

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 06/13/2018

----- X
STATE OF NEW YORK, et al.,

Plaintiff,

-v-

UNITED STATES DEPARTMENT OF COMMERCE, et al.,

Defendants.

18-CV-2921 (JMF)

NEW YORK IMMIGRATION COALITION, et al.,

Plaintiff,

-v-

UNITED STATES DEPARTMENT OF COMMERCE, et al.,

Defendants.

18-CV-5025 (JMF)

ORDER

----- X
JESSE M. FURMAN, United States District Judge:

On June 13, 2018, the parties in these cases submitted a joint letter setting forth their views on the consolidation or coordination of these cases and proposing a schedule for an anticipated motion to dismiss in 18-CV-5025. (18-CV-2921, Docket No. 178; 18-CV-5025, Docket No. 20). Based on a review of the parties' letter, it is hereby ORDERED that:

- The Court defers the question of whether the two cases should be formally consolidated pursuant to Federal Rule of Civil Procedure 42(a). For now, the Court finds that the cases should be consolidated or coordinated for purposes of case management with respect to scheduling and discovery (if the Court determines that Plaintiffs are entitled to discovery beyond of the administrative record).

- The briefing and oral argument schedule with respect to Defendants' Motion to Dismiss in 18-CV-2921 (Docket No. 154) remains in effect. Accordingly, Plaintiffs' opposition is due **today** and Defendants' reply is due by **June 22, 2018**. The Court will hear oral argument on that motion on **July 3, 2018**, at **10 a.m.** (*See* 18-CV-2921, Docket No. 137).
- The New York Immigration Coalition ("NYIC") Plaintiffs shall submit a five-page single-spaced letter brief by **June 26, 2018**, concerning whether and to what extent the Court should permit discovery in these matters outside of the administrative record. The NYIC Plaintiffs are also granted leave to participate in the July 3, 2018 hearing to the extent that it concerns the question of discovery.
- The following briefing schedule shall apply to Defendants' anticipated motion to dismiss in 18-CV-5025: Defendants shall submit any such motion by **June 29, 2018**; Plaintiffs' opposition shall be filed by **July 9, 2018**; and Defendants' reply, if any, shall be filed by **July 13, 2018**. The Court will advise the parties after reviewing their written submissions if it intends to hold oral argument on that motion.

SO ORDERED.

Dated: June 13, 2018
New York, New York



JESSE M. FURMAN
United States District Judge