

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

Civil Action No. 1:17-cv-289-RBJ

ZAKARIA HAGIG,

on behalf of himself and others similarly situated,

Plaintiff,

v.

DONALD J. TRUMP, President of the United States;
U.S. DEPARTMENT OF HOMELAND SECURITY (“DHS”);
U.S. CUSTOMS AND BORDER PROTECTION (“CBP”);
JOHN KELLY, Secretary of DHS;
KEVIN MCALEENAN, Acting Commissioner of CBP; and
LASHANDA JONES, Denver Director, CBP,

Defendants.

**MOTION FOR EXPEDITED BRIEFING SCHEDULE FOR PLAINTIFF’S
MOTION FOR PRELIMINARY INJUNCTION**

Plaintiff Zakaria Hagig (“Plaintiff” or “Mr. Hagig”), on behalf of himself and others similarly situated, by undersigned counsel, respectfully moves this Court for an expedited briefing schedule for Plaintiff’s Motion for a Preliminary Injunction, filed concurrently herewith. Specifically, Plaintiff requests that the Response to the Motion for Preliminary Injunction be due in one week, on Friday, February 24, 2017, and the reply be due the following Wednesday, March 1, 2017. In support thereof, Plaintiff states as follows:

1. Pursuant to D.C.COLO.LCivR 7.1(a), counsel for Plaintiff has conferred with Defendants' counsel concerning this Motion. Defendants' counsel opposes the relief requested herein.

2. The standard briefing schedule under D.C.COLO.LCivR 7.1(d) takes five weeks to complete—21 days for the response and 14 additional days for the reply. Under that schedule, Plaintiff's Motion for Preliminary Injunction would not be ripe until March 24, 2017.

3. As explained in the Amended Complaint (dkt. no. 13) ¶ 16, Mr. Hagig plans to visit his family in Canada over his spring break, from March 17-26, 2017. Under the Executive Order as it stands, Mr. Hagig will not be permitted to re-enter the United States following that trip.

4. Plaintiff's Motion for Preliminary Injunction seeks this Court to enjoin the application of the Executive Order to Mr. Hagig and others similarly situated until the final resolution of this case.

5. If Plaintiff's Motion for Preliminary Injunction is not ripe until March 24, 2017, Mr. Hagig will have to choose between visiting his family and finishing his education in the United States.

6. Mr. Hagig therefore requires an expedited briefing schedule to prevent Defendants from causing additional irreparable harm to Plaintiff while the Motion for Preliminary Injunction is pending.¹

¹ Other federal courts around the country are simultaneously addressing similar issues as those raised in the First Amended Complaint, the Motion for Preliminary Injunction, and this motion. The Ninth Circuit has affirmed a district court's decision to stay enforcement of portions of the Executive Order nationwide. Because of the temporary nature of that decision and the uncertain future of the Executive Order (and any future attempts by the Government to issue similar executive orders), Plaintiffs nonetheless still seek the relief requested here.

7. Plaintiff also respectfully requests that any hearing on Plaintiff's Motion for Preliminary Injunction be held as soon as the Court's schedule permits.

WHEREFORE, for the reasons stated above, Plaintiff respectfully requests that the Court order that the response to Plaintiff's Motion for Preliminary Injunction be due on Friday, February 24, 2017, and the reply be due on Wednesday, March 1, 2017.

Respectfully submitted this 17th day of February, 2017.

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on February 17, 2017, I electronically filed the foregoing document, Motion for Expedited Briefing, with the clerk of the court for the United States District Court for the District of Colorado using the CM/ECF system, which will send notification of such filing to the following e-mail addresses:

alan.kennedy-shaffer@aya.yale.edu (representing *Plaintiff*)

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s/ Christopher H. Toll _____

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