# UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS VICTORIA DIVISION

STATE OF TEXAS, STATE OF LOUISIANA	)
Plaintiff, v.	) ) ) No. 6:21-cv-00016
UNITED STATES OF AMERICA, et al.	)
Defendants.	)

# DEFENDANTS' MOTION TO EXPEDITE CONSIDERATION OF THE MOTION TO CONSOLIDATE RELATED CASES

Defendants have asked this Court to consolidate two related cases that challenge the same federal policy to avoid potentially inconsistent judgments within the same district, and to serve the interests of judicial and party economies. *See* Defs.' Mot. (ECF No. 71). Defendants respectfully request that the Court expedite consideration of Defendants' motion to consolidate to allow a decision in advance of Defendant's current deadline to respond to the *Coe* Plaintiffs' pending motion for preliminary injunction. To promote judicial and party economy, Defendants will file a motion to stay proceedings in *Coe* tonight, pending this Court's decision on the motion to consolidate. Expediting consideration of the motion would also reduce any prejudice that either set of Plaintiffs could claim to suffer due to delay while the Court considers the motion.

Accordingly, Defendants respectfully request that the Court order Plaintiffs to respond to the Defendants' motion to consolidate by July 16, 2021. Defendants waive their right to file a reply brief, unless the Court determines that a reply brief would assist it in deciding the motion.

Defendants conferred with counsel for Plaintiffs in both actions. Plaintiffs in *Texas* oppose the motion to expedite. Plaintiffs in *Coe* consent to the motion to expedite.

Dated: July 12, 2021 Respectfully submitted,

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/s/ Adam D. Kirschner

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# **CERTIFICATE OF COMPLIANCE**

I certify that the total number of words in this motion, exclusive of the matters designated for omission, is 212, as counted by Microsoft Word.

/s/ Adam D. Kirschner ADAM D. KIRSCHNER

#### CERTIFICATE OF COMPLIANCE

I certify that on July 12, 2021, I conferred with counsel for the *Texas* and *Coe* Plaintiffs. Counsel for the *Texas* Plaintiffs represented that they are opposed to this motion. Counsel for the *Coe* Plaintiffs represented that they consent to this motion.

/s/ Adam D. Kirschner ADAM D. KIRSCHNER

### **CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on July 12, 2021.

/s/ Adam D. Kirschner
ADAM D. KIRSCHNER

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STATE OF TEXAS, STATE OF LOUISIANA	
Plaintiffs, v.	) ) ) No. 6:21-cv-00016
UNITED STATES OF AMERICA, et al.	)
Defendants.	) )
[PROPOSED	oj order
After due consideration, Defendants' motion	on to expedite briefing on Defendants' motion
to consolidate is <b>GRANTED</b> . Plaintiffs shall file t	their responses to Defendants' motion on or
before July 16, 2021.	
It is SO ORDERED.	
Signed this of	21.
	Drew B. Tipton United States District Judge