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11
 12 IN THE UNITED STATES DISTRICT COURT
 13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION
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<p>16 STATE OF CALIFORNIA, et al., 17 Plaintiffs, 18 v. 19 CHRISTOPHER WRIGHT, et al., 20 Defendants, 21</p>	<p>Case No. 3:26-CV-01417-RFL Assigned to the Honorable Rita F. Lin JOINT STATEMENT REGARDING CASE COORDINATION</p>
<p>23 NEETA THAKUR, et al., 24 Plaintiffs, 25 v. 26 DONALD J. TRUMP, et al., 27 Defendants, 28</p>	<p>Case No. 3:25-CV-04737-RFL Assigned to the Honorable Rita F. Lin JOINT STATEMENT REGARDING CASE COORDINATION</p>

1 The Court, on April 22, 2026, ordered all parties in *California, et al. v. Wright, et al.*, Case
 2 No. 3:26-CV-01417-RFL (ECF 63) and *Thakur, et al. v. Trump, et al.*, Case No. 3:25-CV-04737-
 3 RFL, to submit a joint statement to “address (1) whether the parties agree to coordinate discovery
 4 related to the factually overlapping claims involving Department of Energy and to permit such
 5 discovery to be used in both cases, and (2) whether the *Thakur* briefing and hearing on the
 6 overlapping Department of Energy claims should be continued so that the claims may be briefed
 7 and heard concurrently with the *Wright* claims.”

8 After conferring via email, the parties submit the following joint statement.

9 **1. Coordinating discovery related to factually overlapping claims**

10 The *Thakur* parties do not expect further discovery to take place in that case. Accordingly,
 11 all parties in *Thakur* and *Wright* agree the question of whether to coordinate discovery between
 12 the cases is moot.

13 **2. Scheduling concurrent briefing and hearings in *Thakur* and *Wright***

14 The parties were unable to reach a consensus on this issue and accordingly present their
 15 separate statements below.

16 *Thakur* and *Wright* plaintiffs’ separate statement:

17 The *Wright* plaintiffs propose the schedule adjustments detailed below to synchronize the
 18 schedule for the Court’s convenience. The *Thakur* plaintiffs consent to the proposed dates only if
 19 the Court prefers them to those already in place in *Thakur*.

20 • ***Thakur* briefing schedule:**

- 21 ○ *Thakur* Plaintiffs’ Summary Judgment Motion
 - 22 ▪ 7/15/2026 -> **8/4/2026**
- 23 ○ *Thakur* Defendants’ Opposition and Cross Motion for Summary Judgment
 - 24 ▪ 8/11/2026 -> **9/1/2026**
- 25 ○ *Thakur* Plaintiffs’ Reply and Opposition to Cross Motion
 - 26 ▪ 9/8/2026 -> **9/29/2026**
- 27 ○ *Thakur* Defendants’ Reply
 - 28 ▪ 9/22/2026 -> **10/13/2026**
- *Thakur* Summary Judgment hearing
 - 10/20/2026 -> **10/27/2026**

1 • **Wright briefing schedule:**

- 2 ○ *Wright* Plaintiffs’ Summary Judgment Motion
 3 ▪ **8/4/2026** (no change)
 4 ○ *Wright* Defendants’ Opposition and Cross Motion for Summary Judgment
 5 ▪ **9/1/2026** (no change)
 6 ○ *Wright* Plaintiffs’ Reply and Opposition to Cross Motion
 7 ▪ 9/15/2026 -> **9/29/2026**
 8 ○ *Wright* Defendants’ Reply
 9 ▪ 9/29/2026 -> **10/13/2026**
 10 ○ *Wright* Summary Judgment hearing
 11 ▪ 10/20/2026 -> **10/27/2026**

12 *Thakur* and *Wright* defendants’ separate statement:

13 The question of whether the cases can be heard together depends upon whether discovery
 14 can be coordinated. When the Court contemplated a joint schedule as to both *Wright* and *Thakur*,
 15 it did so because discovery in the cases appeared to be proceeding concurrently. *California v.*
 16 *Wright*, 3:26-cv-01417, Apr. 22, 2026, Initial Case Management Conf. Tr. 13:10–15 (asking the
 17 parties to “come up with a proposal for the Court in terms of hearing all of the claims together, and
 18 ensuring efficient coordination of discovery and the administrative record in the other case.”). At
 19 that conference, the Court suggested that because DOE was “in the process of doing discovery” in
 20 *Thakur* on overlapping claims, that discovery would overlap with discovery sought by Plaintiffs in
 21 *Wright*. That premise is no longer true because the parties in *Thakur* have obviated the need for
 22 discovery as to DOE due to their agreement on stipulations in lieu of discovery. *See Thakur v.*
 23 *Trump*, Case No. 3:25-cv-4737, Joint Statement Regarding Discovery and Administrative Motion
 24 to Amend Schedule, ECF No. 195.

25 Accordingly, the *Thakur* and *Wright* defendants do not agree that the cases should proceed
 26 on the same schedule. As a threshold matter, because DOE has not engaged in any discovery in
 27 *Thakur*, nor filed an Administrative Record, the schedule in *Wright* cannot be accelerated on the
 28 assumption that DOE has already engaged in discovery, as the Court had previously understood.
 Tr. 12:17–20 (“They are in the process of doing discovery in [*Thakur*] as well, and I imagine, as to
 Department of Energy, that discovery would be overlapping in this case.”). Further, it would not

1 be possible to proceed on the same schedule given their different postures. The stipulations in
2 *Thakur* largely have relevance only to the claims in *California* that are stayed. Because of the
3 automatic § 1292 stay, moreover, which will extend in *California* at least through the middle of
4 August (assuming the Court rules on the motion to transfer immediately after the June 16 motion
5 hearing) it does not appear that the cases can feasibly be litigated on the same schedule. For those
6 reasons, the *Thakur* and *Wright* defendants believe the cases should proceed separately.

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