

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

LEANDRA ENGLISH,
Plaintiff,

v.

DONALD J. TRUMP and
JOHN M. MULVANEY,
Defendants.

Case No. 1:17-cv-02534

PLAINTIFF’S PROPOSED SCHEDULE

This case presents a single question: Who is the rightful Acting Director of the Consumer Financial Protection Bureau? The question has already been the subject of extensive briefing by the parties, multiple amicus briefs, two hearings, a comprehensive oral opinion from this Court, and ongoing public commentary by prominent legal experts. Everyone agrees—or at least claims to agree—that this question must be settled as quickly as possible for the good of the nation. Until the full judicial process has run its course, the Bureau’s employees, the companies it regulates, and millions of American consumers will continue to suffer under a cloud of legal uncertainty.

Yet, having installed its preferred agency head, the administration seeks to slow-roll these proceedings with a schedule that would stretch all the way to February 2018. Even though the Justice Department previously said that it could oppose our preliminary-injunction motion within ten days, (*see* ECF No. 9 at 17), it would now give itself a full month to complete that same task—four times longer than the Local Rules contemplate. By proposing to consolidate briefing on the preliminary-injunction motion and its motion to dismiss, the government’s plan would defeat the very purpose of seeking *preliminary* relief. It would also thwart prompt appellate review.

Under this Court’s Local Rules, when a party files a motion for a preliminary injunction, “[t]he opposition shall be served and filed within seven days after service of the application for

preliminary injunction.” LCvR 65.1(c). That is true even when a parallel round of briefing has not already taken place. A full week is more than enough time for the government to recycle and refine the arguments it has already made. Any additional time would only prolong the proceedings in this Court and needlessly delay the issuance of an order that may be appealed.

Accordingly, the plaintiffs respectfully propose that the Court adopt the following schedule for briefing on the plaintiff’s motion for preliminary injunction:

1. Plaintiff shall file her motion for preliminary injunction by December 5, 2017.
2. Amicus briefs in support of the plaintiff shall be filed by December 8, 2017.
3. Defendants shall file their opposition to the motion by December 12, 2017.
4. Amicus briefs in support of the defendants shall be filed by December 15, 2017.

In the event that the defendants file a motion to dismiss, we respectfully suggest that their motion be briefed under the ordinary schedule provided by the Local Rules.

Respectfully submitted,

/s/ Deepak Gupta

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December 1, 2017

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2017, I electronically filed this motion for a temporary restraining order through this Court's CM/ECF system. I understand that notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

/s/ Deepak Gupta

Deepak Gupta