 4, 2026); *DSCC v. Trump*, No. 26-cv-01114-CJN, 2026 WL 2681471 (D.D.C. Sep. 13, 2026); *LULAC v. Exec. Off. of the President*, No. 26-cv-01132-CJN, 2026 WL 2681471 (D.D.C. Sep. 13, 2026); *NAACP v. Trump*, No. 26-cv-01151-CJN, 2026 WL 2681471 (D.D.C. Sep. 13, 2026).

3. In the two cases before this Court, Federal Defendants sought relief from the United States Court of Appeals for the First Circuit and the Supreme Court of the United States. The Supreme Court denied Defendants' stay motion on September 14, 2026. *USPS v. California*, No. 26A305, 2026 WL 2687160 (Mem.) (U.S. Sep. 14, 2026).

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4. In the three cases in the District of Columbia—in which the district court's preliminary injunction applies both to the 2026 elections and to future elections—the deadline for any appeal was November 12, 2026. *See* Fed. R. App. P. 4(a)(1)(B). Federal Defendants did not appeal that preliminary injunction.

5. Defendants' current deadline to answer or otherwise respond to the complaint in this case is Monday, November 23, 2026, after the Court granted Defendants' previous unopposed motions for extensions.

6. As described in prior extension motions, in recent weeks, the parties have been discussing the future of this litigation and, to the extent necessary, a schedule for further proceedings. Those conversations have been productive, but the parties require additional time for further discussions on those subjects.

7. While those discussions continue, in the interim, the parties have reached an agreement on the following schedule to govern further proceedings in this matter:

> **On or before January 19, 2027**: Federal Defendants will produce an administrative record for the Postal Service's Final Rule, *Ballot Mail for Federal Elections*, 91 Fed. Reg. 54,996 (Aug. 26, 2026).
>
> **On or before February 9, 2027:** The parties will meet and confer and file a joint status report containing (1) the parties' proposal(s) for discovery and summary-judgment briefing; or (2) the parties' proposal(s) for summary-judgment briefing alone, if the parties agree that the administrative record is sufficient to resolve the case.

8. The parties further agree that, under the circumstances, Defendants' deadline to answer the complaint should be vacated, as an answer would not be useful to the parties or the Court given the nature of Plaintiffs' claims in this case. Defendants likewise do not intend to file a motion to dismiss at this time.

9. The parties further agree not to pursue any discovery at least until the Court has addressed the proposals set forth in the joint status report to be filed on or before February 9, 2027.

10. By joining in this request, although Federal Defendants have now agreed to produce an administrative record on or before January 19, 2027 (in the interest of avoiding unnecessary

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ancillary litigation over the scope of the record), they do not concede that either an administrative record or discovery is legally or practically necessary or appropriate in this matter. All parties agree that Defendants do not forfeit or waive any threshold arguments or defenses they may have raised in an answer or motion to dismiss, including (among others) the argument that the Administrative Procedure Act does not apply to this case. Defendants may brief and argue any such threshold arguments or defenses at the summary-judgment stage, if necessary.

11. For these reasons, all parties respectfully request that the Court (1) issue an order vacating Defendants' deadlines to answer the complaint, and (2) adopt the jointly agreed upon schedule set forth above in Paragraph 7.

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Dated: November 20, 2026

Respectfully submitted,

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