

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

NOV 8 2018

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: UNITED STATES OF AMERICA; et
al.

No. 18-73014

UNITED STATES OF AMERICA; et al.,

D.C. No. 6:15-cv-01517-AA
District of Oregon,
Eugene

Petitioners,

ORDER

v.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON,
EUGENE,

Respondent,

KELSEY CASCADIA ROSE JULIANA; et
al.,

Real Parties in Interest.

Before: THOMAS, Chief Judge, BERZON and FRIEDLAND, Circuit Judges.

Petitioners' motion for a temporary stay of district court proceedings (contained in Docket Entry No. 1) is granted in part. Trial is stayed pending this court's consideration of this petition for writ of mandamus.

The unopposed motion to file an oversized petition is granted (Docket Entry No. 2).

This petition for a writ of mandamus raises issues that warrant an answer. *See* Fed. R. App. P. 21(b). Accordingly, within 15 days after the date of this order, the real parties in interest shall file an answer.

The district court, within 15 days after the date of this order, may address the petition if it so desires. The district court may elect to file an answer with this court or to issue an order and serve a copy on this court. Petitioners may file a reply within 5 days after service of the answer(s).

In addition, the parties, within 15 days after the date of this order, shall file a joint report on the status of discovery and any relevant pretrial matters.

The district court is also requested to promptly resolve petitioners' motion to reconsider the denial of the request to certify orders for interlocutory review. *See* Order, *In re United States, Applicant*, No. 18-065 (U.S. July 30, 2018) (noting that the justiciability of plaintiffs' claims "presents substantial grounds for difference of opinion"); Order, *In re United States, Applicant*, No. 18-410 (U.S. Nov. 2, 2018) (same).

The Clerk shall serve this order on the district court and District Judge Aiken.