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Honorable Scott S. Harris
Clerk's Office
Supreme Court of the United States
Washington, D.C. 20543

Re: *Donald J. Trump, et al. v. State of Hawaii, et al., No. 16A1191*

Dear Mr. Harris:

We write in response to the Government's letter proposing a schedule for additional briefing on the stay application in the above captioned case. As the Government indicated, we oppose their proposed schedule. We agree that it is important for both parties to have an opportunity to respond to the Ninth Circuit's opinion, but we do not believe it is necessary or appropriate for the Government to file two additional briefs in connection with this stay application. The Court's June 2, 2017 briefing order did not make any provision for a reply brief, and the Court's general rules are similarly silent on the propriety of a reply with respect to a stay application. Further, permitting a reply in this case would mean that there would be five total briefs addressing a single stay application. Respondents believe that is unnecessary and may delay this Court's consideration of the stay, particularly because the Government's proposed schedule would leave less than twenty four hours between the filing of the final brief and this Court's final conference.

Therefore, respondents propose a schedule in which the Government files its brief on Friday, June 16 at 9am, and respondents file their brief on Wednesday, June 21 at 9am. We are also amenable to shorter word limits than those proposed by the Government, should the Court wish.

Alternatively, if the Court decides to grant the Government a reply, respondents request that the Government file their initial supplemental brief on their proposed date and time this Thursday, with respondent's brief due Tuesday, June 20 at 9am, and the Government's reply due on Wednesday, June 21 at 9am. As the Clerk's Office is aware, I am in Utah with very little internet access and it will be extremely difficult to coordinate with my clients and my team until I return to D.C on Sunday, June 18. For that reason, a Monday filing deadline would be extremely difficult for respondents to meet, as we have explained to the Government.

Sincerely,

/s/ Neal Kumar Katyal
Neal Kumar Katyal
Counsel for Respondents