

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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ELECTRONIC PRIVACY)	
INFORMATION CENTER,)	
)	
	Plaintiff,)	
)	
v.)	Civil Action No. 18-1814 (TNM)
)	
UNITED STATES DEPARTMENT)	
OF JUSTICE,)	
)	
	Defendant.)	
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**DEFENDANT’S CONSENT MOTION TO STAY PROCEEDINGS
IN LIGHT OF LAPSE OF APPROPRIATIONS**

Defendant hereby moves for a stay of the above-captioned civil action in the above-captioned case. A Joint Status Report is due on January 7, 2019.

1. At the end of the day on December 21, 2018, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. The same is true for several other executive agencies. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Counsel for the Department of Justice therefore requests a stay of this civil action until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court within two days after Congress has appropriated funds for the Department. Defendant respectfully requests that, at that point, all current deadlines for the parties be extended commensurate with the calendar day duration of the lapse in appropriations.

5. Counsel has conferred with Plaintiff's counsel who consents to this motion.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, Defendants hereby move for a stay of this case as applied to the duties of the government until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Dated: January 3, 2019

Respectfully submitted,

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