

MINUTE ORDER (Jan. 8, 2020): The attorneys general of seventeen states and the District of Columbia have moved to file a brief as amici curae. ECF No. 34. To the extent they seek the Court's permission to file their brief, they do not need it. LCvR 7(o)(1). Therefore, it is hereby ORDERED that their [34-1] Brief as Amici Curae is deemed filed. However, to the extent their brief can be characterized as a motion for a stay or to otherwise delay these proceedings, the Court will deny it. As a threshold matter, the Court notes that by filing as amici, each attorney general does not become "a party to the action, but is merely a friend of the court whose sole function is to advise, or make suggestions to, the court." *Artis-Bey v. Thornburgh*, CIV. A. No. 88-3240, 1989 WL 39023, at *1 (D.D.C. Apr. 14, 1989) (citation omitted); *see also United States v. Microsoft Corp.*, No. CIV. A. 94-1564, 1995 WL 121107, at *1 (D.D.C. Mar. 14, 1995) (observing that "amici not having party status do not have all the rights of a party, including the right of full participation in the proceedings"); *Jin v. Ministry of State Sec.*, 557 F. Supp. 2d 131, 136 (D.D.C. 2008) ("It is solely within the court's discretion to determine 'the fact, extent, and manner' of [amici's] participation." (citation omitted)). In addition, amici have not shown that a stay is appropriate. The Court "has a broad discretion in granting or denying stays." *McSurely v. McClellan*, 426 F.2d 664, 671 (D.C. Cir. 1970). Despite this discretion, "it is well established that a stay pending the resolution of unrelated legal proceedings is an extraordinary remedy." *Nat'l Indus. for Blind v. Dep't of Veterans Affairs*, 296 F. Supp. 3d 131, 137 (D.D.C. 2017). "If there is 'even a fair possibility that a stay would adversely affect another party, the movant for the stay must demonstrate a 'clear case of hardship or inequity in being required to go forward.'" *Id.* at 137-38 (quoting *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)). Here, the parties have plausibly argued that they or the public would, in one way or another, be harmed by a delay. *See* ECF No. 36 at 7-10; ECF No. 37 at 2; ECF No. 39 at 2-3. And amici have not persuasively argued that proceeding in the ordinary course would result in any hardship or inequity to them or others. For these reasons, to the extent amici have moved for a stay, their motion is hereby DENIED. It is further ORDERED that the parties shall appear for a telephonic status conference on January 10, 2020, at 2:00 p.m. They shall promptly contact the Courtroom Deputy at (202) 354-3495 to make arrangements to do so. Signed by Judge Timothy J. Kelly on 1/8/2020. (lctjk1) (Entered: 01/08/2020)