

**UNITED STATES DISTRICT COURT
FOR THE**

district court, in ‘the exercise of judgment,’ to ‘weigh competing interests and maintain an even balance’ between the court’s interest in judicial economy and any possible hardship to the parties.” *Belize Soc. Dev. Ltd. v. Gov’t of Belize*, 668 F.3d 724, 732-33 (D.C. Cir. 2012) (quoting *Landis*, 299 U.S. at 254-55).

3.

Plaintiffs' Motion for Summary Judgment, Defendants shall respond to Plaintiffs' Motion for Summary Judgment within 30 days after entry of such order. *See* ECF No. 27.

10. The Court has not ruled on Defendants' Motion to Suspend Briefing on Plaintiffs' Motion for Summary Judgment, so Defendants have not responded to Plaintiffs' Motion for Summary Judgment.

11. Defendants' Motion to Dismiss the Amended Complaint for lack of subject matter jurisdiction is fully briefed.

12. Although Defendants recognize that "the court must dismiss the action" "[i]f the court determines at any time that it lacks subject-matter jurisdiction," Fed. R. Civ. P. 12(h)(3), and Defendants adhere to the arguments set forth in their Motion to Dismiss, the Court has not yet ruled on Defendants' Motion.

13. On January 20, 2017, Donald J. Trump became President of the United States.

14.

for 90 days while the Department of Education's Office for Civil Rights reviews the 2011 Dear Colleague Letter that is challenged in this litigation. Pursuant to Local Civil Rule 7(m), the undersigned has consulted with counsel for Plaintiffs, who indicates that Plaintiffs do not oppose this motion.

16. If the Court issues an order holding the action in abeyance, Defendants will file a status report at the end of the 90-day period.

A proposed Order is attached.

DATED: August 11, 2017

Respectfully submitted,

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