

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

TEXAS, et al.,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	
	§	
UNITED STATES OF AMERICA, et al.,	§	Civil Action No. 4:18-cv-00167-O
	§	
Defendants,	§	
	§	
	§	
CALIFORNIA, et al.	§	
	§	
Intervenors-Defendants.	§	

ORDER TO EXPEDITE BRIEFING

On December 14, 2018, the Court entered its Order granting partial summary judgment on Count I of the Plaintiffs’ Amended Complaint. *See* ECF No. 211. On December 16, 2018, the Court ordered the Parties to meet and confer and then, by January 4, 2019, to jointly propose a schedule for resolving the Plaintiffs’ remaining claims. *See* ECF No. 212. On December 17, 2018, the Intervenor Defendants moved the Court to clarify that its order is not binding or to enter a stay if the Order is binding and to enter partial final judgment or certify the December 14, 2018 Order for immediate appeal. *See* ECF No. 213.

The Court finds that expedited briefing is warranted to resolve the Intervenor Defendants’ motion. The Court therefore **ORDERS** the Plaintiffs and Federal Defendants to respond on the following issues: (1) whether a stay of the December 14, 2018 Order is warranted, (2) whether the Court should enter partial final judgment on the Order, and (3) whether the Court should certify the Order for immediate appeal.

Because the pending motion brings the issues presented by the Court's December 16, 2018 Order to the fore, the Parties are also **ORDERED** to comply with the Court's December 16, 2018 Order, (ECF No. 212), by including in their remaining briefing their proposals for how to treat the Plaintiffs' remaining claims—Count II (Fifth Amendment Due Process Claim), Count III (Tenth Amendment Claim), Count IV (APA Claim), and Count V (Injunctive Relief Against Federal Officials)—in light of the responses to the above-listed issues.

The Court **ORDERS** the Plaintiffs and Federal Defendants to file their responses by Friday, December 21, 2018 and the Intervenor Defendants to reply no later than Wednesday, December 26, 2018.

SO ORDERED on this **18th day of December, 2018**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE