

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

BRIAN WRENN, et al.,	)	Case No. 15-CV-162-CKK
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
DISTRICT OF COLUMBIA, et al.,	)	
	)	
Defendants.	)	
_____	)	

PLAINTIFFS' SUPPLEMENT TO LOCAL RULE 16.3 REPORT

Plaintiffs hereby supplement their position with respect to the Local Rule 16.3 report. Counsel have met and conferred over the issues discussed below. Defendants have taken no position, other than to say that they are considering the information and would be prepared to discuss it at the May 9 scheduling conference.

When counsel first met and conferred over their Local Rule 16.3 report on March 31, 2016, Plaintiffs had no specific objection to the dates Defendants proposed. Intervening events have caused a revisiting of Defendants' proposed schedule:

1. On April 21, 2016, the Third Circuit sua sponte ordered two of Plaintiffs' counsel's cases be reheard jointly en banc, and set that argument for June 1. Each case involved a cross appeal, and neither panel had issued its opinion. *Binderup v. Attorney General*, Third Cir. Nos. 14-4549, 14-4550; *Suarez v. Attorney General*, Third Cir. Nos. 15-1975, 15-1976.
2. On April 25, 2016, the Fifth Circuit released its argument calendar setting another of Plaintiffs' counsel's cases for argument on June 6. *Defense Distributed v. U.S. Dep't of State*, Fifth Cir. No. 15-50759.

3. Counsel has also accepted an invitation to speak at the American Constitution Society's national convention, on June 10.
4. On May 4, 2016, the D.C. Circuit ordered that Plaintiffs' opening brief, and the Joint Appendix, in the interlocutory appeal in this case (No. 16-7025) be hand-delivered to that Court by the close of business on June 13.
5. With the addition to counsel's schedule of an unexpected double en banc argument June 1, another appellate argument June 6, the ACS commitment on June 10, and the opening brief in the D.C. Circuit due June 13, any discovery served as Defendants would propose, starting May 18, would require an extension, and Plaintiffs would not be focusing on their own discovery efforts at that time.
6. Plaintiffs would thus ordinarily seek not to have discovery begin until June 14. However, owing to a significant matter of which Defendants have been advised and which counsel would rather share *in camera*, Plaintiffs would ask that discovery not start until July 15. Defendants' counsel has not taken a position on that request. In any event, a proposed schedule is attached.

Dated: May 6, 2016

Respectfully submitted,

Alan Gura (D.C. Bar No. 453449)  
Gura & Possessky, PLLC  
916 Prince Street, Suite 107  
Alexandria, VA 22314  
703.835.9085/Fax 703.997.7665

By: /s/ Alan Gura  
Alan Gura

Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

BRIAN WRENN, et al.,	)	Case No. 15-CV-162-CKK
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
DISTRICT OF COLUMBIA, et al.,	)	
	)	
Defendants.	)	
_____	)	

[PLAINTIFFS' PROPOSED] SCHEDULING ORDER

Factual discovery opens	July 15, 2016
Deadline to exchange expert reports	November 15, 2016
Rebuttal expert reports due	30 days following disclosure of Fed. R. Civ. P. 26(a)(2) expert report
Period to depose expert witnesses opens	January 3, 2017
All discovery closes	February 7, 2017

The Court will set a status conference following the close of discovery.

So ordered this the \_\_\_\_ day of May, 2016.

\_\_\_\_\_  
The Hon. Colleen Kollar-Kotelly  
United States District Judge